

THE STRATEGY OF TENANT SELECTION

IN CAMBRIDGE PUBLIC HOUSING

BY

Jayne E. Shister

A.B., American Culture  
University of Michigan  
1972

SUBMITTED IN PARTIAL FULFILLMENT OF THE  
REQUIREMENTS FOR THE DEGREE OF  
MASTER OF CITY PLANNING

of the

MASSACHUSETTS INSTITUTE OF TECHNOLOGY

May, 1976

Signature of Author

Department of Urban Studies and Planning, May, 1976

Certified by

Thesis Supervisor

Accepted by

Chairman, Departmental Committee on Graduate Students



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Submitted to the Massachusetts Institute of Technology,  
Department of Urban Studies and Planning on May 19, 1976  
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ABSTRACT

The public housing program was established by the Housing Act of 1937 to provide decent, safe, and sanitary homes for families of low income. The Act set few guidelines for choosing which families of low income would live in a small number of public housing units. The debate over which of the poor should live in public housing has continued since the beginning of the program.

The lack of substantive federal policy direction on this question left the Local Housing Authorities which operated the decentralized program to make difficult policy decisions regarding racial discrimination, income determination, priority order, and basis for rejection.

In the past decade, however, the balance between the federal government and the Local Housing Authorities has shifted. The legal, social, and economic environment in which public housing had been operating has changed drastically. The federal government has responded to those changes by issuing more stringent requirements for tenant selection.

This thesis examines the gaps between federal legislation, regulations passed by the federal agencies which interpreted the legislation, and the implementation of those rules by one Local Housing Authority in Cambridge, Massachusetts. The thesis traces the evolution of national policy regarding tenant selection and the written and unwritten procedures of the Cambridge Housing Authority from 1950 until 1975. It explores the interface of the formal and informal systems of tenant selection in Cambridge by examining the tenant populations at three federal public housing developments.

Thesis Supervisor: Langley C. Keyes  
Title: Professor of City and Regional Planning; Head of the  
Department

## ACKNOWLEDGEMENTS

My thanks and great appreciation go to the Cambridge Housing Authority, without whose interest and cooperation none of this work would have been possible. I would like to thank Langley Keyes, my thesis advisor, for his patience with me and my work, and his helpful criticism of the drafts. I extend thanks to Lisa Peattie and Howard Cohen for their thoughtful readings of the draft. Special thanks go to Susan Barr who helped me with the computer work. Finally, my gratitude goes to Mary Burnley who cheerfully typed the manuscript.

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## CHAPTER I

### INTRODUCTION

Lofty ideals get translated into policies and programs by Senators and Congresspeople in Washington. The dynamics of the legislative process often require that statutes be vague and flexible. While ambiguities in legislation are often requisite to insure passage of a piece of legislation, those same loosely defined sections and missing pieces must be interpreted into procedures which allow the program to function. Federal agencies must clarify and interpret legislation in order for programs to operate.

A gap exists between the legislation as passed by Congress and the regulations which are issued by the federal agency that administers the national program. The bureaucracy must study the statutes and legislative history in order to interpret legislative intent and create regulations which implement Congressional policy. The bureaucracy must take the leap from policy to procedures in order to standardize operations nationwide.

A second gap is apparent between the written directives from Washington and the written official policy of the locality. Because the federal agency has the power to monitor the local agency and enforce compliance with regulations, this gap should be small. However, if the federal agency does not effectively monitor local practices, the gap between federal and local written rules might be substantial.

A third gap exists between the written policy of the locality and the everyday practice of the local agency. It is in this setting that the functioning staff member comes in direct contact with the consumers of the program. It is at this phase of implementation that issues of agency and personal values, stress, and pressures from sources in the community influence the outcomes of the program. It is at this phase that any ambiguities in the law or regulations must become resolved. The resolution may be piecemeal, or guided by factors other than logic, but most questions must be answered in order to proceed with the program.

The process of implementation is not static. Presidential administrations change, legislation gets amended, court decisions interpret laws differently, federal rules and regulations are modified, local agencies alter their focus, bureaucrats retire, and consumers organize around their own demands. National and local conditions vary; the nature of client populations shifts.

Yet as the federal government changes its official posture by amending legislation, the gap between legislative intent and local implementation often grows. Rules and regulations are often long in the making. By the time the federal agency monitors the local implementation of change in regulations, it is often years after the national political process has advocated and enacted such changes.

With each modification in the environment, the local implementers can decide to change their practices correspondingly. By the same token, they can default or choose to ignore some or all of the often conflicting messages they receive. The magnitude

of gaps between policy, procedure, and practice, therefore, varies over time. Each locality may interpret the regulations differently and choose to implement provisions in a different manner.

The United States Housing Act of 1937 and its amendments are a clear-cut example of this paradigm of gaps, particularly with respect to the issue of client identification. The legislation does not define who should live in public housing. The number of families who meet the established statutory requirements for eligibility has been much larger than the number of housing units available. Yet the federal government did not establish a standardized way to distribute these units until the public housing program had been in operation for thirty years.

Housing is not a commodity which can be divided into an equal number of pieces to meet the needs of intended beneficiaries, as, for example, Food Stamps, Social Security, or Aid to Families of Dependent Children. Housing is both expensive and time-consuming to produce. If the eligible population doubles, the government cannot halve the amount of existing housing to be distributed to each recipient. No landlord can lease one-half of an apartment. In addition, unlike cash payments or vouchers, housing units vary greatly. Because Congress never appropriated enough housing units to meet the needs of the client population, some allocative mechanism had to be found to refine the definition of beneficiaries. In general, the initiative on this matter was left to local authorities.

Other federal programs share this indivisible quality with housing programs. The number of positions in day care centers, job training programs, some health programs, and nursing homes

are limited to a small percentage of the eligible population. Class size and beds available are limited. Some people are chosen above others to participate in the programs. Yet the public housing program is a large income and goods transfer. It can interfere with the private market in a much more substantial manner than most other government programs. The distribution of benefits has been more controversial than that of other programs.

Congress never made the difficult choices regarding allocation. The law outlined income limits for eligible recipients. Financing arrangements with Local Housing Agencies (LHA) required that operating and maintenance costs be covered by rent payments. Public housing was never intended for families with no income, for they could pay no rent. The upper limits on income were set by local rental market conditions and construction costs. But within these confines, should public housing be a temporary arrangement for the temporarily poor? Or should it house those families unlikely to "outgrow" their poverty? Should it house ex-convicts? Or mothers of illegitimate children? Only local residents? Welfare recipients? Elderly people without families? Should it encourage racial segregation or integration? Until recently, these questions were not addressed either in legislation or by federal agencies. Historically, LHAs have created their own selection mechanisms and chosen which of the poor would live in a finite amount of public housing. The lack of formal policy directives and procedures has allowed the localities to develop their own mechanisms with little national control.

As a result of the lack of federal direction, LHAs across the country made the initial choice to house "good" families. The definition of "good" varied from place to place, but at the time when the first public housing legislation was passed, many working, intact, stable families were also poor and in great need of standard housing. No dearth of "good" applicants existed. Because few rules limited the freedom of local authorities to select tenants, most LHAs chose families with male, working heads, no apparent social problems or criminal record, who were clean housekeepers and would pay the rent. The determination of eligibility was made through screening of applicants, home visits, and record and reference checks. Applicants who were found to be ineligible had no legal rights. Housing developments were generally segregated, a policy which was implicitly endorsed by the Congress and federal agencies.

Other factors came into play, however, for even the number of "good" families generally exceeded the number of apartments available when the program began. Politicians distributed patronage in the form of public housing units; Board members repaid favors by securing apartments for friends and relatives.

The extent to which "good" families were housed also varied from city to city. After 1949, some large cities used public housing as a supplement to the urban renewal program. Public housing was the place where slum dwellers removed from urban renewal sites were eventually rehoused. In some cities, there was no choice for the LHA but to house all displacees.

The 1950s saw the expansion of other housing programs, notably low-interest federally-insured home mortgages. The enlargement of housing opportunities in the suburbs changed the market for public housing. Applicants increasingly became those families who were trapped in central cities by the very nature of their poverty. Yet in most cities Local Housing Authorities tried to buy time by "creaming" the waiting list for good applicants. The changing tenant populations and the sterile and overpowering design of housing projects built during the 1950s created hostility in many communities against the entire public housing program. The changing image created a cycle of abandonment by many "good" families which led to a dual system of "good" projects and "bad" projects.

The 1960s wrenched the informal system of distributing apartments. With the Civil Rights movement and the Civil Rights Act of 1964, the practices of public housing authorities came under attack. National pressures for equality led to the imposition of non-arbitrary procedures which tightened bureaucratic control over tenant selection. The Courts imposed new rules. Client groups organized and demanded their rights.

Litigation since the mid-sixties has been influential in revising the concept of public housing from that of a charity and a privilege which brought with it few rights, to that of a social program that included rights of due process guaranteed by the Fourteenth Amendment. Previously, Local Housing Agencies had no sense of being legal institutions. Discrimination against welfare recipients, mothers of illegitimate children, and non-residents,

practiced in LHAs across the country, were eliminated by federal courts as criteria for tenant selection. In *Holmes v. New York City Housing Authority* [398 F 2nd 262] the federal court ruled that New York must have a set of "ascertainable standards" for selecting tenants. Other cases (e.g., *Davis v. Toledo Metropolitan Authority* [311 F Supp 795], *Thompson v. Housing Authority of Little Rock* [282 F Supp 575]) tightened procedural tenant selection requirements for Local Housing Authorities. Following the courts' intervention, the Department of Housing and Urban Development issued rules which limited the discretion of the local authority. Along with the increased legal influence, the nature of federal intervention has greatly increased in the 1970s.

The establishment of more stringent controls over Local Housing Authorities has been accompanied by the further decline in the market for public housing among "good" families. As federal and legal requirements for administration tightened, many local authorities became unable to implement legally sound procedures for rejecting or evicting tenants. The dual system intensified as "bad" tenants were not rejected, but assigned to "bad" developments.

This paper is an examination of the gaps between federal statutes passed in Washington and the projects themselves. It is an analysis of the policy, procedures, and outcomes of a single program in a single location. It is an historical study of the legislation, federal rules and regulations, local written policy, and actual implementation of the policy regarding tenant selection for federally-aided low rent public housing in Cambridge, Massachusetts.

In order to further pursue the assertion of a dual system the thesis will look at three housing projects in Cambridge. Washington Elms, built in 1942, has the reputation of being one of Cambridge's worst, marked by high turnover, rapid racial change, and delapidated physical conditions. Putnam Gardens was built in 1954 and, despite its location in a deteriorated part of the city, has remained a healthy, racially mixed development. Corcoran Park, built in 1953, is Cambridge's most desirable development. The populations of the three developments will be examined over time to understand the relationship of the dual housing system with the formal and informal tenant selection and assignment process.

## CHAPTER II

### DIRECTION FROM WASHINGTON

The public housing program was established in 1937 with very little federal definition of how it would operate at the local level. The lack of federal directions left local housing agencies to devise systems for choosing tenants to live in public housing developments.

Throughout the history of public housing, the issues of race, income, priority order (in what order should applicants be housed), and basis for rejection (who should not be housed) have been important considerations in the implementation of the public housing program. Congress has often skirted the issues and in the absence of statutory policy, the agencies which created, controlled, and monitored public housing procedures have also had to create general policy. The more ambiguous, contradictory, or absent statutory policy has been, the more difficult it has been for federal agencies to determine nationwide standards and procedures. Federal agencies have in turn often neglected to set standards or procedures, or to monitor the implementation of the procedures which they did establish. With little federal guidance, or with contradictory or frequently changing statements, as well as only very slow federal recognition of the changing circumstances at the local level, the localities were free to choose their own answers to these four issues. This chapter will trace the historical background of four major issues of tenant selection and the way in which the federal government has addressed them in legislation and regulations.

## THE ISSUES

Race

Patterns of racial segregation were patently obvious when public housing was proposed. Indeed, poverty, housing, and race were then, as now, inextricably intertwined issues. In practice, public housing was built as "separate but equal." The 1954 U.S. Supreme Court decision of *Brown v. the Board of Education* did not precipitate any change of federal procedures regarding race-determined occupancy. Housing projects were constructed for "White," "Negro," or "Mixed" occupancy. Segregated occupancy was overruled by a 1954 case in California [*Housing Authority of the City and County of San Francisco et. al. v. Banks et. al.*] and a 1957 case [*Eleby v. City of Louisville Municipal Housing Authority*], but no changes in procedures ensued. Regulations regarding site selection, per-unit cost, and priority order had implications for the racial distribution of public housing tenants. Yet, because of the implicit assumption that the developments were to be racially segregated, the discrimination inherent in the construction or tenant selection program was not attacked until the Civil Rights Act of 1964.

Despite the passage of the Civil Rights Act of 1964, and the circulars promulgated by the Department of Housing and Urban Development regarding implementation of the act, many important questions regarding racial discrimination remain. Should public housing, given the limited housing opportunities for minority families in the private market, be a program for housing only

minority families?\*

Should public housing disrupt existing segregated housing patterns? Is it essential for a housing authority to maintain integrated developments, or should developments be all of one ethnic group? Should a Local Housing Authority take action to retain options for the city's white poor? Should public housing in all-white or all-minority neighborhoods be integrated? Is there a pace at which integration of a housing development ought to take place in order to prevent whites from fleeing the development or the neighborhood? Does a Local Housing Authority have the responsibility to protect minority families moving into all-white developments (or vice-versa) from racial harrassment? Where should new public housing be built? Should applicants be forced to accept a given development or give up the option of living in public housing, or should free choice of location be maximized, regardless of its implications for segregation?

#### Income

Although the original housing legislation based eligibility for public housing developments on low income, this requirement was defined only loosely. "Families of low income" were to be the recipients of the program. These families were those who "are in the lowest income group and who cannot afford to pay enough to cause private enterprise in their locality or metropolitan area to build an adequate supply of decent, safe, and sanitary dwellings

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\*While the issue of segregation in public housing began as a black/white problem, it has been expanded to encompass other racial and ethnic groups, including Puerto Ricans, Chicanos, American Indians, Orientals, etc. as "minority." The term "Minority" is meant to include all of these groups.

for their use."<sup>1</sup> Regulations further refined this definition, but many questions were left unanswered. For example, the applicability of the income of a secondary wage earner or the family's assets and savings accounts in determining income were left to the local authority. Questions of how income should be measured have been answered, but fundamental questions of the social mix of developments have been left unresolved. What kind of income mix is desirable? If the public housing program is for only the very poor, the housing developments will not be solvent; but if the program houses the not-so-poor, where and how can the very poor afford housing? Realtors, mortgage bankers, and homebuilders have not wanted public housing to capture part of their own market. Can the dual objectives of non-interference with their client population and maintenance of financially sound housing developments be achieved? Further, the source of the applicants' income was a matter of policy which was not clearly stated until the program had been in operation for twelve years. Does it make a difference whether income is earned or from public assistance? Given that many of the nation's poorest families are living on meager welfare incomes, should public housing make a concerted effort to house them? Conversely, should public housing be a reward for working poor families, thereby leaving welfare families to pay a large portion of their income for substandard housing? Should public housing, in other words, distinguish between the "worthy" (working, intact, stable and/or elderly families) and the "unworthy" (welfare, broken families) poor? Should each development have a mix of working and welfare families? Should income limits depend upon

family size? Should deductions from income be allowed in determining eligibility, in order to compensate for extraordinary expenses such as medical costs? Should income limits be set nationally or should they be locally determined so as to encompass regional differences?

### Priority Order

If there were enough public housing units for everyone who was eligible (however defined) to receive an apartment when s/he needed it, the order of selection would not be important. However, depending upon the turnover in developments, the difference between being number 1 on a waiting list and number 10 may be years.

At various times, certain classes of families have been given priority in an effort to reward or compensate them. Servicemen and defense workers were housed first during World War II; veterans were granted priority after the War; slum-clearance and redevelopment displacees jumped ahead of others on the waiting list after the Housing Act of 1949. If vacancies are few, granting priority to one segment of the population may effectively eliminate the chance of people in other segments of society to get apartments.

Should public housing be compensation for people who are punished by the government in other ways? Should applicants who live in the worst housing conditions be given preference for public housing? Can blight-elimination, the rebuilding of slums, and public housing be successfully coordinated? Should the selection process be first-come, first-served or based upon an assessment of need? Should some people be eligible for one housing development and not another? Should applicants be able to choose the

development in which they would like to live or be forced to take their chances in a lottery system? If selection order is based upon need, how can that need be assessed?

### Basis for Rejection

While public housing is for families of low income, it has been clear from federal debate as well as local practice that it has not been for all families of low income. Some people have been barred from housing because of race, because no housing developments existed in their neighborhood or city, or because they have been on welfare. Legislation, inasmuch as it has only vaguely defined the intended recipients, has not been explicit about who should not be housed. The courts have clarified some of the questions in recent years.

Is public housing the proper place for unmarried mothers and children born out of wedlock? For criminals and ex-convicts? For alcoholics and drug addicts? For poor housekeepers? Should public housing be restricted to families or should poor individuals also be housed? Should tenants be citizens of the United States? Should they be local residents? What is the public responsibility of public housing to provide homes for those who, because of their social behavior, are unable to find other housing arrangements? By the same token, what is the responsibility of the Local Housing Authority to provide a secure and stable environment for tenants to raise their families? Can the contradictory requirements of housing society's outcasts and providing a stable living environment be combined? Is there a proportional threshold beyond which the

presence of "troubled" families can not be tolerated? If troubled families are accepted as tenants, moreover, does the housing authority owe them any special consideration or social services?

Housing officials have argued for viewpoints regarding tenant selection over the years.<sup>2</sup> The controversy continues today. The four points are:

- that the Local Housing Agency should accept every applicant who meets the statutory eligibility requirements;
- that an applicant should be screened out of public housing if s/he has a known criminal record, is a drug addict, has a history of immorality, or an active case of tuberculosis; but that welfare recipients, as well as emotionally and socially maladjusted families, be accepted as provided under the law;
- that public housing is a business, and like other businesses, should base its tenant selection practices on the ability of a tenant to pay the rent;
- that the spirit of the public housing acts has been that housing projects should be nuclei for new communities and not institutions for problem families. Therefore, only "normal" families should be allowed to live in them.

The lack of a clear statement of policy, whether as a compromise to interest groups or due to a general lack of consensus, is indicative of the variety of purposes that public housing has promoted. It has been used not only to provide homes for low-income families, but has been a means for stimulating employment, for clearing and/or improving the slums, for rewarding veterans, for facilitating removal of poor residents from urban renewal areas, to supplement the welfare system, and as housing of last resort.

The questions raised by the four issues of race, income, priority order, and basis for rejection continued to be debated among local housing officials and federal agencies. With few

exceptions, the federal government has either remained silent or given mixed messages to local authorities on the answers to the questions raised in this section. A historical discussion of the legislation and the rules and regulations which addressed or failed to address these key questions follows.

#### BACKGROUND: MULTIPLE GOALS, MULTIPLE CLIENTS

The failure of national leadership to provide answers to key questions regarding the selection of tenants to live in public housing can be attributed to the variety of purposes which public housing was intended to serve and the compromises which have been made to enable any federal intervention in housing development. This section will trace the early history of the public housing program.

#### The Federal Housing System

The Depression years saw stagnation in the housing business, high unemployment, overcrowding of families and intensification of slums. With the massive social programs of the New Deal, the federal government, under the Public Works Administration, tried to encourage low-rent housebuilding through limited dividend corporations. The PWA shifted its emphasis to direct construction, but was halted by a court decision [U.S. v. Certain Lands in the City of Louisville (9 F Supp 137)] which held that the federal government could not use eminent domain power to acquire and clear slum property to build public housing. State courts, on the other hand, had judged that state use of eminent domain was justified as a public use.<sup>3</sup> Because the court struck down the federally-operated

program, a new program which delegated development power to the states and localities had to be created in order to further pursue the federal goal.

The United States Housing Act of 1937 created the United States Housing Authority (USHA), which would supply money and supervisory control over Local Housing Agencies (LHA) directly operating the program in cities. The LHAs were in turn established by state enabling legislation. The structure of LHAs were determined by each state. By mandating a national-local system, the federal legislators decentralized the low-income housebuilding effort and lost direct control over the implementation of their program because the Local Housing Authorities developed, owned, and operated the low-rent projects. The role of the federal supervising agencies, then, has been restricted to the provision of financial assistance to the local authorities, the furnishing of technical aid and advice, and assuring compliance with statutory requirements.

#### Multiple Goals, Multiple Clients

A report submitted to Congress by the President's Committee on Planning in 1936 stated "no other undertaking of the federal government during the last four years holds forth such certain prospects of business stimulation, economic re-employment, and social advancement."<sup>4</sup> Such a statement is indicative of the multiplicity of goals which the federal government had for this one piece of legislation. Promoters of the Act touted its ability to stimulate the building industry and employment. Other promoters presented "facts" that slum clearance and the provision of sanitary low-rent housing "decreased the danger of epidemics; raised

general public health; reduced crime; cut juvenile delinquency; reduced immorality; lowered economic waste by reducing health, police, and fire protection costs; made better citizens; eliminated fire hazards; increased general land values in the vicinity; cut the accident rate; prevented the cancerous spread of slums to infected areas."<sup>5</sup> Senator Wagner, co-sponsor of the bill which became the Housing Act of 1937 said, "...the moment we eliminate the slums and put the people in better quarters, juvenile delinquency disappears, crime disappears, disease generated from the slums and spread to all other sections of the city disappears."<sup>6</sup>

The Act would thus "promote the general welfare of the Nation by employing its funds and credit...to alleviate present and recurring unemployment..." as well as provide a solution to serious social problems in cities.<sup>7</sup>

The building industry, the unemployed workers who would be put to work building the housing, the general public (now, in theory, free of the slum conditions which had infected them), and the future residents of the new standard housing were all considered to be beneficiaries of the program.

#### THE HOUSING ACT OF 1937

The future residents were defined only loosely. Except for stipulations limiting income, based upon local rental market conditions, the Act says nothing else about the future tenants. Senator Wagner stated that the intention of the Act was to rehouse only persons of low income who live in unsanitary, unsafe, and unhealthful conditions detrimental to morals, health, and safety.<sup>8</sup> He also remarked that "people of ill repute would of course not be

permitted to occupy the premises."<sup>9</sup> The 1937 Act, however, states neither requirement explicitly. Even if it had done so, with one-third of a nation ill-housed, living in substandard slum housing, overcrowded, or financially unable to form households of their own, the selection mechanism would have had to be further honed to be operational locally. The legislation addressed only one of the four major issues of tenant selection: amount of income. Furthermore, while a limit on the amount of income a tenant could earn was alluded to, the more difficult matter of defining both the dollar limit for the locality and the components of family income was left out of the legislation. The issue of the derivation of the tenant's income was also omitted, and no decision was made about whether or how to consider financial assets in computing income. The four other major issues of tenant selection were evaded. Nowhere in the Act is the race of potential tenants discussed. No order of priorities for choosing among applicants was described. No criteria for rejection of an applicant were enumerated, except income and family status. The result of this absence of explicit tenant selection requirements was to place decision-making responsibility on the administrative agency and the Local Housing Authority. It is important to note that the statute was not the only basis for determining Congressional intent. Committee Reports were consulted by the regulating agency and considered part of the legislative history to interpret the statute.

#### RULES AND REQUIREMENTS

The Housing Act of 1937 evaded the important issues regarding the distribution of public housing units. Except for limiting the

program to families, and to those families in the lowest income group, the Act does not define recipients of the program.\* The United States Housing Agency, which administered the program and was entrusted to develop procedures to implement Congressional policy, had several options. It could concentrate on procedures which merely explicated the statute and the legislative history, ignoring important but neglected issues; it could develop policy for issues not directly addressed by the law but worthy of federal policy direction; or it could delegate the authority to Local Housing Agencies to develop their own policies and procedures, thereby relinquishing the power to set national standards for administration.

The USHA did all three. It further defined policy issues, created new policy, and otherwise left full discretion to the local agencies.

Perhaps most controversial of its policy setting regulations was the establishment of the 20% Housing Gap formula. This gap set maximum income limits for admission to public housing "at least 20% below the income level at which families of the various sizes can afford decent, safe, and sanitary housing accommodations available from private enterprise and appropriate for their use."<sup>10</sup> This provision assured that there was always a group of families whose incomes exceeded the maximum limits, yet by definition could not afford decent, safe, and sanitary housing on the private market.

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\*"Family" was defined by regulations as a group of persons regularly together which consisted of two or more persons related by blood, marriage, or adoption. Unrelated persons or persons living alone did not constitute a family.

The USHA also established a system of graded rents. The distribution of apartments at different rentals, depending upon the tenant's ability to pay, was developed in order to allow a cross-section of families of low income to live in public housing as well as keep federal and local contributions at a low level.

Although only implied in the legislation, the rules required that families whose incomes exceeded continued occupancy limits be evicted. The eviction of over-income tenants has been cited as one of the failures of public housing administration. By forcing those families whose incomes were high out of public housing, instability of the development was enhanced. However, if the program was to be for families of low income, as it was interpreted at the time, others should have been excluded. Income was defined more explicitly than in the Act: the regulations listed all income to be considered as well as deductions. Asset limits were to be established by the local authority.

The rules and regulations also defined policy. In keeping with the intentions of the Act as stated by Senator Wagner, the rules declared that all tenants had to be U.S. citizens and either have been living under unsafe, unsanitary, or congested housing conditions (as defined by the local authority); or have been displaced by a low-rent housing project or "equivalent elimination" slum clearance, or both. Within each income grade, families living in the most dangerous housing conditions and displaced were to be given preference. No direct priority order, however, was included in the regulations.

Race is not mentioned in the regulations despite a clause prohibiting discrimination on the basis of "religious, political, or other affiliations."<sup>11</sup>

While these rules clarified several positions, it is significant that issues related to race and criteria for rejection (except high income) were completely ignored. Income limits, while defined in the regulations, were based on local conditions. Periodic management review was established by the regulations to ensure compliance with the rules and to offer advice and assistance. The USHA created a loophole for local authorities: the requirements which were not mandatory provisions under the U.S. Housing Act might be waived under exceptional circumstances.

Thus, the original regulations tightened up income definitions, but in general allowed the local authorities to develop their own procedures and policy for selecting tenants to live in public housing.

## WORLD WAR II

Mobilization for the second World War required immediate housing for servicemen, defense workers, and their families. In 1940, the 76th Congress passed two laws that affected current and future low-rent public housing. Public Law 671 authorized the use of loan and subsidy programs of the Housing Act of 1937 for housing defense and war workers. The "Lanham Act" (P.L.849) authorized the appropriation of additional funds for the provision of war housing and community families. Defense workers often did not meet the low income requirements established under the Housing Act, but were nonetheless entitled to public housing under P.L. 671.

Defense workers and servicemen were given top priority for apartments. Because of this suspension of rules for a national emergency, many developments which had been built prior to World War II became temporary housing for non-residents of the communities in which they were located. The break during the War was indicative of the precarious nature of the goals of the public housing system. It had been utilized as a countercyclical tool for stimulating employment during the Depression, and was used as a national defense link. The long-term social objective of improving housing conditions for low-income families was circumvented temporarily. A special need category (servicemen and defense workers) was created which supplanted the needs of poor citizens but served the national objectives during the War. This special interest category was to be used in the future for veterans and displacees from urban renewal. In 1942, the USHA was replaced by the Federal Public Housing Authority as the federal agency which supervised public housing.

#### THE HOUSING ACT OF 1949

The social and economic conditions of the nation which necessitated the passage of the Housing Act of 1949 were quite different from those of 1937. The United States had emerged from the War with a growing economy. New household formation, at a standstill during the War, was occurring at rapid rates; the "baby boom" had begun. Veterans just starting families were unable to find homes; for nearly two decades the homebuilding industry had been depressed. Most of these families soon were to be suburban homeowners due both to the broadening of federal mortgage insurance

which made it possible for working class families to buy homes and to the national highway building program. In addition, there was a perceived need for massive rebuilding of the cities, which had been neglected since the twenties. The Housing Act of 1949, an omnibus bill of redevelopment, mortgage guarantees, and public housing, declared national housing policy for the first time. This policy addressed not only families of low income, but a majority of Americans.

National Housing Policy was directed toward achieving "a volume of housing production and related community development sufficient to remedy the serious housing shortage, to eliminate slum and blighted areas, to realize as soon as feasible the goal of a decent home and suitable living environment for every American family, to redevelop communities so as to advance the growth and wealth of the Nation and to enable the housing industry to make its full contribution toward an economy of maximum employment, production, and purchasing power."<sup>12</sup>

With the broadening of other housing options for working class families, the focus of the public housing program shifted under the 1949 Act. Public housing was to be for those families displaced by massive redevelopment, temporarily in great need of housing, or left behind by the economic recovery of post-War America. The housing developments were to be cheap and efficient structures with few amenities.

In keeping with this re-definition, the Housing Act of 1949 circumscribed the selection of tenants more restrictively than did the 1937 Act. The Amendments of 1949, according to the House

Banking and Currency Committee, "...leave no doubt whatsoever that only low-income families will be eligible for public housing."<sup>13</sup> It legislated the 20% gap between public housing upper rental limits for admission and the rents at which private enterprise is providing a substantial supply of decent, safe, and sanitary housing. While this practice had been an administrative policy since the 1937 Act, the inclusion of the "housing gap" as a statutory provision represented "sound further reassurance that competition does not and will not exist between public housing and private enterprise."<sup>14</sup> Net income of residents could not exceed five times the gross rent. If income exceeded the maximum limits for continued occupancy, the tenant had to move.

The 1949 Act required that the Local Housing Agency fix maximum income limits subject to prior approval of the Federal Public Housing Authority. It required more reporting on tenants accepted into public housing than previously, including their incomes and their previous housing conditions.

The Act legislated priorities for selecting tenants from eligible applicants for the first time. First priority was given to families that were to be displaced by any public slum-clearance or redevelopment project. Within this priority, disabled Veterans, families of deceased Veterans, and families of other Veterans received priority. Second priority was given to families of Veterans not displaced by slum clearance or redevelopment. Priority again was granted to conform with national needs rather than those of the poorest Americans.

Despite the huge movements of blacks to northern industrial cities during the War, and a high correlation of race and housing

conditions (in 1952, 72% of the non-white population occupied substandard dwellings), the law had no provisions regarding racial discrimination.

The income stipulations of the Act were no more precise than they had been in 1937, except for the statutory 20% gap. Local Housing Agencies were left to develop their own definitions of income and assets for their cities. Priority order was established for the first time, and preference within categories of priority was to be given to those with the most urgent housing needs. The 1949 Act declared that a local authority "shall not discriminate against families, otherwise eligible for admission, because their incomes are derived in whole or in part from public assistance," thereby eliminating the possibility for rejection of welfare recipients, but made no other statements about the "character" of families who should live in public housing.<sup>15</sup>

#### RULES AND REGULATIONS

The Federal Public Housing Administration was reorganized in 1947 as the Public Housing Administration within the Housing and Home Finance Administration (HHFA). The rules and regulations adopted by HHFA to administer the Act of 1949 basically interpreted the statute. Rather than merely target priorities for housing slum dwellers, displacees, or veterans, the HHFA regulations required that all families admitted meet this standard. It also allowed families without any housing to be eligible. These families would be eligible, however, only if they were without housing through no fault of their own. The definition of "no fault of their own" was left up to the local authority.

Regulations as to how to measure the 20% housing gap were promulgated. However, the procedure published by HHFA was "probably more restrictive upon public housing than a strict interpretation of the statute and the implied theoretical measurement would require."<sup>16</sup> When the prescribed measurement was used, the income limits for public housing were even more stringent than those in the 1949 law, further lowering the possibility of housing the upper stratum of lower income families.

HHFA regulations also suggested a score sheet with which to gauge prior housing conditions. Applicants were to be rated with respect to: location, condition of structure, water supply, sewerage system, toilet facilities, bath facilities, lighting, kitchen facilities, heating, light and ventilation, and overcrowded conditions. Housing need within the lower income group was thus evaluated by physical and not social or economic criteria.

Because of the administrative policy to house a cross-section of the lowest income class, regulations stated that priority categories were to be exercised within each rent grade. Therefore, if urban renewal displaced large numbers of families within one rent grade, not all of them would necessarily be housed.

The policies established by the Housing Act of 1949, which created dense, cheap housing for the poorest families were put into practice during the 1950s. A discussion of the results of those policies follows.

#### THE FIFTIES

The fifties saw several developments which changed the nature of much of the country's public housing. One, public housing

became an adjunct to the urban renewal program, housing families displaced by renewal projects in great numbers. Two, the "problem tenant" was discovered. Three, public housing was made available to elderly single families, and a program of direct loans for elderly low-rent housing was created. Four, high-rise developments built on expensive slum land with few amenities became the rule. Five, the family public housing program was effectively squashed by small appropriations. This section will discuss these changes as a means of understanding the directions of tenant selection stipulations in federal legislation and regulations.

The trends which are described in the following section are generalizations about central city public housing programs. All cities had different goals and expectations for their programs and therefore utilized them somewhat differently.

### Urban Renewal

Urban renewal, established under the Housing Act of 1949, and expanded by the Housing Act of 1954, was a federal program of loans and grants to cities to clear slum land and package it to sell for private redevelopment. The urban renewal program had two very serious spillover effects on the public housing program. First, urban renewal sites which were not able to be sold to private investors, but needing clearance, would often be developed as public housing. The areas which failed to attract private bidders were generally heavily impacted slum areas with few locational advantages. These areas were often black districts, and the housing market for them was limited to black families. Second, urban renewal displaced great numbers of people. Low-income residential

neighborhoods were destroyed to provide commercial facilities or high-priced apartments. By coupling the public housing program with urban renewal, however, the problem of rehousing displaced persons could be solved by the new public housing projects. In fact, the supply of public housing could not meet both the needs of displacees and of other poor families. Furthermore, it has been hypothesized that many of the displacees who were housed in public housing were seriously troubled families.

### Problem Tenants

The tenant population of family public housing was changing drastically during the fifties. Elizabeth Wood, director of the Chicago Housing Authority, wrote in 1957 that there had been an "ominous increase in the number of problem families [in public housing developments] because of (1) priorities given to displacees, (2) rejection by 'normal' families of public housing because of the presence of problem families, and (3) unrealistically low income eligibility requirements."<sup>17</sup> Wood described problem families as families with a history of "brawls, narcotics, prostitution, alcoholism, mental illness or rape."<sup>18</sup> Others called these families "hard core," and the "residue of generations of slum life."<sup>19</sup> Whatever they were called, and however ritualistic or class-biased the definition of such tenants was, by the mid-fifties it became obvious that the placid, homogeneous days of well-manicured public housing developments occupied by stable working families were over. The federal policies which encouraged suburban growth and easily obtainable mortgages also helped to diminish the supply of "normal" families who wanted to live in public housing.

### Elderly Housing

As public housing began to become the repository for the problem-poor, Congress sought to rescue one class of poor folk from the rest. The "worthy" poor had been the original occupants of public housing. They were hard-working, stable, intact families trying to better themselves. According to the literature, they were replaced by "unworthy" poor whose image was welfare-dependent, shiftless, and immoral. By definition, poor elderly persons were "worthy." Their image, in contrast to the growing reputation of family public housing tenants, was that of people who had worked hard all their lives, lived peacefully and within high moral standards. The elderly emerged during the 1950s as a special interest group. The Housing Act of 1956 amended the 1937 Act to make low-income single elderly persons eligible for admission to public housing. The requirement regarding previous substandard housing conditions was waived for them in the 1956 Act. Elderly persons who met the statutory definition of "family," of course, had always been eligible for public housing. In most developments, small units were set aside for these families. Until 1956, a single elderly person was only allowed to live in public housing if s/he had initially lived there as part of a family.

The eligibility of a large group of previously ineligible persons placed a heavy burden on the existing public housing stock. Congress never made sufficient appropriations to meet the Housing Act of 1949's goals. Therefore, the low-income elderly persons were competing for a very small number of available units.

The growing unpopularity of the family public housing program, coupled with the recognition of the need of the "worthy" elderly

poor, led to the enactment of Section 202 of the Housing Act of 1959. This Section created a special program for low-rent Elderly Housing. Greater subsidies for elderly housing and less restrictive design limitations were imposed than for family housing.

### High-Rise Housing

The proliferation of high-rise housing projects, necessitated by high central city land costs and overall restraints on per-room construction costs in the 1949 Act, multiplied the problems of public housing and its tenants. High-rise buildings, with no frills or amenities, were often completely out of scale and were socially isolated from the rest of the neighborhood. Families who were not accustomed to urban living were housed in high-rises, further complicating their ability to supervise children. Children with nowhere to play converted elevators into toys, often destroying them for ordinary use. Elevators, when functioning, became terribly dangerous places in which to be. Tenants in high-rise public housing apartments became the primary victims of criminal activity while police often refused to go into the project buildings to apprehend wrongdoers. Public housing came to be typified by the high-rise, high crime institutions built between 1950 and 1955. Many eligible families, especially in cities where private high-rise buildings were not common, shied away from the new housing. Its eyesore quality made it even more difficult to sell to communities outside the central city. Because new building was concentrated in slum neighborhoods, working class families from other sections of the city who qualified for public housing chose not to apply.

### Appropriations

The 1949 Act required annual appropriations for public housing construction. The 1949 Act declared that Congress intended to fund 135,000 units a year for six years. First, the Korean War limited production. Later, the Eisenhower administration and a fiscally and socially conservative Congress limited appropriations to a fraction of what had been intended. In the fifties, public housing appropriations never reached 50,000 units per year. From 1955-60, never more than 22,000 units per year were completed.<sup>20</sup>

The limitation of production of public housing units was indicative of the national leadership's viewpoint toward public housing. Indeed, housing programs did not get much attention again until the War on Poverty during the 1960s.

### ISSUES

The legislation and rules and regulations of the fifties further defined some of the four major issues of tenant selection but neglected others. In the late fifties, Congress eliminated tenant selection requirements from national legislation and restated its intention to encourage local self-determination in tenant selection.

### Race

The issue of racial discrimination was not explicitly handled in the laws during this period or in regulations, but the continuation of racially segregated projects was an underlying assumption of both. The contract which the federal government and the Local Housing Agency wrote to negotiate financial arrangements for a

new development (Annual Contributions Contract) specified the race of intended occupants. Management Handbooks published by HHFA referred to "parts of the program which are not available to all races..."<sup>21</sup> in describing administrative procedures.

In a subtle manner, blacks were given priority for public housing by the granting of priority to displacees. Since urban renewal in some cities was largely a program of redeveloping black central city areas, and public housing building was largely in black districts during the fifties, giving priority status to displacees favored blacks. Furthermore, if preference were given to those families in the worst housing condition, as stated by the 1949 Act, blacks would also theoretically have a better chance of getting an apartment.

#### Income

Income limits were set by the Local Housing Authority throughout the decade. The 1957 Housing Act enumerated deductions from income. The 1957 Handbook, published by HHFA and distributed to LHAs, suggested that, in view of the special hardships faced by displaced families, income limits for displacees might well be made somewhat higher than for others. Local Housing Authorities continued to make their own asset limits. Income limits for elderly persons were set higher than family limits by an HHFA regulation in 1956.

#### Priority Order

The order of priority for housing eligible families was well-defined in the Housing Act of 1949, but redefined by the rules of

of HHFA. The law gave priority to displacees and those living in unsafe, unsanitary, or overcrowded homes. The regulations required all tenants to meet these requirements. Veterans and elderly persons, however, were exempt from having to be displacees or residents of substandard housing. Neither the rules nor the laws, however, set priorities which could be easily implemented. The Local Housing Authority still had to decide how the eligible families would be rated on the urgency of their housing need. While previous housing conditions of applicants were verified by the LHA, there was no federally imposed rank order which determined, for example, whether a family living in overcrowded conditions must be housed after a family with no home, or whether a family with no hot water ought to get preference over a family living in a condemned house. The HHFA made suggestions to LHAs on how to measure housing need, but none of these suggestions were mandatory. The determination of housing need and the order in which applicants would be housed was left to the LHA.

#### Basis for Rejection

The Housing Act of 1949 and regulations which followed were explicit about one category of family which could not be rejected: public welfare recipients. In 1952, the Gwinn Amendment stated that members of subversive organizations could not live in public housing. However, any other limitations as to who was not to be housed was left to the local authority. The federal government refused to make the choice of who should be excluded or included from the public housing program.

The Housing Act of 1959 made a declaration of policy: local public housing agencies were to be given the maximum amount of responsibility in the administration of the program "including the responsibility for the establishment of rents and eligibility requirements (subject to the approval of the Public Housing Administration) with due consideration to accomplishing the objectives of the public housing law..."<sup>22</sup> This statutory declaration of policy, in practice since the beginning of the program, served two purposes. First, it restated the principle of local autonomy. Second, more negatively, it represented Congress's further retraction from the program. Appropriations had been cut to a bare minimum for family projects. Withdrawal from making policy for Local Housing Authorities to follow shifted the burden from the federal government in an era when public housing had begun to fail.

A change in this situation came in the sixties with tremendous pressure from outside the Congress and housing bureaucracy.

#### THE SIXTIES

Increasing national awareness of the existence of racial discrimination and poverty in the United States led to the Civil Rights movement, the Civil Rights Act of 1964, and the host of anti-poverty programs under President Johnson's administration. The federal anti-poverty programs which promoted legal assistance for the poor facilitated the codification of rights for public housing tenants. Practices that had been prevalent at the local authority level, such as screening out unwed mothers or evicting a tenant with little or no notice, were attacked in court.

Local Housing Authorities, in part because of the lack of federal supervision or control, had developed procedures which were capricious and arbitrary. Local Housing Authorities were superseded in the sixties first by the courts and then by the federal supervising agencies. The federal government developed rules to standardize many previously discretionary procedures of local authorities. The Department of Housing and Urban Development outlined the aspects of rights of public housing tenants to notification of their status, established grievance procedures, long-term leases, and protection against eviction. For the first time, the federal bureaucracy intervened in the practices of LHAs by establishing standard rents and requiring a federally-imposed tenant selection plan. The sixties was a period when much control over the operation of LHAs was taken out of their hands and given to federal agencies and the poor themselves.

## LEGISLATION

### Race

Race became a paramount issue in the sixties. Discrimination in housing was a major component of the Civil Rights struggle. Public housing became part of a crusade for desegregation. Indeed, because it was built with federal money and regulated by the federal government, it was argued that the public housing program had a special duty to pioneer the integration of the races. The history of public housing indicates that it avoided that challenge. The localities may have been prevented from doing so by local pressure; however, the federal government certainly did not provide guidance or imperative action until after the program had been operating on a segregated basis for 25 years.

In 1962, President Kennedy issued an Executive Order entitled "Equal Opportunity in Housing." The Order declared that discrimination on the basis of race, color, creed, or national origin to deny any American the benefits of housing financed with federal financial assistance was illegal because such discrimination acted to "deprive many Americans of equal opportunity in the exercise of their inalienable rights of life, liberty, and the pursuit of happiness."<sup>23</sup> The Order applied only to newly constructed public housing (as well as any other housing financed or insured by the federal government), and while enforcement procedures were outlined in the Order, they were not implemented.

The Civil Rights Act two years later superseded the Executive Order. The Act (PL 77-352) had major implications for public housing. Title VI declared that "no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance."<sup>24</sup>

These two statements of federal policy were intended to reverse the 25 year policy of separate but equal facilities for the races. The regulations created by the Department of Housing and Urban Development to implement the law are a good example of the mismatch of legislation to regulations. They also represent the increasing control of local procedures by the federal government.

#### Income

Public housing legislation in the 1960s probably did not impact the tenant mix in existing housing projects as much as the

new housing programs of the Johnson administration (e.g., S.221 (d) (3), 235, 236, rent supplements, S. 23 leasing program). In an effort to establish more vertical equity in federal housing assistance, programs for moderate-income rental housing and low-income homeownership were established. The buildings constructed under these programs drained the low-income public housing projects of families which were often high rent payers. The exodus of many working families to other housing opportunities and of the "trouble free" elderly tenants to elderly housing led to increased turnover and vacancies in some, generally the worst, housing developments. New residents often had very low incomes, and it became difficult for local authorities to maintain their operating income without raising rents beyond the means of these tenants.

The continued occupancy policy was gradually changed during this period. The 1949 Act had stated that families whose income exceeded the continued occupancy limits must be evicted. In 1961, the eviction policy, considered by many a harsh and destructive policy, was made more lenient to allow overincome families to stay if they were unable to locate adequate private housing. With the revision of overincome policy, the Congress had begun to recognize that public housing was becoming a community of the very poor and had to offer something positive to its higher income tenants in order for them to stay. If the trends had not been toward poorer and poorer applicants and tenants, the rescission of the overincome clause would not have been possible, due to opposition by private housing providers.

The Housing and Urban Development Act of 1969 represented a major shift to federal jurisdiction of rent determination. The "Brooke Amendment" equalized rent payment as a proportion of income. No family would pay more than 25% of its income for public housing rent. Before the Brooke Amendment was passed, families receiving welfare benefits paid a flat rent for their apartments in many cities. The rent was often an inordinately large proportion of income and could be as high as 50% of income. However, higher-paid working families paid closer to 20% of their salaries in rent. The Brooke Amendment generally raised rents for working families and lowered them for welfare recipients. In all, the Brooke Amendment caused a net loss in operating revenue to local authorities; Congress appropriated \$75 million to cover existing operating deficits and to make up for the loss of income.

This amendment usurped the local authority's power to determine rents, directly contradicting the 1959 policy statement which asserted that the local housing agency had the responsibility for establishing rent and eligibility requirements. A federal definition of income, however, was not further refined until 1970, despite the standardization of rents as a proportion of income.

#### Priority Order

Priority order under the legislation changed as well. The Housing Act of 1959 eliminated the explicit ordering of priorities and left it up to the LHA to adopt admission policies that incorporated the priorities of the Act of 1949. When the tenant selection and assignment directives were written by the Department of Housing and Urban Development in the late sixties, the priority order for applicants was eliminated.

### Basis for Rejection

Major changes in the public housing program were spearheaded by lawsuits against local authorities' practices of tenant selection. Prior to the mid-60s, local authorities viewed themselves as having the status of private landlords. They rejected applicants on the basis of their moral behavior or previous police records or rent paying ability. Court cases, however, determined that housing authorities could no longer deny admission to any applicant because of their moral behavior. *Cole v. Housing Authority of Newport* [435 F 2nd 807] struck down lengthy local residency requirements which had often been imposed by LHAs.

The Act of 1969 legislated some rights of due process for applicants. Under Section 214 of the Act, Local Housing Authorities were required to give applicants prompt notice of eligibility and provide a hearing for any applicant found ineligible. This requirement was a departure from ordinary practice of merely placing undesirable applicants' files at the back of the pile.

Although the law did not impose any eligibility requirements nor categorically eliminate reasons for rejection, the rules and regulations were more explicit. The federal government, if only in accordance with the courts, was forced to make a clear statement of who could not be rejected from public housing. It did so in its rules and regulations.

Two additional categories of eligible applicants were created during this period by the Housing Act of 1964. Single non-elderly people would be admitted if they were handicapped or displaced.

These two categories have been the last additions to the list of eligible applicants since 1937.

#### RULES AND RULES

During the first half of the 1960s, the federal bureaucracy, adhering to the Congressional policy of local autonomy as stated in 1959, left the implementation of the public housing acts to the local authorities. The local authorities, as quoted in a 1965 Management Handbook, "have had many years of experience under these federal requirements and should be relied upon to be competent and fair; there is no question that they are in a much better position than the federal government to ascertain the myriad factors that may be involved in a particular situation and to determine their proper weight."<sup>25</sup> However, the federal government continued to require the local authorities to give "full consideration to their governmental responsibility for the rehousing of those displaced by urban renewal or other governmental action and to the special categories presently in federal law: veterans, servicemen and their families; the elderly and disabled; those living in slums; those most urgently in need of re-housing; and families on relief."<sup>26</sup>

Until 1965, the local authorities could write their own tenant selection plan with little interference by the Public Housing Administration of HHFA.

The continuing existence of racially segregated public housing developments could not be tolerated under the Civil Rights Act. Tenant selection and assignment procedures had to conform with the nondiscrimination provisions of the Act. HHFA issued a circular

in 1965 which began to shift the nature of the federal-local relationship on this issue. The circular required a local authority to choose one of two acceptable tenant assignment plans. The authority could (1) establish a single waiting list for the city and assign the next available vacancy to the applicant next in line ("first come, first served"); or (2) have separate waiting lists for each project ("freedom of choice"). Assignments were to be made without regard to race, color or national origin of the existing residents of a project or the applicant. The local authority could apply for a waiver of this new plan if the vacancy rate in each of its developments had not exceeded 5% and substantial desegregation already existed.

Title VI of the Civil Rights Act stated "no person in the United States shall, on the ground of race, color, or national origin...be subjected to discrimination under any program or activity receiving federal financial assistance." The new assignment policy was meant to alter the assignment policy at the local level which directed white applicants to white projects and black applicants to black projects. The new policy was, in theory, uniformly nondiscriminatory. If the applicant whose name reached the top of the list were offered the next available vacancy, without regard to race, then the Civil Rights Act would not be violated. By the same token, under the freedom of choice plan, a family could choose which development they wished to live in, and could not be denied the opportunity to live in a development where another race predominated.

The Department of Housing and Urban Development (HUD) was created in 1965. By 1967, it began flexing its cabinet-level muscles on the issue of tenant selection and assignment. HUD found that the "freedom of choice" plans did not provide applicants with free access to all projects regardless of race. Because the projects were clearly segregated, members of one race did not request an apartment in projects populated by another race. Therefore the freedom of choice plan resulted in a continuation of previous segregated occupancy patterns. In addition, some projects occupied by one race had a substantial number of vacancies even though applicants of another race were on a waiting list for other projects. Specifically, all-white projects went begging for tenants while substantial numbers of blacks remained on other projects' waiting lists. This pattern was especially prevalent in the South.

Because HUD was not pleased with the desegregation efforts that had been attempted by the local authorities to date, in 1967 it published a second set of regulations on nondiscrimination in housing. This time it required the establishment of one waiting list and offered the choice of two methods of administration: (1) the applicant had to accept the vacancy offered or be moved to last place on the eligible applicant list, or (2) if a suitable vacancy in more than one location existed, the applicant was to be offered the unit at the location that contained the largest number of vacancies; if s/he rejected that offer, s/he was to be offered a suitable unit at the location containing the next highest number of vacancies. If the applicant rejected three such offers, s/he was to be placed at the bottom of the eligible waiting list. This

second plan became known as the 1-2-3 rule. The 1-2-3 rule was intended to create racially blind assignment procedures.

The 1-2-3 rule was the first real federal attempt to interfere in local authorities' tenant selection practices. The mechanism which it created to enforce the Civil Rights Act was unacceptable to many cities. HUD's attempt to make a match between policy and procedures hardly guaranteed integration. Projects with the highest turnover and vacancy rates, regardless of the race of their occupants, have generally been the worst projects in the city's stock; often the largest developments; and the places where unwanted families of all races have been "dumped." Such places, epitomizing the bankruptcy of the public housing community, were not necessarily the best places to pioneer integration. Only the most desperate families, with no other viable options, would accept the offer of such projects.

The 1-2-3 rule invited non-compliance by Local Housing Authorities. The rule assumed that all public housing units were alike, although it was clear at the local level that this assumption was untrue. A LHA could not always neglect the differences in units in its assignment practices.

Furthermore, after thirty years of federal non-involvement in tenant selection, the local authorities had set up their own systems for selection and assignment. LHAs resented or obstructed the imposition of federal rules and granted exceptions from them for the families who, by nature of their "character" should go to the "good" projects. As a result, the 1-2-3 rule, if implemented at all, was only implemented selectively and therefore did not achieve the equity it aimed for.<sup>27</sup>

The National Association of Housing and Redevelopment Officials (NAHRO), in fact, opposed the plan. NAHRO was not at all sure whether the 1-2-3 rule would accomplish desegregation. Indeed, because the system was color blind, it might be expected to create more imbalance.<sup>28</sup> NAHRO's position was to be expected because it represented the Local Housing Authorities. Their objections were heard. With the arrival of the Nixon administration and the departure of HUD Secretary Robert C. Weaver, HUD lost the political will to enforce the 1-2-3 rule. Some housing officials would maintain that HUD has never made a serious attempt to desegregate public housing.

#### Income

The policies of the 1950s toward income were also upset by the 1-2-3 rule. If applicants were housed simply on a first come, first served basis, they would not necessarily be of the correct income range to keep the project on an even financial keel. Given the generally low incomes of the families applying, the operating income of local authorities were quickly becoming insufficient. This trend toward lower income families was exacerbated by the Brooke Amendment, for those families with the lowest income, with the fewest opportunities on the private market were further encouraged to enter public housing.

The local authority still had the power to set income limits, subject to federal approval. The 20% housing gap was still in the statutes, but most local authorities had not done a housing gap study for years. As a result, income limits were often quite low. The federal government suggested that the LHA consider placing

reasonable limits on assets for admission and continued occupancy, but did not set national policy on that issue.

In accordance with the 1961 legislation allowing overincome families to remain in low-rent projects if they could not find suitable housing, the regulations required that the local authorities help overincome families locate adequate housing. By 1969, local authorities were instructed to establish continued occupancy limits high enough that families exceeding the limits would be able to find suitable housing.

#### Priority Order

Specific priority order was eliminated in 1961. However, the regulations advised the LHA to give "full consideration to its responsibility for the rehousing of displaced families, to the applicant's status as a serviceman or veteran, and to the applicant's age or disability, housing conditions, urgency of housing need, and source of income."<sup>29</sup> The LHA could do so by continuing priority and eligibility criteria used previously, or it could eliminate or change priority categories. The federal government's interest in granting priority status to "special interest" groups, such as veterans or displacees, had waned. Veterans no longer represented a large percentage of low-income families. Large-scale urban renewal had diminished in importance, so displacees were less numerous. Until the 1-2-3 rule, the LHA could allocate its vacancies to applicants with the most serious housing need, to veterans, or to disabled persons. With the imposition of the 1-2-3 rule, however, all federally-imposed priority categories were eliminated.

Apartments were to be distributed in chronological order; the LHA could grant priority to families in specific circumstances as long as no racial discrimination was inherent in the priorities.

Basis for Rejection

In December, 1968, HUD promulgated a circular entitled "Admission and Continued Occupancy Regulations for Low Rent Housing." This circular reported recent court cases and set minimum admission and continued occupancy standards for local authorities. The circular stated that the courts had ruled that while a Local Housing Agency had the right and responsibility to establish standards for admission that would protect the health, safety, morals, and comfort of public housing tenants, an authority could not deny admission or occupancy to a family based on a moral judgment or solely on the basis of the presence of an out-of-wedlock child.<sup>30</sup>

The circular developed the following standards:

- (a) The LHA must protect the applicant's right of privacy and constitutional rights;
- (b) The LHA should not establish policies which automatically deny admission or continued occupancy to a particular class, such as unmarried mothers, families having one or more children born out of wedlock, families having police records or poor rent-paying habits, etc.;
- (c) the LHA could establish criteria and standards bearing on whether the conduct of such tenants does or would be likely to interfere with other tenants in such a manner as to materially diminish their enjoyment of the premises. Such interference must relate to the actual or threatened conduct of the tenant and not be based solely on such matters as the marital status of the family, the legitimacy of the children, police records, etc.;
- (d) the applicant was to be the major source of information. The LHA would request only such information which was

required and applicants were to be treated with courtesy and consideration at all times.

With the passage of the Housing and Urban Development Act of 1969, Local Housing Authorities were required to notify ineligible applicants of their status and provide an informal hearing on that determination. Prior to the enactment of this provision, not only were applicants sometimes rejected for specious reasons, but they were often never told of their ineligibility. The establishment of a strong lease in the seventies was the result of a national outcry for rights for public housing tenants; the month-to-month lease which had been recommended by the federal government previously was abandoned in favor of longer term leases (usually one year) which stated the tenants' rights to grievance procedures as well as protection against eviction.

In summary, the 1960s saw the official diminution of the Local Housing Authorities' discretion with regard to whom they could choose as tenants, where they would be housed, and how they would be treated as tenants. The federal government in Washington and, more directly, in the regional offices of the Department of Housing and Urban Development gained power on paper and threatened to punish noncompliance by withdrawing money in the future.

#### THE SEVENTIES

The Housing and Community Development Act of 1974 has been the only major housing legislation of any importance passed to date during the seventies. The public housing provisions of the Act, and the regulations which implement them, aim at reversing the previous trends of public housing without offering the means to

accomplish such a renaissance. While Congress certainly has recognized that public housing is the home of the nation's poorest and often most troubled citizens, it offers few curatives for the disintegration of the program and no incentives to families other than the very poor to choose public housing. The Act and its regulations, while restating the problems of public housing and its tenants, do not usher in the drastic measures needed to solve them. Meager funding appropriations contribute to public housing's continued decline.

#### LEGISLATION

##### Race

Segregated public housing developments continue to exist in most cities. Many family developments which appear integrated on paper are undergoing racial change from white to black and Hispanic as the numbers of white applicants has diminished. Fewer white families are opting for public housing. Efforts at integration have often resulted in the flight of white families from previously all-white projects to substandard private housing. Public housing, like public schools in central cities, is an arena in which those families with other options buy their way out of the public system. Race becomes a catalyst. Federally-imposed racially blind procedures established in the sixties have given way to racially-conscious ones at the local level which attempt to balance the integration of developments. But the legislation of 1974, except for perfunctory quotes from the Civil Rights Act and statements of non-discrimination, said nothing new about race and public housing. The gap between

the legislation and regulations and the reality of public housing is severe. Racial integration has not been accomplished by the 1-2-3 rule, yet the Act does not attempt to rectify this situation.

### Income

Congress has been quick to recognize that public housing is expensive to operate because tenants' incomes are so low. With the rent provisions contained in the Brooke Amendment, the revenues of local authorities declined and the federal government was therefore required to make up the difference by granting operating subsidies in addition to annual contributions. Thus it was in the interest of economy not to raise subsidies, but to insure that public housing tenants were not only the very poor. The legislation of 1974 required Local Housing Agencies to establish tenant selection criteria to assure that, in a reasonable time period, each project would include families with a broad range of incomes and would avoid concentrations of low-income and deprived families with serious social problems.<sup>31</sup>

In order to encourage this income mixing, the 20% "housing gap" was eliminated so authorities could theoretically raise their income limits. Income limits for the new leasing program (Section 8 of the 1974 Act) were much higher than the income limits for most cities' public housing programs. The program, which was meant to allow low-income families to rent apartments in privately owned buildings but pay lower rent, was transformed to a moderate-income housing program. Public housing limits might easily follow suit. Income limits for continued occupancy were deleted entirely.

The elimination of requirements which insured that public housing was for very low-income people indicated that private housing interests no longer saw public housing as a threat. Indeed, many if not most public housing developments have been unable to attract moderate-income households at all. It seems unlikely that many developments will be populated with large numbers of moderate-income families in the near future. The Act required that at least 20% of the dwelling units in every project be occupied by families who have incomes less than 50% of the area median income. Yet the intent of the legislation is clear: public housing should be geared to working families again.

The 1974 Act also established a minimum rent (5% of gross income). The Brooke Amendment and the statutory definition of income which followed in the 1970 Housing and Urban Development Act had allowed a number of tenants to pay zero rent. In addition, many state welfare agencies had decreased rent benefits for public housing tenants when their rent had been lowered. An emergency housing resolution in 1971 required that this practice cease. The 1974 Act stated that tenants would be required to pay either their welfare benefits earmarked for shelter or 5% of gross income, whichever was higher.

#### Priority

Priority order was not re-established by the Act of 1974. It remained up to the local authorities to determine priorities.

#### Who Shall Not Be Housed

The Act required that local authorities develop tenant selection criteria which avoid the concentration of deprived families with

serious social problems. The regulations which followed the Act clarified, to some extent, how those families might be evaluated. The statute itself, however, does not make any inference to how those families with "serious social problems" might be distributed within or eliminated from the public housing program.

#### REGULATIONS

Because the legislature was not willing to define its vague sociological terms, HUD was left to develop procedures to effectuate the income and social mix that the 1974 Act mandated.

##### Race

The 1-2-3 rule is still in effect. No new regulations have been promulgated which rescind it or propose an alternate plan. Regional HUD officials, however, have not enforced its implementation with great zeal. While race and racial turnover has remained a major issue in public housing, the intensity of other serious crime, maintenance, and management problems have obscured the enforcement of the mid-60's policies and ideals of equal opportunity.

##### Income

The Department of Housing and Urban Development regulations predated the legislative mandate which altered the income stipulations for public housing tenants. In 1971, HUD published a circular entitled "Housing a Cross Section of Low-Income Families in Low Rent Public Housing." HUD was concerned over the "excessively high operating costs and, in some instances, deplorable deterioration of the environment in which tenants live. Sharp increases in vandalism and crime, accompanied by the moveout of many families

still eligible and in need of public housing, have resulted in either, or both, high vacancy rates or concentrations of the lowest income families, many with serious problems."<sup>32</sup>

The regulation allowed the LHA to grant preference to applicants who ensured the financial solvency and stability of the program. It required the LHA to take steps to stimulate applications from wage-earning and two-parent families.

With the statutory inclusion of the need to balance public housing projects in the 1974 Act, the regulations further elucidated how the local authority could screen tenants within legal bounds. However, no regulations have been promulgated which suggest a method of stimulating demand among higher income families for public housing, nor has HUD required a certain type of assignment plan which is income-related. Notably absent is the huge modernization and other monies that might make public housing more attractive to higher income families.

#### Priority Order

Priority order has been neglected in the HUD guidelines. Local authorities can develop their own priorities. The establishment of priorities is not a small privilege. By defining special categories of public housing applicants, the local authority can effectively house only the people who meet those categories. As was the case during the sixties, the LHA can base its priority system, if it chooses to establish one, on need or special interest. The LHA can develop any system of priorities as long as it is not racially based.

Basis for Rejection

HUD rules regarding ineligible applicants in the sixties were elaborated in the regulations for the Housing and Community Development Act of 1974. The elimination of some categories for rejection in 1968 had resulted in the elimination of any screening of applicants by many local authorities.

The regulations established that a local authority could reject an applicant if s/he (or a member of the applicant's family):

- (1) has a record of nonpayment of rent, unless the nonpayment was due to excessive cost;
- (2) has a record of disturbance of neighbors, destruction of property, or housekeeping which would, if exhibited in public housing, interfere with other tenants' health, safety, security of welfare, or the physical environment;
- (3) has a history of criminal activity which, if exhibited while a tenant, would materially diminish the other tenants' enjoyment of the premises by adversely effecting their health, safety, or security, or the physical environment. (This category includes crimes of physical violence to persons or property, possession or sale of narcotics, etc.)

The local authority is allowed to ask the applicant to provide personal references which the LHA can check. Some states prohibit the LHA from getting police records. A non-discrimination clause which requires that all rejections should pertain to the individual, and not to his/her race, creed, religion, national origin, marital status, etc., was included in the regulation.

The "screening" outlined by the regulations is to refuse admission only to applicants who would make life miserable for other tenants and thereby make public housing a dangerous and frustrating experience. Yet the basis upon which this determination is made is fragile at best. Should the LHA trust the opinions of the applicant's neighbors or landlord? How can the authority tell if there are mitigating factors which warrant giving the family a second chance? Local authorities had handled the problem in the past by denying admission to everyone in certain categories in addition to the kinds of categories which are enumerated in the regulations. The regulations are less ritualistic but also more subjective. If the applicant feels the judgment is unfair, s/he can appeal the decision to the authority, and s/he must be informed of the decision in the first place. But can the federal government guarantee against abuse of the discretion placed at the local level? Unless it monitors each decision, no supervising agency can guarantee objectivity or equity. But it can make efforts to do so. It can establish oversight panels or occasional audits, for example.

The problem of supervision by HUD of LHA practices extends beyond screening. It includes the supervision of hiring, contracting, desegregation attempts, etc. The philosophy of local self-government has led to HUD's non-involvement in most areas of public housing. But, as described above, the locus of power over implementation appears to be shifting to Washington.

## SUMMARY

This history of tenant selection legislation and regulations has shown that the federal government has become increasingly involved in the implementation of the public housing program since the enactment of the Housing Act of 1937. Before the 1960s, the federal government restricted intervention to two areas of tenant selection. First, it roughly defined eligibility income for Local Housing Authorities. Second, it defined priority categories for applicants which corresponded to nationally perceived needs, such as housing veterans of World War II.

By the 1960s, two other major issues demanded national attention. Racial discrimination in housing gained prominence as a practice needing rectification, and the federal government attempted to eliminate racial discrimination in the administration of the public housing program. Secondly, arbitrary rejection of applicants practiced by Local Housing Authorities was eliminated by the imposition of federal rules and grievance procedures to guarantee their enforcement.

This increasing involvement has standardized some procedures of local authorities, but it has also highlighted several paradoxes of federal intervention. These paradoxes can be summarized in the four issues of tenant selection.

Race

The increased federal enforcement of Equal Opportunity in Housing, as symbolized by the 1-2-3 rule, has helped to increase segregation of public housing rather than eliminate it. Rapid integration of previously all-white developments has led to many

whites leaving the system entirely. The problem has been compounded by the fact that this rapid integration took place in developments with the highest turnover and most problems to begin with.

Experience has shown that white families' effective demand for public housing has decreased as the proportion of black public housing residents in the city increased. Such a phenomenon is troublesome if a LHA wants to maintain options for the white poor who need public housing. As the system becomes more and more minority-dominated, it no longer serves the purposes of integration nor does it serve the needs of low-income white families who choose not to live in predominantly minority housing developments. In addition, the existence of all-minority housing developments in all-white neighborhoods, expedited by the domination of minority applicants on waiting lists, might either encourage white desertion of the surrounding neighborhood or engender racial hostility toward public housing and its tenants within the neighborhood.

#### Income

The Brooke Amendment and its provisions for supplementing the operating income of LHAs have made it possible for very low-income families to live in public housing without spending a large proportion of their income for rent. While making it easier for these families to afford public housing, however, the Brooke Amendment encouraged the departure of working families, for it raised their rents. The tradeoff has become clear to tenants and local authorities as their services have decreased due to the loss of operating income. The federal government has, in the Housing and Community Development Act of 1974, tried to re-establish public

housing as a community of families with a range of low incomes. However, as it has become more expensive for working families to live in public housing, they have opted out of the public housing market. Therefore, after removing the burden from very low-income tenants and the local authorities, the federal government has tried to encourage LHAs to attract working low-income families. Given the physical and social state of most public housing developments, attracting working families will be a difficult task. In addition, inasmuch as working higher-income families take the place of very poor families, unless new housing stock is added, most very poor families will not be served by the public housing program. This trend would represent a retrenchment in accomplishing the social goals of the program.

#### Priority Order

The federal government has ceased to impose specific priorities for selecting tenants. When it has in the past, the categories of priority have not been categories which necessarily pertained to housing need or poverty. During World War II, the federal government required priority to be granted to defense workers and servicemen. After the War, veterans received priority. As the urban renewal program gained momentum, displacees from urban renewal and public housing projects were granted priority.

Local Housing Authorities have often established their own priority order in allocating units, despite the absence of federal restrictions. While the first-come, first-served order of the 1-2-3 rule has been in effect, a "special need" category has been established by the local officials. The existence of loopholes in the 1-2-3 rule will be discussed further in Chapter V.

Basis for Rejection

Local authorities had almost complete discretion over the rejection of some applicants until the mid-sixties. Often, this discretion was abused by LHAs. After the federal government imposed rules which limited this discretion, many housing authorities neglected to screen any applicants from public housing. Public housing became housing for everyone. However, by housing everyone who applied, the tenant population was not well-served. Greater equity for all families has resulted in a preponderance of families with severe social problems. Many of these tenants have caused stable families, unable to control their surroundings any longer, to leave public housing. The public housing population, desperate as it is in terms of financial resources, has also had to cope with violent criminals, drug dealers and addicts, and the like, as a result of the elimination of screening. The Housing and Community Development Act of 1974 has created guidelines to allow local authorities to begin to screen tenants again, but given the legal limitations on information, local officials claim that screening will be very difficult.

As the public housing program has aged, it has developed into exactly the kind of slums which the 1937 Act intended to replace with decent, safe, and sanitary housing. Many public housing developments are neither decent, safe, nor sanitary. The submerged middle class no longer chooses public housing. In recent years, the federal government has become more involved in the local operation of the program. Federal direction did help to prevent abusive practices of local authorities which limited the distribution

of public housing. However, few resources were provided which helped LHAs to function under the new rules. LHAs had to develop screening procedures which would be legally defensible. They had to obey new regulations regarding racial patterns in public housing which violated common sense. Federal bureaucrats could not administer the program from Washington, yet the increasing control by HUD implied that they intended to do so.

The history of federal involvement in establishing laws and rules and regulations is only one aspect of the implementation of the public housing program. The gap between the federal rules and local implementation of the program will be discussed in the following chapters.

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## CHAPTER III

### CAMBRIDGE, MASSACHUSETTS: LOCAL SCENERY

The stage was set in Washington for the public housing program. A multiplicity of interests and goals, as well as a philosophy of local autonomy led to rules of operation that were flexible, vague, or non-existent for the first thirty years of the program. The lack of concreteness of rules was based upon the presumption that each locality was different; a flexible program would allow each city and town to tailor the national program to its own needs. The political climate and the demographic history of the city are essential links to understanding the process of implementation.

This chapter will examine some relevant political and demographic aspects of the City of Cambridge which contributed to the development of Cambridge public housing.

Cambridge has had a Plan E (weak mayor/city manager) form of government since 1942. The City Council is elected on a city-wide basis on a proportional representation ballot. The nine-member City Council in turn selects a mayor from its ranks. The Council elections are not partisan contests. Rather, candidates distinguish themselves as liberals (endorsed by the Cambridge Civic Association) or conservative ethnic politicians (Independents). The liberals, who usually win four seats on the Council, get their support from the "Brattle Street Crowd" (wealthy "good government" voters), students and young people, and minority voters. The

Independents' constituents have been working class and poor ethnic residents (largely Italian and Irish), property owners, and conservative voters. The Independents generally win a majority of the Council seats. The two groups should be viewed as representing different social classes with different agendas.

Cambridge politics can be viewed as a balancing between establishment liberals (characterized by rule-making and reformist idealism) and ethnic conservatives (characterized by patronage and ward politicking). Every branch of the government is "controlled" by a different group. The Police Department, Public Works Department, School Department, Recreation Department, etc. are each run by the Italians, the Irish, or the liberals. The Housing Authority has played a role in that balancing of power.

The Cambridge Housing Authority was established in 1937 under state enabling legislation to operate the low-rent public housing program in Cambridge. A five-member Board of Commissioners sets policy for the Executive Director and his staff to implement. The Board is appointed for staggered terms. Four members are appointed by the City Manager, subject to the confirmation by City Council, and one is appointed by the Governor.

Before the city manager system was adopted in 1942, the mayor appointed CHA Commissioners. The Boards were "blue ribbon" committees of liberal professionals with a sense of civic pride and little personal involvement with tenants. In the early fifties, a shift began in the Board. It became composed of people who were more responsive to and representative of the City Council and Cambridge politics in general. The character of the Board shifted

from liberal to conservative. Because the Council had to approve nominations made by the City Manager, the politics of the CHA Board also shifted. Board members were appointed if they did or promised sufficient favors to enough councillors to win their votes. Board members therefore became political figures in their own right. They were more directly dependent upon the Council than they were on national supervising agencies for policy and procedural direction. As they became powerful, the Board's conservative ethnic style became the operating mode for CHA.

Greenstone and Peterson stated, "in the decentralized American political system, the impact of federal policy can be blunted by established local elites, political, economic, and bureaucratic, unless the latter are themselves committed to the program."<sup>1</sup> I would argue that the change in the composition of the Board from concerned citizens to politically motivated appointees and the deterioration of public housing which accompanied it represented the shift in commitment of the city in general to the public housing program.

The City Council, the Board, the CHA staff, and the community were committed to the public housing program for many years. It was a nationally funded way to solve a disturbing social and economic problem for the city's citizens. The residents and potential residents of public housing were, after all, the cousins and grandparents of members of City Council and the Board. But these "nice" public housing tenants of the early stages of the program left the system, and the people who remained did not engender the sympathy and commitment from the city's leaders that

their forbears had. Public housing became an eyesore rather than a source of civic pride. Urban renewal overtook public housing in the city's consciousness as a cure for slums. As public commitment to the program decreased, the appointments to the Board were based not on ability or dedication, but solely on patronage. The Board grew unable to guide the operations of the agency, except as a means to secure favors for "their" poor.

By the late sixties, with a conservative ethnic Board well entrenched, the ineptitude of the CHA became apparent. Opposition to the procedures of the Authority mushroomed. Community groups, liberal politicians, the press, and supervising agencies were mounting serious objections to the manner in which the CHA was operating. Conditions were ripe for reform of the CHA.

In 1974, a series of events led to the appointment of three new liberal Commissioners (two by City Council and one by the Governor) who were committed both to the reform of the Housing Authority and to the public housing program. In early 1975, Lewis H. Spence, who had established a reputation as a fair, intelligent, and energetic reformer, became Executive Director of the CHA. He was able to replace staff members in key positions and began the process of sorely needed reform.

The new bureaucrats and Commissioners broke the pattern of lack of commitment to the public housing program and replaced it with enthusiasm for change. The patronage in contracts, tenant selection, hiring, and maintenance was replaced by reformers' rules and affirmative action. The CHA girded itself against outside influence. The liberals had gained control, but their task was

enormous. Developments were in a state of disarray; the CHA was not in compliance with the 1964 Civil Rights Act; hundreds of apartments were vacant or vandalized; maintenance work was not done efficiently; management and fiscal procedures were not operating successfully. Many years of mismanagement had resulted in a system which functioned only minimally, and only then for "friends" of the Board, staff, or City Council.

#### Public Housing in Cambridge

The Cambridge Housing Authority operates nine low-rent family housing projects, six elderly projects, and 707 units of leased housing in privately owned and managed buildings. It has 5,545 family tenants and 1,031 elderly tenants in developments and approximately 1,800 tenants in leased units. Five of the family public housing developments were financed by the Commonwealth of Massachusetts through its Chapter 200 moderate-rent Veterans' Housing program established in 1948. The first public housing project in Cambridge, NewTowne Court, was built by the Public Works Agency and completed in 1938. Three federal projects were built under the Housing Act of 1937, as amended: Washington Elms (1942), originally conceived as an extension to NewTowne Court, John Corcoran Park (1953), and General Putnam Gardens (1954).

Only two developments in the system were built before World War II. A major construction program began in 1948 for veterans' housing financed by the state. Nearly 700 apartments were constructed. The infusion of additional funds and expanded purpose of the federal Housing Act of 1949 led to the addition of almost 300 units to the public housing stock in Cambridge. The Depression

and the War had left Cambridge with an old and deteriorating housing stock. A study made by the Works Progress Administration in 1943 had claimed that 12,722 of the 14,715 low-income residential dwelling units in the city were substandard.<sup>2</sup> Much of the housing in Cambridge had been built in the early 1900s as the industrialization of the city was expanding. It was clear after World War II that a major building program was necessary to decently house the families of Cambridge. Certainly the low-income families of the city had the fewest options. According to the CHA, "...Young marrieds just getting a start in life are forced to live apart or crowded in with in-laws; others are living in basement apartments without adequate facilities for decent living; or in furnished rooms never meant for family use. There are also the fathers and mothers of four, five, six, or more children who are so unpopular as tenants everywhere in this disturbed world..."<sup>3</sup>

The accelerated development program added 987 low and moderate rent housing units between 1948 and 1954. These public developments were not typical of the large city high-rises that were commonly built after World War II. Except for two elevator buildings in state projects, all the developments built during this period were garden apartment style. Jefferson Park (309 units) and Roosevelt Towers (228), the two large state-aided developments with elevator buildings, were constructed close to or on the sites of temporary war housing. Jefferson Park, bordered by railroad tracks, a cemetery, and a dump, was located on the outskirts of the city, inconvenient to transportation and shopping. Roosevelt Towers was built in East Cambridge, one of the city's poorest ethnic

neighborhoods. Woodrow Wilson Court (69 units), Lincoln Way (60 units) and Jackson Gardens (46 units) were small state developments which largely blended into their neighborhoods' surroundings. The state projects were intended for moderate-income veterans; their shallower subsidy required more expensive rents than the federal developments. This distinction was in existence until the state passed its own versions of the Brooke Amendment in 1970 and 1971, which adjusted rents to tenants' incomes. In 1950, state-aided rents ranged from \$37.00 for a one-bedroom apartment to \$65.00 for a four-bedroom apartment while in federal developments the rents ranged from \$18.00 for a one-bedroom to \$55.00 for a four-bedroom, depending upon the ability to pay. Rents for both kinds of developments were set at no less than 20% of the family's income.

The two federal projects built during this period were both small and low-rise. Putnam Gardens (123 units), built on cleared slum land, and Corcoran Park (152 units), constructed on what had been a marsh and pond, were both less than half the size of the previous federal developments. Neither development was built on an urban renewal site. Washington Elms (324 units) and NewTowne Court (294 units) are adjacent to each other. By the early 1950s, the concentration of social problems in the Washington Elms-NewTowne Court area was troublesome to the rest of the city. A committee of concerned social service agencies cited immorality, drinking, broken homes, delinquency, and gambling in the federal projects as a consequence of the size of the projects as well as other social factors.<sup>4</sup> This sentiment kept new federal housing small in size. Perhaps since the state projects were intended for

higher-income tenants, the size of those projects was not as volatile a local issue as the federal projects. The availability of the land where temporary war housing had been located also made land assembly easier for state projects.

During the period of development following the War, the relationship of the Housing Authority with the rest of the city bureaucracy was cooperative. The City Planning Department provided technical assistance to the CHA in site selection. The Housing Authority, by the same token, sought to carry out redevelopment "in accordance with the City Plan."<sup>5</sup> The City Council did not, according to one member, interfere with site selection.<sup>6</sup> The sites chosen during this time were dispersed throughout the city. The sites, however, with the possible exception of Corcoran Park, did not violate the status quo of Cambridge. Public housing is notably absent from the wealthy sections of the city. Areas surrounding Harvard and MIT were not chosen as public housing sites. The universities owned much of their adjacent property and while during the early fifties they were small institutions compared to their present size, they constituted a substantial part of the "establishment" in Cambridge. Prior to the construction of Putnam Gardens, almost all of Cambridge's public housing was occupied by white families, and constructed in white neighborhoods.

By the mid-fifties, the City Council effectively vetoed the construction of any new public housing. Construction halted until 1963, when the John F. Kennedy Apartments for the elderly were built. Five federal elderly projects were to follow. The first state elderly project is scheduled to open in summer of 1976.

The City and Its Needs

Cambridge of 1976 is significantly different from the Cambridge of 1950. The city has rapidly changed from a Yankee industrial town whose factories were manned by Irish, Canadian, and Italian immigrants to a city of wealthy professionals, students, young people, and the poor. Household composition has changed drastically. Fewer and fewer of Cambridge's residents are living in families. Social and racial conditions are very different than they had been when the public housing program began. Like many old cities, young families have increasingly moved to the suburbs for the amenities which Cambridge could not provide as easily. These demographic shifts have influenced the role which public housing plays in the city.

The population of Cambridge, according to the 1950 Census, totalled 120,740 persons, 5,672 of whom were non-white.<sup>7</sup> 4,862 (14.8%) of its 33,437 dwelling units were, according to the Census, without private bath or dilapidated. A majority of Cambridge residents (76.6%) occupied rental units. Their average contract rent in 1950 was \$42.75 per month. The median city income was \$2,457.

By 1960, the population of Cambridge had dropped to 107,716.<sup>8</sup> The non-white population was 6,787 (6.3%). Its housing stock increased by 1,893 units (5%). The extent of private residential building was small. A net increase of only 940 rental units was realized from 1950-1960, a fact which indicates the importance of the public housing building program, for 918 public units were added during this period. The proportion of renters remained

roughly the same as in 1950 (77.5%). The increase in substandard units from 4,862 in 1950 to 5,210 in 1960 may reflect the changing definition of standard housing, but also the continuing deterioration of some of the housing stock despite clearance of whole neighborhoods for urban renewal. The average contract rent had risen by 1960 to \$70 per month.

The decade of the sixties witnessed many changes in Cambridge. Manufacturing industries accelerated their relocation from the city and factory jobs became more scarce. Coupled with the removal of industrial facilities was the expansion of the universities in Cambridge. Harvard and MIT's enrollment soared, and students who had been both small in numbers and generally confined to on-campus housing began to demand the city's housing resources. Students shared houses and could pay more as a group than most families. The population declined 6.8% further by 1970 (100,361). The black population was stable (6,783; 6.8%), and Cambridge was beginning to develop a Hispanic population (1,970; 1.9%).<sup>9</sup>

The 1970 Census showed the average contract rent up to \$130 per month. This household rent represents an increase of 90% over 1960, triple the median increase for the Boston metropolitan area and four times that of the Consumer Price Index for all U.S. cities.<sup>10</sup> Not only did apartment rents rise dramatically by 1970, but the conditions of apartments did not greatly improve. The U.S. Census of 1970 did not report the extent of deterioration of housing units but it did indicate that 18% of the 32,000 privately owned units lacked central heat and over 5% were deficient in plumbing facilities.<sup>11</sup> A survey conducted in 1972 by the city indicated

that the external condition of 4,300 structures (44%) required minor repair; another 1,200 structures required major repair.<sup>12</sup>

Median family income in Cambridge increased from \$5,923 in 1960 to \$9,815 in 1970. 1,805 families were below the poverty level. In 1950, 100,000 people lived in families while by 1970, only 66,000 persons did so. The 1975 mid-decade census showed that only about half of the 102,096 persons in Cambridge lived in families.<sup>13</sup> The remainder were people living alone or in non-family groups. The decrease in family population and the lack of family housing resources are intertwined. Large houses have been converted into smaller units which can rent for more money. New housing construction has been almost exclusively small apartments at high rentals. Even new publicly assisted housing has not been for families. Of 3,000 units added to the city's stock between 1970 and 1975, only 900 have been for moderate-income families, 300 for low-income families. Less than 100 of the apartments have had more than three bedrooms.<sup>14</sup>

Rent control, adopted in 1970, has helped slow the dramatic increase in housing costs in Cambridge, but families have a continuing problem. Rents have gone up and the supply of adequately sized housing for families has decreased. The older family-size homes continue to deteriorate. Families of low income are hard-pressed to find suitable homes.

7,769 families (as well as 27,886 unrelated individuals) had incomes under \$8,000 in 1970. With only approximately 3,000 units of public housing, many eligible families were not served in the public market and therefore paid a disproportionate amount of their

income for housing or lived in poor housing conditions, or both. The waiting list for public housing in Cambridge has been substantial since the inception of the program. Despite the continuing deterioration of the public housing stock, the demand for public housing in Cambridge remains strong. In 1950, 1,561 applications were on the waiting list. In 1964, the list totalled 1,478 families. In April, 1975, 1,583. With turnover in CHA projects averaging only 200 apartments per year, it would take seven years to house everyone on the waiting list.

As in other cities, minority families in Cambridge have been further pressed by the lack of housing opportunities than whites. Previously, the Cambridge Housing Authority had not been as large a resource to the black community as its need required. In 1957, only 138 families (8%) in the Authority's 1,605 units were black. By 1975, 23% of the public housing population in Cambridge was black, 4% Spanish-speaking. The waiting list for family developments in 1975 was 29% black and 12% Hispanic. 1970 Census data indicates that of all families with yearly incomes less than \$8,000, 9.4% were black and 4% Hispanic. Clearly the proportion of black and Hispanic CHA applicants is larger than the proportion of income-eligible black and Spanish-speaking families in the entire population. Moreover, newer applicants are increasingly minority families.

The widespread desertion of public housing by its white population has not occurred in Cambridge, as it has in many cities. Some developments (e.g., Washington Elms) have difficulty in getting white applicants to accept housing, but none of Cambridge's

projects are all minority. In a city with a small minority population and no all-black neighborhoods, such as Cambridge, an increasingly minority-occupied public housing program has great implications. Other cities have demonstrated that as public housing developments become increasingly black, whites not only leave the developments, but also come to see the program as a black housing program. Options decrease for low-income white families to obtain standard housing within their means.

As stated previously, the city and the Board's commitment to the public housing program diminished as the housing deteriorated and the population shifted. An all-minority public housing program has further implications for the political status quo in Cambridge. Fully 8% of the city's population lives in public housing. If the composition of the City Council continues to be split between ethnics and liberals, and the ethnic constituents no longer are interested in securing public housing units, the influence of City Hall conservatives may decrease. If the liberals maintain their interest in public housing as a social program and continue to operate according to the rules, the commitment and political will necessary to run the program for all its tenants will continue. The "coziness" which characterized the ethnic politicians' relationship to both their constituents and the Housing Authority, will be replaced again by impersonal "civic pride." The pendulum of Cambridge politics has swung toward the liberals who had originally operated the program. The change in the composition of Cambridge's population and particularly the change in the population of public housing, from white ethnics to a more racially integrated mix of families, has aided that swing.

## Footnotes -- Chapter III

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## CHAPTER IV

### OFFICIAL PAPER: CAMBRIDGE'S WRITTEN TENANT SELECTION PLANS

During the 39-year period of its life, the Cambridge Housing Authority has published a number of written tenant selection plans. In general, the plans have reflected the federal regulations of the period. In fact, Cambridge implemented many of the procedures which were only suggested by the federal government during the period (1952-1967) when federal intervention was minimal. In the late sixties, however, Cambridge Housing Authority diverged from a responsive path to resist the imposition of stricter federal rules. This chapter discusses the evolution of Cambridge's official policy from 1950 to 1975.

Since the plans were substantially updated only four times during the period of 1950 to 1975, changes in federal statutes and regulations were often not reflected in CHA written policy until long after they had been proclaimed in Washington. A change in eligibility requirements, such as the eligibility of single elderly persons in 1956, was carried out in practice, but was not incorporated into a written plan until 1963. This lag is not surprising, for in the past, tenant selection plans in Cambridge have been documents merely for the record. Because the internal document did not carry much weight in practice, its revision was not of high priority. The federal and state government did not demand much oversight power until the 1-2-3 rule was adopted in 1967. Indeed, the federal government encouraged Local Housing Agencies to develop their own procedures. Applicants or tenants

did not make demands on the local authorities about their adherence to any formal plan. With few rights to due process guaranteed, applicants either accepted the decisions of local agencies or, if aggrieved, tried to get help from a politician.

To the Cambridge Housing Authority, the existence of an official plan was of little importance. A tenant selection plan was just another piece of paper which the federal government demanded, along with numerous other reporting forms, occupancy audits, and on-site visits. In fact, the federal government did not exert much pressure on Cambridge to implement its written plans. The only real requirement was to have it in the files. Neither the federal agencies nor the state agency which might have overruled the practices of the local agency did so.

Yet Cambridge did clarify some of its requirements for admission in its formal plans. For instance, it was written in 1954 that unwed mothers were acceptable only if they were of good moral and social character.\* The written plans generally contained formal requirements for eligibility that were universally applicable. But many informal discretionary actions were possible within the plans; few checks on this discretion were established. For example, it was the Tenant Selection officer who determine the boundaries of "good moral and social character." The Board of Commissioners set policy regarding tenant selection and screening

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\*One might interpret that an unwed mother could be of good moral character if she had repented. A woman who had more than one illegitimate child, however, would probably have been denied housing.

of applicants, and at the same time pressured the Tenant Selection officer on behalf of particular applicants, and in so doing circumvented their own policy.

From 1950-1969, the CHA tenant selection system worked in the following manner, according to its written plans: An applicant came to the central office where a secretary would take the application, which included the prospective tenant's family composition, address, employment, income, citizenship, marital status, and veteran's status. The application was then filed. Later, a home visit was made to the applicant. The time lag between filing an application and the home visit could be very long or quite short. Some applicants never received a visit because CHA never intended to house them. The purpose of the home visit was to determine living conditions, housing need, and the social conditions under which the family lived. The applicant was scored on the urgency of his/her housing need. Tenants were selected on the basis of their relative housing need and not by the date of their application. If an applicant was rejected, s/he was not told, nor given a chance to refute the "charges" to reverse the decision. When they were chosen, tenants were expected to take an apartment quickly. Assignment was completely up to the Tenant Selection officer, who chose where to place each tenant. When a new project was under construction, applications were taken for it specifically. Otherwise, applicants stated their preference regarding where they wanted to live.<sup>1</sup>

In the absence of stringent federal direction regarding procedures of tenant selection and assignment, Cambridge Housing

Authority developed its own procedures and policy until 1968. Cambridge operated a system where families of "good character" were able, in general, to get apartments, and families which did not meet the CHA's definition of good moral character were rejected. Furthermore, rejected applicants had no rights to challenge the CHA's decisions; they were not necessarily even informed of the decisions.

In 1968, the CHA, under pressure from HUD, changed its system to a first-come, first-served waiting list. Whereas a waiting list of sorts had existed previously, it was not organized in any manner which could be monitored. HUD regulations required a written list so applicants could monitor their own progress on the list. Since assignment was based upon chronological order under the regulation, if one applicant applied in 1969, s/he in theory would be housed before an applicant who filed in 1970, regardless of either applicant's housing conditions or political influence. However, CHA retained some priority categories in the new system. Chapter 121B of the Massachusetts General Laws, the enabling legislation which governs LHAs in Massachusetts, requires veterans' preference for state-aided projects and a priority for displaced. People in emergency conditions were able to jump the rest of the waiting list. The Tenant Selection officer was able to decide what constituted an emergency; tenants could not appeal his decision. Assignment was supposed to be made according to the number of vacancies in the project, in accordance with the 1-2-3 rule. Every applicant, as s/he reached the top of the chronological waiting list, was supposed to have been offered the project with

the most vacancies. If the applicant turned down that development, s/he should have been placed at the bottom of the list. However, applicants with strong backing from politicians or social service workers were exempt from the rules and were offered better developments. In reality, then, despite the formalization of rules by the 1-2-3 provisions, the Tenant Selection officer did still exercise discretion in assignment. In so doing, he extended the stratified system of public housing. Previously he had rejected families of bad character; with the tightening of federal rules to enforce equity, he assigned these bad families to bad developments.

The tightening of federal restrictions in this arena clarified a federal position on racial patterns and created an atmosphere for increasing intervention of the federal government in the four issues of tenant selection discussed in Chapter II. But long before the federal government clarified national positions on race, income, priority order, and basis for rejection, the Cambridge Housing Authority had to devise its own answers to the questions which Congress had evaded. The issues of race, income, priority order, and basis for rejection did not cease being controversial at the local level just because no policy direction came from Washington. Indeed, the jurisdiction where it has historically been most politically dangerous to make such redistributive decisions as tenant selection became the only arena where policies were established. The lack of federal guidance placed an enormous burden on local agencies. There was no support for LHAs that wanted to take action on unresolved issues.

The Cambridge Housing Authority had two choices in writing its own formal plans. It could either try to clarify its official position on the four issues, or it could overlook the issues in its plans. Since the four issues were unavoidable in practice, however, they would have to be addressed in an informal way if they were not dealt with formally. The following section is a discussion of the manner in which the four issues of race, income, priority order, and basis for rejection were formally addressed in the Cambridge Housing Authority's tenant selection plans from 1950-1975.

### Race

All CHA plans perfunctorily stated that the Authority practiced non-discrimination on the basis of race, religion, or political affiliation. In practice, however, that statement meant little.

Cambridge's non-white population was a small percentage of the city during the 1950s when the CHA development program was in full swing. In 1950, only 4.7% of the city's population was black. The black population was concentrated in several areas of the city, notably Riverside and Cambridgeport. The area around NewTowne Court and Washington Elms, two federal housing developments built before World War II, had contained a substantial black population until the slum clearance of the area had necessitated relocation. A study done in 1946 stated "the NewTowne Court project has caused a great deal of feeling in the Negro community as many Negro families were moved out of the area and now only a few have dwellings in the project. Some displaced Negro families were forced out of the district."<sup>2</sup> Before slum clearance, 40% of the families in that

neighborhood had been black, but only 5% of the project residents were black, according to the study.

Allotment of apartments on the basis of race was not a part of any written tenant selection plan, but is evident in the sites on which Cambridge public housing is located. Only one project, Putnam Gardens, was built in a racially mixed neighborhood. The other projects were located in ethnic white communities at the time of their construction except NewTowne Court, which cleared a racially mixed neighborhood and replaced it with white residents. The annual contributions contracts for Cambridge's federal housing stated that mixed racial occupancy for all Cambridge federally aided housing was intended. None of the housing projects were completely segregated. But, except for Putnam Gardens, integration was token until the late 1960s. Black applicants were assigned to Putnam Gardens mostly and to Washington Elms. CHA did not violate the existing racial patterns of neighborhoods. In 1955, the Civic Unity Committee stated that 80% of the blacks in Cambridge earned less than \$3,000 per year and that the population of low-income blacks in urban renewal areas was larger still. The report stated that displaced Negroes encountered a double barrier: the general shortage of adequate low rental housing and prejudice and discrimination that made it difficult to compete for limited low rent housing.<sup>3</sup> The relocation of black families who were not eligible for public housing from the Putnam Gardens site was difficult because of racial discrimination. All of the 68 families on the site were black, but for those ineligible, "there [were] very few accommodations available to colored people. In the neighborhoods

where they were acceptable, the vacancies never came on the market."<sup>4</sup> Yet the CHA did little to pioneer the placement of blacks in areas of the city where they did not already live.

By 1960, the percentage of non-whites in Cambridge had increased to 6.3%; by 1970, minorities constituted 8.7% of Cambridge's residents. But until enforcement of the equal opportunity provisions of federal laws and regulations, blacks constituted a small percentage of Cambridge's public housing population and were housed in only a few developments. In the late 1960s, the situation began to change, in part because of the controversy with the federal government over Equal Opportunity in Housing.

#### Controversy over Regulations

The 1-2-3 rule was developed to correct highly politicized assignment processes which tended, across the country, to discriminate against some applicants and maintain racially segregated housing developments. It also was meant to correct previous federal practices which promoted segregation. The Cambridge Housing Authority openly fought the implementation of the 1-2-3 rule. The CHA was not in official compliance with the rule until 1975, although the rule was promulgated in 1967.

The circular which instated the 1-2-3 rule allowed possible waiver of the rule if the Local Housing Agency could demonstrate that during the preceding 12 months, its vacancy rate had been less than 5%; that at least 2/3 of its projects were desegregated on more than a token basis; and that a continuation of the

Authority's existing plan would be likely to result in a greater degree of occupancy and desegregation than the 1-2-3 rule would facilitate.

The CHA, in a 1967 letter to HUD which asked for a waiver of the 1-2-3 rule, stated that "the continuance of our existing procedure will result in the same good vacancy and desegregation record which the...figures indicate...If the proposed new plan were to be put into operation, it might tend to discriminate against non-white applicants, if we were to take our complete application file and begin selection on the basis of time of receipt..."<sup>5</sup> The CHA developed a compromise plan, stating that all dwelling units would be assigned on a uniformly nondiscriminatory basis with respect to race, color, or national origin; the CHA also promised it would not practice discrimination in maintenance, equipment, facilities, services, and the treatment of tenants.

The statement of such promises was not new. In response, HUD argued that the Cambridge figures did not show substantial desegregation nor indicate that continuance of the existing plan would likely result in a greater degree of occupancy and desegregation than 1-2-3. In addition, HUD threatened that failure to comply might defer new construction, acquisition, modernization, turnkey, and leasing obligations, as well as amendments for financial assistance.<sup>6</sup>

In November, 1968, the CHA Board agreed to adopt a plan which conformed with 1-2-3 requirements. HUD approved the plan until a compliance review in July, 1970, indicated the following deficiencies: (1) racial imbalance at Corcoran Park; (2) segregation

in the leased housing program; (3) a low rate of participation of minority landlords in the leasing program, and (4) a low rate of minority employment at the Housing Authority. A conciliation agreement was reached in July, 1970, which mandated affirmative steps to improve the proportion of minority tenants at Corcoran Park and to increase minority employment and minority landlord participation in the leasing program.

During this period of conciliation, however, the Equal Opportunity Office in the HUD regional office found that Cambridge was in noncompliance with its own voluntary compliance agreement.<sup>7</sup> Two years later, in 1973, the CHA was still not in compliance. HUD retaliated. The contract of sale on a turnkey project was delayed because there were late occupancy reports on all projects, no minority hires, and the racial patterns in developments indicated little change from the situation in 1967.

The refusal to enforce the 1-2-3 rule was more than an extension of previous responses to federal rules. It constituted outright defiance of HUD. Whereas other rules could be incorporated into the existing procedures, the 1-2-3 rule required a complete overhaul. Waiting lists had to be reorganized, records had to be kept. More importantly, if the 1-2-3 rule were enforced, the political favors on which CHA had been nurtured could not be repaid as easily. If tenant selection were made systematic, abuses of the system could be spotted easily. Moreover, the 1-2-3 rule was not a perfect tool for integration or administration in Cambridge. The rule required that assignment be made without regard to race; such a procedure might as easily stifle integration

as enhance it. Furthermore, the applicant under the 1-2-3 rule could not choose where s/he would like to live. Cambridge is a small city, but nonetheless has strong neighborhoods. A lifelong East Cambridge resident would not generally choose to live in North Cambridge and, in fact, might experience hardship if s/he had to do so, for all his/her social and familial supports would be elsewhere. The 1-2-3 rule made the false assumption that all public housing units were the same. It depersonalized tenant selection to make the Local Housing Authority a "big brother." For these reasons, the 1-2-3 rule did not necessarily serve the CHA or its clients. Non-compliance was based both on a disagreement with the principle of the 1-2-3 rule and on resistance to the unprecedented involvement of the federal government in the day-to-day affairs of the CHA.

The Cambridge Housing Authority's active resistance was bound to backfire. The refusal to comply with HUD on the equal opportunity provisions of its regulations was to cost the CHA and its Board of Commissioners dearly. Along with the eventual establishment of the community-wide waiting list and the 1-2-3 assignment rules, the state Department of Community Affairs (DCA) imposed a strict record-keeping system on CHA in order to audit CHA's tenant selection procedures. According to HUD, the denial of Section 8 Housing Assistance payments in 1975 was based upon the history of CHA's noncompliance with equal housing opportunity.

Even though the CHA is now in compliance, the issue of racial discrimination has hardly been overcome in Cambridge public housing. Several racial flare-ups in predominantly white housing projects

in recent years have caused CHA officials to act cautiously in housing minority tenants at these projects. While, according to the 1-2-3 rule, offers of apartments are made in a racially-blind manner, acceptance rates largely reflect the racial patterns of developments. Understanding that racially blind assignments may not always serve the purpose of racial harmony or integration, Cambridge Housing Authority has from time to time placed a ceiling on minority admissions to some projects. The imposition of occupancy controls constitutes a violation of the 1-2-3 rule, but in 1975, such controls were placed on Washington Elms under HUD direction.

The newest CHA applicant selection and assignment plan, written in 1975, encompasses the 1967 rule. Assignment is not necessarily to the project with the highest number of vacancies but to the next available unit. An additional desegregation provision is included in the 1975 plan: preference is given to transfer applicants who, if they are black or Hispanic, are willing to transfer to a project that is 65% or more occupied by white families; or, if they are white, are willing to transfer to a unit in a project that is 35% or more occupied by minority families. For the first time, race has been explicitly mentioned in a plan.<sup>8</sup>

#### Income

Income limits for admission have increased since the program began, but they have not kept pace with the increase in income in the city as a whole. The published limits from 1954 to the present are listed in Table 4.1.

Table 4.1

Income Limits for Admission and Continued OccupancyCambridge Housing Authority 1954-75

Source: Cambridge Housing Authority

<u>Year</u>	<u>No. in Family</u>	<u>Net Income for Admission</u>	<u>For Continued Occupancy</u>
1954	2	\$2,300	\$ 2,875
	3,4	2,500	3,125
	5,6	2,800	3,500
1961	2	3,400	4,250
	3,4	3,600	4,500
	5,6	3,900	4,875
	7	4,100	5,125
1963	1	4,400	5,250
	2	4,400	5,250
	3	4,800	5,950
	4	4,900	6,050
	5	5,200	6,400
	6	5,300	6,500
	7	5,700	6,950
1971	1	4,600	5,700
	2	5,200	6,300
	3	5,700	6,800
	4	6,000	7,100
	5	6,300	7,400
	6	6,600	7,700
	7	6,800	7,900
	8	7,000	8,100
	9	7,200	8,300
	10	7,400	8,500
1973- present	1	5,600	7,275
	2	6,300	8,200
	3	6,800	8,850
	4	7,300	9,500
	5	7,700	10,000
	6	8,100	10,525
	7	8,400	10,925
	8	8,700	11,300
	9	8,900	11,575
	10	9,100	11,825

(Continued occupancy limits were eliminated by the Housing and Community Development Act of 1974.)

From 1937 until 1969, rent levels determined income limits. According to the Housing Act, family income could not exceed five times the rent (six times if the family had three or more minors). Rent was determined by the 20% gap formula. For each project, the CHA surveyed current market rentals and found the price at which the private market was supplying sufficient standard units. The public housing rent for the project was set at that private market rent minus 20%. The CHA estimated the amount of expenditures that would be needed to operate the project and build reserve funds. From these measures, a system of graded rents was established, so each project was to house a cross-section of low-income families. Rents dictated the overall cost of the project as well as the income limits for occupancy.

Income limits for admission and continued occupancy were updated periodically, as indicated in Table 4.1. To do so, CHA would survey banks, real estate brokers, the unemployment office, and other sources of wage rates to ascertain the level of rents and incomes in the community. New limits were submitted to the Public Housing Administration of HHFA for their approval. After 1969, the Brooke Amendment required income to determine rent rather than vice-versa. The last increase, in 1973, was at the suggestion of HUD. That HUD suggested the most recent increase in income limits is indicative of the increasing direction which the federal government is taking with regard to LHA practices. The federal government is trying to require LHAs to increase their revenues as well as encourage a mix of incomes at every project. By raising income limits, it becomes possible for higher-income applicants to

be eligible. If these higher-income families do apply and become tenants, they will pay higher rentals than their poorer counterparts, since rent is a fixed proportion of income, and thus reduce the federal contribution to operating expenses.

Not only has the level of income been redefined over the years by local policy, but also the definition of income has changed in accordance to federal regulations. From 1950 until 1971, CHA plans computed net income as all family income minus \$100 for each minor dependent. Tenants' incomes and family composition were examined yearly. If their income exceeded continued occupancy limits, they were to be evicted. Even though the Housing Act of 1959 repealed specific federal definitions of rent-income ratios, exemptions and deductions, the CHA did not change its written policy. Rather, it continued to abide by the prior federal definition of income. In 1971, the CHA, in accordance with the Housing Act of 1970, redefined net income in order to calculate rent. Net income, according to both law, regulations, and CHA plans, consisted of all family income minus certain deductions. These deductions were:

- 5% of income
- extraordinary medical expenses
- unusual occupational expenses
- cost of day care of sick care
- \$300 per minor
- \$300 per secondary wage earner
- casual income, value of food stamps
- lump sum payments (e.g., insurance settlement, inheritance, capital gains)
- scholarships

The 1971 CHA plan also allowed special, higher income limits to be applied to displaced persons and limited assets up to \$10,000.

The redefinition of income by the Housing Act of 1970 followed ten years of local discretion over the definition of income. The 1974 Act placed further restrictions on local policy. It required LHAs to maintain developments with a mix of families within the low-income group, thereby recreating a "graded" rent and income system, which had been abandoned by the CHA previously. Income-mixing provisions have not yet been incorporated in any CHA plan, but the establishment of federal policy on this matter is another indicator of a trend toward increasing federal control. While the Housing and Community Development Act of 1974 requires LHAs to develop plans for income-mixing, HUD has not issued regulations which help the LHAs develop such plans. The juggling of the 1-2-3 rule, desegregation, income-mixing, and screening is not a trivial task for Tenant Selection officers to accomplish. CHA has chosen not to concentrate energy on income-mixing as yet.

#### Priority Order

From 1950 until 1968, tenants were selected to live in public housing in Cambridge according to the severity of their need. Until 1963, first preference was given to displacees of slum clearance or redevelopment. Within this category, preference was given to disabled veterans, then deceased veterans' families, and then other veterans. After displacees were housed, other veterans were housed. According to the 1950 plan, non-veterans were discouraged from applying because enough eligible veterans applied

to fill all available units. Within each priority category, according to the plans, those applicants with the most urgent housing need were housed first.

While the written plans established these priorities, no monitoring of their precedures occurred. A family which scored higher on housing need was not guaranteed a unit before a family with less need. Chronological order of application had no bearing on assignment. Such a loosely defined system was wide open for exceptions to the rules, since applicants could not guage their progress on any waiting list. The plan, however, did comply with federal regulations. CHA's concurrence with the priority order developed by Congress left many decisions up to the Tenant Selection officer.

The 1971 CHA plan stated that applicants were eligible for emergency public housing if they were (1) displacees; (2) living in unsafe, unsanitary, or overcrowded conditions; (3) renting at more than 25% of income; (4) without housing; or (5) about to be without housing as a result of a court-ordered eviction. These priorities were a way to circumvent chronological order imposed by the 1-2-3 rule. Within these categories, applicants were to be housed according to the date of their application. However, veterans retained their priority status as required under state enabling legislation. The effect of these complicated priority categories within the 1-2-3 rule was to effectively negate the usefulness of a chronologically-based waiting list. There were enough emergencies to fill most available vacancies, especially those vacancies which occurred in the best developments. The

chronological list was used to fill vacancies only occasionally, and usually at the worst developments.

The 1975 plan established three priority categories: (1) emergencies/displacees; (2) veterans (for family housing only); (3) all others. Emergency applicants were granted priority under the new plan only after rigid examination of their claims for emergency status by a committee of three staff members, and the approval of the Executive Director. Because the determination of priority status had previously been the responsibility of the Tenant Selection officer alone, it had been open to manipulation. With the establishment of an emergency committee which limits the granting of emergency status, applicants are granted this status only when they are in true emergency situations. Veterans no longer constitute a large proportion of applicants. Hence, the majority of assignments to apartments are made from the chronological waiting list. This system is fairer to all applicants and allows applicants to realistically predict when they will be offered an apartment.

#### Basis for Rejection

The 1954 Housing Act removed the requirement that tenants be U.S. citizens. State law continued to require citizenship until 1976. The official plan of the CHA did not remove citizenship as a requirement until 1963. In response to the removal of the requirement from federal law in 1954, however, the CHA adopted a recommendation that either the husband or wife of a family be a U.S. citizen.

Before 1971, the CHA had a strict residency requirement. From 1949 until 1961, an applicant had to be a resident of Cambridge for at least one year to be eligible for public housing. From 1961 until 1971, the official plans stated that applicants had to be three-year residents of Cambridge in order to be eligible. The Massachusetts Commission Against Discrimination wrote a letter to CHA advising them of the decision of *Cole v. the City of Newport Housing Authority* in 1971 which declared residency requirements unconstitutional. Soon afterward, Cambridge repealed its residency requirement. For most of the years which the Cambridge Housing Authority operated its program, however, tenants had to have been Cambridge residents previous to their tenancy. By creating such a requirement, CHA severely restricted the extent to which its housing served the transient poor community.

Previous to 1956, only families, as defined by federal law, were eligible for public housing; single elderly and displacees were made eligible later, and these exceptions were included in the CHA plans.

Cambridge Housing Authority's plans have been explicit about who was not acceptable for public housing tenancy. The 1954 plan clarifies the intention of the CHA to reject some applicants as unsuitable. Applicants could be rejected for the following reasons:

- if it is determined prior to selection that the members of the applicant's family are not of good moral and social character;
- if an unwed mother has a history of repeated instances of children born out of wedlock or is otherwise not of good moral and social character;
- if the applicant or member of his or her family has a police or probation record or a history of recent, serious, or numerous criminal offenses.<sup>9</sup>

The definition of "good moral and social character" was ambiguous at best, and discriminatory and biased at worst. The Tenant Selection officer made final decisions regarding suitability. He was not required to inform rejected applicants of their status, and probably did not reject many applicants outright.

Irwin Deutscher described the criteria used by one Tenant Selector in his article, "The Gatekeeper in Public Housing." The Tenant Selector gave consideration to those applicants who were desirable. Desirability was based upon family composition (unwed mothers and even single mothers of legitimate children were not desirable), demeanor (dress, speech, manners, attitudes, cleanliness, etc.), and race.<sup>10</sup> In the housing authority which Deutscher examined, however, this set of criteria was unwritten. As a result, when political pressure was brought to bear on the authority, they could deny the unwritten policy and point to the Tenant Selector as the scapegoat.

The written provisions for rejection disappeared from Cambridge plans in 1963. Because home visits were made until 1969, it is probable that "suitability" criteria were in effect at least until then. Certainly the arbitrariness of choosing tenants was in existence until much later. When the 1968 memo from HUD banned categorical denial of apartments to certain classes of people and stressed the need for concrete evidence in rejecting an applicant, the CHA had two choices.<sup>11</sup> It could reject applicants only if they exhibited serious criminal or anti-social behavior likely to harm the project environment. Or it could cease screening applicants, thereby allowing into public housing people who were

likely to disturb other tenants or to vandalize authority property. The CHA, under pressure of legal assistance attorneys, chose to effectively eliminate screening.

The absence of screening led to severe problems in these developments. The Housing and Community Development Act of 1974, in response to the increasing social problems in public housing throughout the nation, stressed the need to develop criteria for rejecting some applicants. HUD regulations, however, had not clarified legal non-arbitrary procedures for doing so. The 1975 Cambridge Tenant Selection Plan outlines an elaborate process for screening applicants and denying admission to those applicants whose behavior is likely to disturb others.<sup>12</sup> The plan stated that the CHA could reject an applicant if it found that:

- (1) the applicant has a record of disturbance of neighbors, destruction of property, or living or housekeeping habits at prior residences, which if exhibited while a resident of public housing would be likely to interfere with other tenants in such a manner as to materially diminish their enjoyment of the premises by adversely affecting their health, safety, security, or welfare, or by adversely affecting the physical environment of neighbors or the resident community;
- (2) the applicant has a history of criminal activity, including crimes of physical violence to persons or property, or use, possession, or sale of narcotic drugs;
- (3) the applicant has a current history of non-payment of rent.

A few safeguards exist which may prevent the categories of rejection from being abused. First, all rejected applicants must be informed of the reasons for their rejection. Second, applicants have the right to a hearing to discuss the rejection. Both provisions are now required by law.<sup>13</sup> The CHA plan created an elaborate hearing

procedure which went far beyond the administrative hearing required by law.

The elaboration of federal definition of rejection criteria is yet another example of increasing federal control. While local authorities still have the right to define categories of rejection, the federal government, in response to court decisions, has augmented its power in this area.

### Summary

It can be seen that the written policy of the Cambridge Housing Authority from 1950 to 1968 was a reiteration of federal regulations. No large gaps existed between federal rules and local rules. In 1968, the imposition of the 1-2-3 rule precipitated a period of resistance by the CHA to the federal rules. The 1975 Applicant Selection and Transfer Plan goes beyond many requirements of the federal government to establish a set of procedures which help guarantee equity. Increased federal oversight of tenant selection procedures has warranted this change.

But the written plans of the CHA have not always been the means by which applicants were selected for apartments. The following chapter demonstrates the pressures at the local level which had great implications for the functioning of any tenant selection system, and further illustrates the gap between the rules and outcomes.

## Footnotes -- Chapter IV

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3. Ibid., p. 3.
4. Memorandum to Cambridge Housing Authority, from Alice C. Manning re Putnam Gardens Relocation, 6 August 1954.
5. Letter to Department of Housing and Urban Development, from Daniel F. Burns, Executive Director, Cambridge Housing Authority. Cambridge, 26 October 1967.
6. Letter to Cambridge Housing Authority, from Herman D. Hillman, Department of Housing and Urban Development, New York, 7 November 1968.
7. Letter to Cambridge Housing Authority, from Joseph Vera, Department of Housing and Urban Development, Boston, 17 November 1971.
8. Cambridge Housing Authority, Applicant Selection and Transfer Plan (Cambridge: CHA, 1975).
9. Cambridge Housing Authority, Statement of Policies Governing Admission to and Continued Occupancy of the PWA and PHA-aided Low Rent Housing Projects Operated by the Cambridge Housing Authority (Cambridge: CHA, 1954), p. 1.
10. Irwin Deutscher, "The Gatekeeper in Public Housing," in Among the People: Encounters with the Poor, ed. Irwin Deutscher and Elizabeth J. Thompson (New York: Basic Books, 1968), p. 45.
11. Memorandum to Local Housing Authorities, from Don Hummel re Admission and Continued Occupancy Regulations for Low-Rent Public Housing, 17 December 1968.
12. Cambridge Housing Authority, Applicant Selection and Transfer Plan (Cambridge: CHA, 1975).
13. Housing and Urban Development Act of 1969. Public Law 91-152. 91st Congress.

## CHAPTER V

### THE INFORMAL SYSTEM

While the written policy of the Cambridge Housing Authority generally complied with the federal government requirements, that policy has not always been followed. Instead, the political environment within which the CHA operated interfered with the bureaucratic processes outlined in CHA's plans. Whether the rules were clearly stated or not, without a concerted effort by the CHA to eschew political influence, politicians and later social service agencies often influenced who would get apartments. This chapter will discuss the reasons for the political intervention, the personal pressure on the Tenant Selection officer who had to make the actual decisions regarding who would get an apartment and where, and the means which the 1975 Applicant Selection and Transfer Plan devised to depoliticize and depersonalize the tenant selection process.

From a national political perspective it is significant that the Local Housing Agencies have been subject to the same political pressures as any line city agency. The fact that political influence was wielded by local politicians to obtain concessions from housing authorities is hardly surprising. The city politicians and housing authorities were, after all, mutually dependent. In order to build, the public housing agency had to obtain a waiver of property taxes for the subsidized housing, get zoning variances, close city streets, use eminent domain to condemn property, and use city money for a share of project costs. In some cities,

referenda were required to build a new project; the political machinery of the city could either help or hinder the construction and site selection process. After the projects were built, the city has had to provide sanitation, fire, and police services as well as schools for its public housing residents.

The city in turn has been dependent upon public housing if its leadership was interested in finding a solution for the poor health and housing conditions of some of its citizens and, after the Housing Act of 1949, clearing deteriorated slum areas. Because of the absence of construction during the Depression and the War years, the construction of federally-funded new housing was in many cities a political necessity.

Some of the city's citizens were able to reap further benefit from the program. The owners of condemned property were able to sell their land and houses at prices which, due to the deterioration surrounding their property, the parcel would not have drawn on the private market. The construction program required labor, materials, and contractors. The maintenance of buildings and grounds and the management of public housing required both a blue- and white-collar staff. Finally, the buildings needed occupants. Through the distribution of contracts, jobs, money, or apartments, the city politicians realized another gain from the program. In summary, not only were homes built for low-income residents, but a good deal of political capital for continuing political interference in the operations of the Housing Authority.

Influence in Cambridge

Cambridge city politicians, like politicians elsewhere in the country, have been actors in the decision-making processes of the Cambridge Housing Authority. While the CHA was organized as an independent agency, the CHA Board was actually directly linked to the political drama of Cambridge. Designed as a "good government" structure, the organization is run by an independent Board of Commissioners. It is therefore supposed to be able to make less politically-biased decisions than an agency directly supervised by a political office-holder. The CHA Board is appointed for five-year staggered terms and can only be removed for substantial cause and after the opportunity for a hearing by the city. In theory, by creating the independent board structure, the Housing Authority's isolation from politics should have been assured. But because of the dependence upon the city for clearances, services, political clout, and confirmation of Board members, it has been nearly impossible for the CHA to be truly independent. In addition, it can be said that the CHA and the city politicians had the same interests; they were of one mind regarding the function of public housing.

The selection of tenants for developments has been only one area of City Hall's use of influence over the CHA throughout its history. Interference in tenant selection was a logical outgrowth of the personalized style of politics which has dominated in Cambridge. While the introduction of Plan E government officially eliminated ward politics in 1942, many politicians in Cambridge still functioned in a manner reminiscent of the political machine.

When a voter needed help finding a public housing unit, it was commonplace for him/her to seek the help of a politician, primarily a City Councillor. The politician would use his influence on the Board or on the Tenant Selection officer to find an apartment for his client. The politician would thus gain the confidence and votes of that client and, hopefully, his relatives, friends, and neighbors. Since the entire City Council is re-elected every two years, councillors are dependent upon visible and consistent favors to gain the votes of their constituents.

City politicians as a rule did not intervene through the proper bureaucratic channels of the CHA; rather they responded to the pressures of their own office. The families that sought help from politicians were not necessarily those with the most desperate housing need or those with the least ability to find an apartment on the private market. They would not necessarily have come first in a process which assigned apartments on the basis of veterans' priority, housing need, or chronological order. Yet the operation of the CHA's "system" did not concern local politicians. Indeed, as described in Chapter IV, until 1969, the formal explanation of the system did not outline an exact order in which applicants were to be housed or where they would be placed. Manipulation of such a non-system was simple. Because supervising agencies did not regulate the practices of local housing authorities, no overseer challenged the intervention by politicians on behalf of constituents. Because applicants had no established rights until the mid-sixties, and because public housing was considered a "privilege" not subject to the rights of due process, applicants did not challenge these procedures.

In essence, one had to "know someone" to get into Cambridge public housing in the forties, fifties, and sixties. Both Housing Authority employees and politicians stressed in interviews with the author that political influence was not used to stretch the definition of eligibility; most of the applicants with advocates were eligible in terms of their incomes, residency, and citizenship. As the program became the repository of the very poor, only needy families chose to apply. But once the formal eligibility requirements were met, the amount of personal attention and pressure politicians exerted upon the Housing Authority influenced how quickly and where an applicant was placed.

Once the sponsored tenant was in an apartment, s/he was able to call on his/her political sponsor for further help. For example, a tenant was unruly and threatened with eviction, the manager might get a call from a politician to halt the eviction process. A politician might call the manager to demand special maintenance services for his client. As managers were often dependent upon City Hall influence for their own and their families' jobs, they were susceptible to the pressure of a Councillor's requests. If they did continue with an eviction, there was no guarantee that the Central CHA Office would back them up in their action.

The sponsoring of applicants had several effects. One was that no formal system was adhered to, except in the filing of forms and proper verifications. Therefore the rights of applicants who did not have access to their "own" City Councillor or who chose not to apply political pressure were discriminated against. The second effect was that individual Councillors generally chose to

sponsor their "friends." Sponsorship was largely on the basis of ethnic and neighborhood considerations. Cambridge politics have historically operated according to "blood" rather than procedure.<sup>1</sup> If an applicant was not of a favored ethnic or racial group, his/her chances of obtaining sponsorship decreased.<sup>2</sup> Therefore the intervention of politicians led to the ethnic and racial homogeneity which characterized Cambridge's housing projects until the late sixties. The third effect was that it was difficult, if not impossible, to refuse to house a sponsored applicant. The selection process was thus obstructed by political pressures, as tenants who might not have fit the CHA's definition of "good" were allowed to move into public housing because of their sponsor's influence. It is not clear that sponsored families as a group were any better or worse tenants than unsponsored families. One might guess that, on the one hand, politicians would not sponsor families who did not offer the potential of political (or monetary) support, thereby eliminating families who were completely outside the social network of the community. On the other hand, a politician might lend his support to a family more because another relative was a campaign worker, than because he knew or needed the support of that particular applicant. Because it was clear which tenant was sponsored by which politician, the politician, in some ways, was personally responsible for the actions of "his" tenants. This acceptance of responsibility helped keep politically-sponsored tenants "good." The fourth effect was that, as the community learned that the endless "list" at the Housing Authority had no meaning, hostility toward the CHA grew. This culminated in numerous suits claiming

racial discrimination, City Council hearings on tenant selection practices, and general community antipathy toward the CHA. But for the CHA, it was much easier to "play along" with the politicians. They got no rewards for being just. On the contrary, it was advantageous to be friendly with City Hall.

When the public housing program was new, expanding, and popular, local politicians played an even greater role in tenant selection than later. For new developments, the mayor and councillors submitted lists of potential tenants to the Housing Authority. National and state politicians played a major role during this initial rent up period. Just as the City of Cambridge and the Housing Authority were mutually dependent, the federal and state representatives who expedited applications for developments, lobbied for Cambridge's inclusion in special programs, and represented Cambridge in business with the government, also exerted some pressure on the CHA to house favored tenants. The current Mayor of Cambridge claimed that until recently "everybody had a finger in choosing tenants -- from the President and U.S. Senators to local politicians."<sup>3</sup> But, as the reputation of the public housing deteriorated and the tenant composition began shifting from white to black in some developments, the nature of intervention on behalf of applicants also changed. Families with political connections used them to get apartments in only the best developments. Elderly long-term residents of Cambridge sought help to get apartments in housing for the elderly. As the applicant pool changed such that families who chose to live in public housing drifted further and further from the political mainstream, they

gained access to the Tenant Selection officer by means of a social service agency rather than a politician. The welfare department, legal service agencies, and other groups supporting the city's disenfranchised, exerted strong pressure on the mechanism for tenant selection.

The CHA was not very dependent upon social workers for important services and support, as it was on City Hall. Moreover, social service workers and CHA were not of one mind regarding who should be housed in public housing; social workers generally had a different world-view than city politicians and the CHA. However, the social welfare workers exerted continuous pressure on the tenant selection mechanism to gain influence. They were persistent and antagonistic; they forced the CHA to respond to their clients' needs.

Social workers, unlike politicians, did not take personal responsibility for their clients' behavior once housed. Because social workers tend to have clients with problems, they were more likely to advocate for "bad" applicants. In addition, their advocacy was, by definition, one-sided.

The same inequities that political sponsorship encouraged were also present in the welfare agencies' sponsorship of certain applicants over others. While the criteria for granting sponsorship were undoubtedly different for the welfare agencies than for the politicians, the principle remained the same. As long as no structured system for choosing tenants was followed, not all applicants were treated equitably. Applicants with advocates were more difficult to reject. If the number of available apartments

did not equal or exceed the number of sponsored applicants, only those with advocates were sure to secure apartments. Some unsponsored applicants would get the remaining apartments. Other applications sat in the files. Until the 1-2-3 rule was established in the late sixties, applicants did not know how long they would wait on the list. As long as some applicants were jumped ahead of others, some might wait forever. Some applicants waited twelve years to be called for an apartment. The Tenant Selector had complete discretion over where an accepted applicant would be offered a unit, unless, of course, the advocate pressured him to place his client in a particular development.

The choice of where to place an applicant was not trivial. As soon as they were built, some developments were more popular than others. Some had fewer problems with rowdy children, exhibited better maintenance, were smaller and more homogeneous, or better designed. If the Tenant Selector was forced to accept a family as a tenant, but found that the family was not "clean," or had a "bad attitude," he would not assign them to the best developments. The dilemma was obvious. Should a dirty housekeeper be assigned to a well-kept development, where s/he would bring the family's roaches and rodents with her, but might be "reformed" by his/her cleaner neighbors? Or should s/he be "dumped" into a project where standards for cleanliness were lower, thereby dooming it to deteriorate further? The Tenant Selector, according to one housing manager, usually chose the latter route.<sup>4</sup>

When the 1-2-3 rule was adopted and strict record-keeping was imposed by the Department of Community Affairs, applicants were

able to watch their progress on the list, but the advocates and their clients took advantage of the availability of a category of admissions which superseded chronological order (emergency status) to get apartments quickly. The advocates would show that their client was in urgent need of public housing in order to qualify for emergency status. However, standards for determining whether an applicant was truly an emergency did not exist. The 1-2-3 rule did not eliminate discretion altogether. Rather, the rule shifted the focus of discretion to a special category of applicants.

#### The Tenant Selection Officer

All of the pressure from politicians, social service agencies, and the Board has been focused at one point: the Tenant Selection officer, who chooses and places applicants in apartments. This staff member has been dependent upon the Board, his superiors on the staff, and his political connections for his job. Cambridge has had one Tenant Selection officer for the past 25 years. His original political sponsors are no longer in power. His white collar job is now unionized; in fact, the entire CHA staff unionized in 1970 in an effort to secure their jobs, which were threatened by interference by the Board in day-to-day operations of the Authority. Unionization did help to minimize some pressures from the Board, but did not eliminate them.

No matter what pressures the Tenant Selection officer responds to, he says "no" to applicants more often than "yes." Even if a system is devised which eliminates most avenues for discretion on the part of the Tenant Selection officer, the bureaucrat would be

in the position of villain in the eyes of applicants, for it is he, the street-level bureaucrat, who sees and speaks to applicants every day. Because apartment turnover is low, he can actually offer apartments to only a few of the hundreds of applicants who apply each year. Depending upon the pressures which are brought to bear upon him from politicians, the Board, social agencies, or his superiors on the staff, he is able to house some applicants before others. If the agencies which oversee his work require strict adherence to rules, he must be able to justify his choices according to those rules. If no regulating power exists, he need not justify the choice to anyone except, perhaps, the people who are applying pressure on him. The applicants who are not chosen, however, do not generally disappear. Some of the more docile applicants will resign themselves to waiting patiently. Some wear the Tenant Selector out by their persistence. Some try to make their case stronger and enlist advocates. The more aggressive or knowledgeable applicants get apartments; those applicants most easily intimidated do not.

Regardless of the system under which the Tenant Selector operates, as long as the number of applicants exceeds the number of vacancies, he must choose among applicants. He has only a limited number of apartments to distribute to people of similar need. The rules can help him make the choice of applicants. Similarly, if no rules exist, he can either impose his own criteria for choice (e.g., the "best" families), or succumb to the people who apply the most pressure. By adhering to rules, he becomes what Deutscher labels a "ritualistic gatekeeper." By encouraging

subversion of the rules to facilitate achievement of the organization's goals (e.g., housing good families), he is a "debureaucratizing gatekeeper."<sup>5</sup> If one of the organizational foals of the Housing Authority is to maintain an amicable relationship with City Hall and social service agencies, then housing those families with backing from these sources is also facilitated by debureaucratizing.

Choosing a few from a great many applicants can involve difficult personal choices as well. I would posit that the Tenant Selector has four alternatives in making and defending those choices. Depending upon the nature and enforcement of the official rules, the Tenant Selector can choose to deal with applicants in the following ways:

1. He can say no. If it is clear that an applicant will not get an apartment because s/he is ineligible or does not appear suitable, the Tenant Selector can say no directly. If an applicant is requesting special status, such as emergency status or special consideration for a transfer, saying no means that the applicant has to wait with everyone else. If the waiting list is so long that there is no likelihood that an applicant applying today would receive an apartment within the next five years, saying no to special consideration means that the applicant must wait that long. If the applicant has an advocate, saying no means antagonizing both the client and his/her sponsor. Saying no is perhaps the most personally difficult avenue to pursue, for it thwarts hope (even if it is false hope) in the minds of applicants and engenders hostility against the Tenant Selector. For all practical purposes,

the Tenant Selection officer did not say no very often unless he could also refer to rules. Instead, he placed files of rejected applicants at the back of the file and put off answering.

2. He can say yes. By deciding in favor of a large number of applicants, he does not have to say no as often, and therefore takes some personal pressure off himself. For example, he can stretch the requirements for emergency status to the point that anyone who claims to be an emergency case or who has an advocate is placed on a special emergency list. He thus does not have to say no to as many people who desire special status. However, by stretching the definition, the meaning of "emergency" is altered. As the emergency list grows to accommodate the numbers of people who are loosely defined as emergencies, the likelihood of any particular emergency case receiving an immediate apartment diminishes. As a result, while applicants may be calmed by the fact that they are considered an emergency by the Housing Authority, they may continue to wait under this system. By saying yes to all applicants regardless of whether or not those applicants exhibited patterns of behavior which could be dangerous to the communities in which they would be housed, it does a disservice to existing tenants, but it allows the Tenant Selector to avoid making the judgmental decisions necessary in determining the suitability of applicants. Because applicants have become better informed of their rights since the late sixties, the rejection of an applicant could result in a court battle. Saying yes causes fewer problems for the Tenant Selector, even if saying yes does make the development in which unsuitable applicants are housed more difficult to

manage. By saying yes to all applicants, an additional problem ensues: the waiting list grows to the point that it takes years to make offers to all the families on the list. By the time applicants' names are reached, their applications are years old, they have moved, divorced, remarried, have more or fewer children, etc. Moreover, if they cannot be reached at all, the apartment which they have been offered may sit vacant a few more days until the next applicant can be reached, thereby increasing the chance of vandalism.

3. He can delay answering. By postponing a decision, the Tenant Selection officer can take the immediate "heat" off himself. (For example, he can put off a decision regarding emergency status until the applicant finds other housing.) Although this tactic is helpful in the short run, the Tenant Selector must eventually say yes or no to an applicant or advocate. Delaying might frustrate an occasional applicant, however, and thereby eliminate the pressure to make a decision about that particular case.

4. He can defer to the rules. Obedience to the rules takes the personal burden off the Tenant Selector and places it on Washington, the State House, or the Board. When the rules themselves are restrictive with regard to eligibility, some potential applicants are discouraged from applying in the first place. For example, until 1971 the Tenant Selector did not have to consider any applicant who was not a resident of Cambridge. He could thus limit the volume of applicants by this simple requirement. By the same token, he can now deny many non-family applicants the right to apply for federal public housing. The limit of rule-following,

however, is that rules can be selectively enforced. A family with political influence does not always have to play by the rules. Rules can be recited religiously to "bad" families and forgotten for "good" ones.

The depersonalization facilitated by abiding by the rules makes the job of saying no less difficult. The rejected applicant, if s/he believes that s/he has been treated by the same set of rules which apply to everyone, can feel s/he has been treated fairly. If his/her neighbor is housed right away, however, s/he will be less likely to accept his/her fate. Nonetheless, rules cannot completely eliminate discretion. Rules never cover every contingency, and there is good reason to build in some discretion for the Tenant Selector, in order that he can weigh the needs of the developments and the city when he makes his decisions. But rules which are enforced do tend to make the process of choosing tenants less open to manipulation on a large scale. Rules tend to create a more informed public able to apply pressure when rules are broken. The bureaucrat can justify an unpopular decision in terms of a higher authority, but "power is not diminished by its being attributed to someone else...thus it is possible to have the reality of the power without the penalties."<sup>6</sup> When the rules are not clear, the converse of this statement is true. In that case, the street-level bureaucrat has the penalties without the power.

When procedures are not delineated by the federal government or the local agency, the Tenant Selector must define them. When the rules are vague or not enforced, the decisions he makes are more difficult. He is not backed by the strict rules which make

individual decisions part of a systematic procedure. If he cannot often justify his decisions on the basis of the rules, he must either say yes, say no, or delay. Each of these decisions is more personally demanding than deference to the rules. When lack of rules is accompanied by political pressure, the Tenant Selector, who has political backing only insofar as he pleases his superiors, who are in turn dependent upon political influence, naturally succumbs to those exerting the most pressure.

The Tenant Selection officer in Cambridge has operated in all four modes. Some applicants received different treatment than others. The rules that did exist were often enforced selectively; definitions were enlarged to encompass the applicants who had strong backing or who exerted the most pressure on the Tenant Selection officer themselves. The response of the Tenant Selection officer has been dependent upon the rules that existed and the tendency of the Board and staff to enforce those rules.

From 1950 to 1969, the tenant selection rules in Cambridge were not well-defined. Housing need, displacement, and veteran's preference were ostensibly the only criteria for the selection of applicants. But the actual order and speed with which selected applicants were to be housed was not circumscribed, and was open to manipulation. During this period, the Tenant Selector was not able to be ritualistic and defer to hard and fast rules except those for eligibility, thus it appears that he either bent to the whims of the politicians and Board members on whom he was dependent for his job or housed families he considered "good." Potential tenants for public housing generally were served only if they

acquired political support. After 1969, the rules were more clearly stated. However, as outlined in the previous chapter, the CHA did not totally comply with the rules; exceptions were made continually. The loophole category, "emergency status," was utilized by the Tenant Selector to respond to the same pressures to which he had been subject under the more loosely defined rules. Because the leaders in the organization created a climate which encouraged, even demanded rule-breaking, the Tenant Selector had no backing to abide by the rules. In general, in a situation where the rules exist on paper, but no organizational support for rules exists, the rules will be enforced selectively. Thus, emergency status or preferred assignment was granted to favored applicants or those who applied the most pressure; others had the rules recited to them, waited on long lists, and were offered the worst developments.

It would be unfair to suggest that the Tenant Selector never responded to the most needy applicants with compassion. He is in a position of hearing the cases of desperate people all day. He is the only staff member in the Housing Authority who has direct contact with people in need of public housing. Certainly the rule-bending could be, and was, used in ways which benefited the families most in need. But as the public housing program's population changed, only the very needy applied. Granting favored status to some applicants deprived others in the same circumstances of their rights.

In winter of 1975, the political environment of the Cambridge Housing Authority changed drastically. The new Executive Director

placed a major emphasis upon the reform of the tenant selection procedures. He immediately created a committee to supervise the granting of emergency status. The 1975 Applicant Selection and Transfer Plan, adopted in the fall of 1975, intensified the degree of bureaucratization in the tenant selection and assignment process, and made clear the intention of the entire staff and Board to stand behind the rules.

The new procedures have major repercussions. Their aim is to limit exceptions to the barest minimum and select tenants in strict chronological order. Therefore, for the first time in CHA history, a waiting list will be meaningful. To this end, a formal Emergency Review Committee, established before the plan was established, was codified. Decisions made by this committee have tended to be based upon evidence and investigation of the cases brought to it; emergency status has been granted only to those families in dire emergency situations who are unable to find alternative housing. Thus, the CHA has created a policy which limits its use as the sole emergency housing resource for low-income people in the city. The Emergency Review Committee, backed by the staff and Board, is now able to refuse to respond to political pressure. However, many of the applicants for emergency status do have advocates in the social service agencies, which exert the same kind of pressure on the Tenant Selector as the Councillors previously exerted. The liberal new staff who ushered in the new reforms are more likely to respond to social service agencies than to entrenched politicians. Under the committee system, however, the Tenant Selector can blame the committee for

decisions that adversely affect the clients of the agencies, thereby removing pressure from himself by deferring not only to rules, but also to the bureaucratic procedure that guarantees adherence to the rules.

The 1975 Applicant Selection plan creates difficult dilemma for the Tenant Selection officer. It provides for the screening and rejection of applicants very likely to cause severe problems in housing developments.\* Though the Tenant Selector has, under earlier procedures, rejected applicants because of their social characteristics, the new regulations and the willingness of low-income people to go to court have placed a new emphasis on the elimination of arbitrary measures of unacceptability. New limitations on information, such as the inability to obtain police records, have made it more difficult to ascertain the suitability of applicants. Since the CHA has not denied admission to any applicants since the late sixties, the general public and especially advocates are not likely to respond well to these new procedures. The tenants already housed in CHA developments, however, have made it clear that they want to see effective screening established.

The 1975 plan, therefore, creates a situation in which the Tenant Selector must say no to those people who do not meet strict criteria for eligibility. Some of these people will undoubtedly have strong backing from social service agencies or politicians. Until standards can be clearly set, as they had to be for emergency status, the Tenant Selector is bound to find it difficult to say

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\*Categories for rejection are listed in Chapter IV.

no, for denial of any housing is surely more serious than denial of special status. By creating strict rules to govern most situations, and maintaining the political will within the CHA to enforce the decisions, screening could be successful. The establishment of a screening mechanism represents the priority which the CHA has given to the maintenance of safe, sanitary, and secure housing for its tenants rather than to being the housing resource of everyone in need, regardless of the impact on the housing development. However, the actual implementation of a legally defensible screening mechanism is expensive and difficult to maintain, and little federal money is forthcoming to enact such a system.

The CHA has stated its intention to strictly adhere to its rules. In addition, the Mayor of Cambridge made a statement in March of 1976, in which he said that he would not interfere with the CHA's tenant selection. If both promises are kept, the tenant selection process might be both free of political influence and governed by the rules.

Yet the process of tenant selection, however regulated and systematic, cannot be value-free. Political and personal pressure, even if tenant selection is bureaucratized, will not disappear. Some people will always make demands on the Tenant Selection officer for special treatment. Human judgments overlay all decisions made about people in need. There are no clear moral answers to the questions of rules or rule-bending, or rejection or assignment of applicants. As the decisions are made more and more by committee and less by individuals, sympathy and morality play less of a part.

Just as the old political machine was able to grant personal favors which were more important to individuals than any governmental reform might be, the rule-breaking Tenant Selection officer could respond to the problems of the people who came to him if he chose to do so. The rule-abiding Tenant Selection officer, on the other hand, cannot ease the rite of entry for any particular applicant. If it were possible for one person to weigh the importance of all the circumstances of applicants, it would be more responsive to the needs of applicants to have an anti-bureaucratic Tenant Selection officer. However, it is impossible to eliminate bias from the operations of a personal system. Rules help to do so, and make the job of the Tenant Selection officer less personally difficult as well.

Rules can resolve some of the personal dilemmas which the Tenant Selection officer faces if the rules are supported by superiors. They can help assure equal treatment for all applicants. However, several problems are exacerbated by rules. If they exist but are not enforced, they cannot assure equal treatment. If they are vague, they invite abuse. If they are too restrictive they cannot meet the needs of applicants in extraordinary circumstances.

The discussion of rules and regulations of the federal government has shown that the initial decisions of non-intervention by the federal government in Local Housing Authorities have been reversed. In Cambridge, that intervention has been matched in 1975 by the bureaucratizing of the tenant selection procedures. The rules are no longer vague. It remains to be seen whether circumstances change to effect another swing in the pendulum.

## Footnotes -- Chapter V

1. Interview with James Stockard, CHA Commissioner, Cambridge, Massachusetts, 17 March 1976.
2. Ibid.
3. Interview with Alfred Vellucci, Mayor of Cambridge, Cambridge, Massachusetts, 22 March 1976.
4. Interview with Alfred Folger, Manager of Putnam Gardens and Corcoran Park, 19 February 1976.
5. Irwin Deutscher, "The Gatekeeper in Public Housing," in Among the People: Encounters with the Poor, ed. Irwin Deutscher and Elizabeth J. Thompson (New York: Basic Books, 1968), p. 50.
6. John Kenneth Galbraith, Economics and the Public Purpose (Boston: Houghton-Mifflin, 1973), p. 94.
7. "Letter to the Editor," Cambridge Chronicle, 4 March 1976.

## CHAPTER VI

### OUTCOMES: THE DUAL SYSTEM EXAMINED

Tenant selection for Cambridge public housing has operated in an informal manner which, until quite recently, was responsive to the city's political system rather than to formal federal requirements or the CHA's own written policy. The informal system, which satisfied the local political and social welfare establishments to a large degree, selected tenants from eligible applicants and dictated where they would be placed.

This chapter will examine the outcomes of the procedures of the Cambridge Housing Authority. It will investigate the assumption that Cambridge has operated a dual public housing market from 1955 until 1975. This assumption is based upon the difference in reputation and housing services rendered by each of Cambridge's public housing developments. Cambridge has "good" and "bad" projects. Good projects are stable, well-run, and clean, with few major social problems. Bad projects are severely physically deteriorated and have numerous social problems. The discussion in this chapter will focus on a comparison of three federal housing developments in Cambridge. Two developments, Putnam Gardens and Corcoran Park, are considered to be "good" projects, although they are located in very different sorts of neighborhoods, are different in design, and initially had different tenant populations. One development, Washington Elms, is considered to be "bad" by applicants, tenants, the CHA, and the general public. It is more typical than the other two of the deterioration and social turmoil

which the populace has come to identify as public housing. The three developments will be discussed in order to better understand the nature of the dual tenant selection system. The tenant populations from 1955 to 1975 will be analyzed to discover how the characteristics of the population over time have influenced the project's reputation, and how the informal and formal system of tenant selection operated at each project.

#### Housing the "Good" and "Bad" Poor

The demand for public housing in Cambridge has exceeded the supply of units since the beginning of the program. Applicants for public housing and the public housing tenant population have changed during the nearly 40 years that Cambridge has operated the program. But among the past and present tenants have been families who were model tenants, paid their rent promptly, did not cause trouble for their neighbors, kept their apartments clean, and created no maintenance problems. Other tenants have created financial, health, security, maintenance, or social problems for their neighbors and/or the CHA.

The Tenant Selector's responsibility historically has been to select applicants who were likely to be good tenants and reject those applicants likely to be poor tenants. However, as described in Chapter V, pressures from City Councillors, the Board of Commissioners, social service workers, and the Tenant Selector's own sympathies allowed some "high risk" applicants to get apartments.

Home visits and interviews provided an opportunity for subjective evaluation of applicants to make a determination whether the

applicants were likely to be "good" or "bad" tenants. Applicants' police records were checked. In addition, the Tenant Selector and his staff had a good deal of personal knowledge about applicants who, by definition, were Cambridge residents. When home visits were discontinued in 1969 and release of police records was prohibited by state law, evaluation of applicants was restricted to the application interview and any personal knowledge which the staff possessed about the applicants. The determination of "good" and "bad" had to be made on little information. After 1971, when the residency requirement was eliminated, the knowledge of the staff was limited further in this evaluation, because applicants were no longer residents of Cambridge, and therefore their family histories were not usually known by the staff.

It is not clear that there were obvious differences between "good" and "bad" families. Some characteristics which were imputed to be indicative of "good," such as high incomes, two-parent families, working parents, fewer children in the family, might have been used to determine good-ness or bad-ness. But, among the people who applied to public housing, the differences in these characteristics were generally quite small.\*

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\*It is impossible to obtain information about the people who were not accepted as tenants. It is also not within the scope of this thesis to gather information on tenants' attitudes and character. Restrictions on obtaining information have made it impossible to gather information on whether present tenants had police records, or had political backing. Information about tenant populations has been restricted to statistical reporting forms which were submitted to the federal government.

### "Good" and "Bad" Developments

The various projects in Cambridge's public housing stock have had differing reputations among the community at large, tenants, and applicants. They are perceived as varying in amenities, design, and location. In addition, it has generally been maintained that the tenants in the various developments were also different. The projects had, according to the public viewpoint, different classes of tenants, different child densities, different degrees of stability, and different racial compositions. The physical characteristics of the project and the attributes of the tenants combined to create a project's reputation in the eyes of Cambridge's citizens. The existence of "good" projects and "bad" projects placed heavy emphasis on the assignment process as well as the selection process for public housing.

This chapter will examine three sets of data on each development. First, the project's history, location, and design will be discussed. Second, the neighborhood (U.S. Census tract) will be evaluated. Third, the tenant populations of each development will be compared. The information will indicate whether there has been a difference in tenant characteristics at the three developments and a dual assignment policy. (The aim of this analysis is to hypothesize about the influence of the formal and informal tenant selection systems at each development.)

#### Washington Elms

Washington Elms (completed in 1942) was the first Cambridge development built with the aid of the United States Housing

Authority under the Housing Act of 1937. It was the second federally-aided project in Cambridge; NewTowne Court had been completed in 1938 by the Public Works Agency. Both developments, adjacent to each other, were constructed on cleared slum land. Their physical differences between the two are striking. NewTowne Court, built during the Depression when labor and materials were abundant, is sturdy and well-designed. Its walk-up apartments are spacious and have such amenities as vestibules and hardwood floors. The project's brick exterior and grounds are well kept. Washington Elms, while also three-story brick buildings, is a contrast to NewTowne Court. Conceived before World War II, but built during it, Washington Elms was constructed when labor was scarce and critical materials such as structural steel and wood were rationed for war production. Units are smaller and afford less privacy. Asphalt floors take the place of hardwood. To compensate for the absence of larger units in NewTowne Court, which only has one, two, and three bedroom apartments, Washington Elms was built with 36 four-bedroom units. NewTowne Court cost a total of \$2,377,911 to build 294 units at a cost of \$2,028 per room. Washington Elms cost \$1,877,096 to build 324 units at a cost of \$1,372 per room. The differences in quality of labor and materials is clear from the cost differentials, which, due to wartime price rises, are made even more substantial.

Because the project was completed during the war, and the Boston area was a critical link in defense industry production, Washington Elms was rented up not as low-income development, but as housing for defense workers and servicemen. It was rapidly

occupied in a crash program to house workers from all over the country. After the war, over-income tenants were evicted and the development assumed its low-income profile. Until the mid-fifties it was one of the only two federal developments. After others were completed, the newer developments rose on Cambridge's reputational hierarchy. Since then Washington Elms has had the reputation of being one of the least desirable of Cambridge's projects. The projects built after the war were smaller in size; Washington Elms is part of a complex with over 600 poor people concentrated in one area and it has been less popular in part because of this fact.

Washington Elms is located in a neighborhood which, by the early twentieth century, had developed into a multi-ethnic working-class residential and industrial community.<sup>1</sup> It has been an area of the city most receptive to new immigrants, most recently black and Hispanic people. The project is located on a well-used street near a series of warehouses, factories, some residential buildings, and MIT and related research firms. It is within walking distance of Central Square, a major commercial center. A census tract in which it is located is the poorest in the city, with a median income in 1970 of \$6,792, compared to the city's \$9,815. 26.6% of the families in the census tract have incomes below the poverty level, compared with 8.6% city-wide.<sup>2</sup> The neighborhood has a high percentage of blacks (21.5%). 50.3% of the children live in families with a female head; virtually all of these families receive public assistance. The Aid to Families of Dependent Children (AFDC) caseload is 363.9 cases per 1,000 families.<sup>3</sup> The census tract ranks second in the city in its juvenile delinquency rate

(54.7 cases per 1,000 juveniles). Public housing (Washington Elms, NewTowne Court) comprises 65% of the neighborhood's housing stock and is therefore a significant influence on the neighborhood's statistical profile. The rents in the census tract are only half the city median (\$65 for the census tract as opposed to \$130 for the city in 1975), reflecting the domination of the public housing, which fixes rents at 25% of income.<sup>4</sup>

The project has been a dangerous and often unpleasant place to live for many years; the neighborhood has always been "tough."<sup>5</sup> As early as 1955, the federal government complained of the appearance of the grounds and filthy stairhalls at Washington Elms.<sup>6</sup> A look at the project now would confirm the general public's conception of public housing. Its concrete walks are litter-strewn, many apartments look bombed out or boarded up.

It can be seen from this introduction that Washington Elms has had design and locational handicaps. It was constructed hurriedly and inexpensively. It is located in the poorest neighborhood of the city, presently one of the most transient and crime-ridden. It is surrounded by non-residential land uses and some deteriorating homes. It is adjacent to another large housing project, which thus intensifies the incidence of poverty and problems. Little new construction of residences is occurring in the neighborhood, although neighboring research firms are expanding.

The "good" developments are a contrast to the Washington Elms profile.

Putnam Gardens

Putnam Gardens is a small (123 unit) development located in Riverside, an area of Cambridge which was marshland or farmland until the Civil War era. The neighborhood around Putnam Gardens is now residential and commercial. It is the only conventional public housing in the vicinity, but is across the street from a large complex of Harvard married student housing (Peabody Terrace) and near a new mixed-income development (808 Memorial Drive). The Riverside census tract ranks only behind the Washington Elms area in having the lowest median income in the city (\$7,774); 16.6% of its families have incomes below poverty level.<sup>7</sup> The AFDC caseload is 111.3 cases per 1,000 families, much higher than the city-wide figure (74.9 cases/1,000) but far less than the Washington Elms neighborhood figure of 363.9 cases/1,000. The area is mixed racially. About 32% of the residents in the census tract are black. It has the highest juvenile delinquency rate in the city (101.5 cases/1,000 juveniles).<sup>8</sup> 83% of the persons in the neighborhood are renters, but despite the area's low incomes, the median rent in 1975 was \$140, more than the city median of \$130. Since 1950, rents in Cambridge have risen 256%, but Riverside rents have increased by 472%. Riverside has been greatly affected by its proximity to Harvard and has attracted students and young people willing to pay more rent than families. Peabody Terrace certainly has also exerted a large influence on the neighborhood, for it houses smaller families with temporarily low incomes. Putnam Gardens comprises only 11% of the area's housing units and has much less influence on the rest of the neighborhood than Washington Elms/NewTowne Court have on their surroundings.

Putnam Gardens has an interesting history. Before its construction in 1955, none of Cambridge's projects had been built in neighborhoods with large black populations. The Washington Elms/NewTowne Court complex had displaced large numbers of black residents, but apartments were rented mainly to whites. With the Housing Act of 1949, displacees from low-rent projects were to be given preference for apartments, so in theory the same injustice could not occur. When Putnam Gardens was built, the neighborhood was mixed racially, but one side of Putnam Avenue was all-black and the other, all-white. The project was constructed on the black side of the street but intended for mixed racial occupancy. A number of wood frame homes were destroyed to build the project; all but one of the 68 families living in them were black. According to the present manager, the rest of the city was "smug" when Putnam Gardens was built because of its location.<sup>10</sup> The citizens of other areas of the city expected it to fail. Significantly, the Tenant Selection officer has said that very little political pressure was exerted to influence the rent-up of Putnam Gardens, for everyone, including City Councillors, expected failure or expected the development to become all black. Twenty-one of the relocated families moved into the project. Its initial occupancy was 38% black and 62% white.

Unlike Washington Elms, Putnam Gardens has a good reputation despite its inauspicious beginning. It is well-kept; in fact, its exterior is in better condition than much of the neighborhood. The project faces a main street (Putnam Avenue) but is not as centrally located as Washington Elms. It is adjacent to a public

school, private two- and three-decker houses, Peabody Terrace, and some small commercial and industrial buildings. Unlike Washington Elms, it has not experienced much crime, vandalism, or anti-social behavior. Its racially mixed occupants have almost never exhibited hostility toward each other.

The project is very much like the rest of the neighborhood. Its three-story brick buildings blend with other structures. The project is well built, but without frills. It cost \$1,783,245 to complete in 1955; the per-room cost was \$2,155. Like Washington Elms, six apartments are located at each doorway. The development appears neat and clean. One could easily pass by it and not recognize it as a "project."

In summary, several major differences are apparent between Washington Elms and Putnam Gardens. Putnam Gardens was built in a period when materials were available for construction. It is only one-third the size of Washington Elms and is not near any other public housing. Its surroundings are more stable in racial make-up and class. The neighborhood is being upgraded and new residential construction (i.e., Peabody Terrace) has not ceased. A look at Corcoran Park will provide additional insight.

#### Corcoran Park

Corcoran Park is one of the most popular of Cambridge's housing developments, and has certainly been the most popular federal family development. Its location and design are quite different than the other two projects under investigation. It is located in a practically all-white neighborhood. (In 1970, it had 0.7% black, no Spanish-speaking persons) with socio-economic characteristics

much closer to the city norms.<sup>11</sup> By 1975, the neighborhood had a 6% black population.<sup>12</sup> The median income of the census tract in which Corcoran Park is located was only \$40 less than the city median in 1970. Only 7% of its families are below the poverty level. 64% of its residents are renters, as opposed to 94% in the Washington Elms neighborhood and 83% in the Riverside census tract. Median rent in 1975 was \$101 per month. The neighborhood AFDC caseload is 46.8 cases per 1,000 families, fewer than the citywide average of 74.9 cases/1,000 families and much fewer than the other census tracts examined. Its juvenile delinquency rate (14.1 cases/1,000) is below the city average of 22.8 cases per 1,000 juveniles.<sup>13</sup>

Unlike the other three developments aided by the federal government, Corcoran Park was built on vacant land. Because of the smaller cost for acquiring and preparing vacant land, the project is less dense and of a row-house style architecture rather than three-floor walk-ups. Each family has their own front and back doorway as well as an upstairs and downstairs living area, a backyard and a front yard. The per-room cost at Corcoran Park was \$1,837. The wood and brick row-house style blends with the single and two-family detached dwellings which surround the development. The area is largely residential and suburban in character. It is on the outskirts of Cambridge, near the Belmont city line, but not far from public transportation, shopping and recreation facilities. It does not, however, front on any main streets.

Corcoran Park has always been popular. Before it opened, over 300 applications were on file for its 152 apartments. It is a development which required political pull to get in when it was first occupied and continues to be a "reward" for tenants. Its design, which affords more privacy and space than other apartments in Cambridge public housing, and its location in a middle-class neighborhood have contributed to this popularity. It is also the project which, until recently, appeared to be isolated from black tenants. It has been considered a great success of public housing by Cambridge citizens.

It is apparent from this discussion of location, design, and history, that the three developments under investigation have different backgrounds. It is thus impossible to claim that differences in reputation are due solely to differences in tenant composition, or incidence of problem tenants.

#### OUTCOMES: COMPARISON OF TENANT POPULATIONS

In the previous section, the physical differences between the three projects were described. The neighborhood social characteristics were also elaborated. In this section, differences between the tenant populations at the three developments will be investigated to determine whether there have been any significant differences among these populations over the past 20 years. Through an examination of this information, it is possible to determine whether indeed there has been a difference between the three developments over the years with regard to the above variables. The differences between the tenant compositions at the three

Table 6.1  
 SOCIAL CHARACTERISTICS  
 CAMBRIDGE AND CENSUS TRACTS, 1971

	<u>City</u>	<u>3524 (WE)</u>	<u>3535 (PG)</u>	<u>3543 (CP)</u>
# Children per Family	.95	1.67	1.02	.92
Ave. Family Size	3.2	3.75	3.22	3.33
Juvenile Population (% ages 7-16)	12.3%	30.5%	12.2%	12.9%
Female-Headed Families (%) with pre-school & school-age children	7.9%	32.8%	15.7%	2.7%
Children in Female-Headed Families (under 18) (%)	17.3%	50.3%	32.0%	6.5%
Elderly Population (%)	11.6%	13.2%	8.8%	14.0%
Black Population (%)	6.8%	21.4%	32.0%	.7%
Population Density (persons/acre)	64.6	101.8	76.3	39.5
Juvenile Delinquency (juvenile cases brought to court per 1,000 juveniles)	22.8/1,000	54.7/1,000	101.5/1,000	14.1/1,000
AFDC Caseload (per 1,000 families)	74.9/1,000	363.9/1,000	111.3/1,000	46.8/1,000

Source: Cambridge Planning and Development Department, Social Characteristics of Cambridge, 1971.

developments and their implications for political intervention in the tenant selection system will be discussed in the following sections.\*

#### THE VARIABLES

##### Age of Head of Household/Average Family Size

Figure 6.1 shows the trends in age of the head of the household for each of the three developments under investigation. Tenants are steadily getting older at Putnam Gardens and Corcoran Park. This reflects the aging of long-term tenants. The average family size has also decreased steadily (Figure 6.2) for the same reason. The young families who moved into these public housing developments when they were built have gotten older, and their children have grown up and left home.

At Washington Elms, the trend toward older families was interrupted in 1973, when three new developments for the elderly were opened in Cambridge. 58% of Washington Elms' elderly residents left the development at that time. Because of the large numbers of vacancies which the elderly left at Washington Elms, the families which took the place of the elderly tenants made a significant difference in the age profile of the development. Putnam Gardens lost 35% of its elderly residents in 1973. Corcoran Park, which has a special building for elderly occupants, did not experience the same turnover as the other two developments.

Average family size has decreased steadily, as has the number of minors in each family (Figure 6.3). The size of families in

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\*See Appendix for Methodology.

public housing, however, has consistently been larger than families in the city as a whole.

### Turnover

Turnover rates (calculated as the proportion of vacated units to occupied units) have varied significantly between the three developments. Figure 6.4 shows the disparity between the developments' turnover rates. Washington Elms historically has experienced a high rate of turnover. From 1954-59, it averaged 18% per year; from 1960-69, it averaged 14%; from 1970-75, it averaged 17%. Turnover at Putnam Gardens and Corcoran Park has been, in contrast, quite low. During the 1960s, turnover in Putnam Gardens was as high as 13%, but it decreased in the early 1970s to 8%. Corcoran Park's turnover has increased. It averaged 7% from 1954-59; 9% from 1960-69; and 10% from 1970-75.

Turnover rates are predictors of the pace at which change can take place. A development which has few vacancies each year cannot undergo rapid change in tenantry. On the other hand, a large turnover rate can lead to rapid change in characteristics of tenants.

### Racial Composition

The racial composition of these developments shows a dramatic difference in the projects over time. Both Washington Elms and Corcoran Park were nearly all white in 1955. Putnam Gardens was 38% black at that time. As is clear from Figure 6.5, the percentage of minority residents has climbed significantly since 1968. Washington Elms has rapidly become a predominantly minority

occupied development since 1968. Both Putnam Gardens and Corcoran Park have experienced increases in their minority populations since that time, but the rate of change has been less rapid, at least in part due to their low turnover rates.

Washington Elms' minority population has grown from 20% to almost 60% in seven years. This change is felt by applicants: 74% of white applicants offered Washington Elms apartments in the first seven months of 1975 refused to move there.<sup>14</sup> But 50% of the black families assigned to Washington Elms also refused to move there. The Hispanic population has grown in Washington Elms from only two families in 1959 to 39 families (13.7%) in 1975.

It is interesting to note that the minority population in the Cambridge Housing Authority's housing developments rose sharply with the enforcement of the 1-2-3 rule in 1969. Putnam Gardens was maintained as a racially-mixed development throughout the entire period under investigation, and the increases after 1969 did not lead to increased turnover. Corcoran Park, on the other hand, still has only a small percentage of minority families compared to the other developments. Its location in an almost all-white neighborhood is influential in this regard.

### Income

Family income has risen over the twenty years under study in each development, and in the city at large. (Figure 6.6, 6.7) Despite the differences in turnover, age of the head of household, family size, and racial composition, the average and median income statistics do not vary significantly. According to a one-tailed

t-test, the only significant difference between developments in mean incomes is in 1960, between Washington Elms and the other two developments. (Significant at the .05 level.)

Per capita income (Figure 6.8) is also not significantly different among the developments. All of the developments' income profiles rise at approximately the same rate.

Because of the limitations on income for eligibility, it is not surprising that these differences are not significant. It is also possible that the information on income is not very reliable. Rent is calculated on the basis of income, so tenants have a monetary incentive to underestimate income.

#### Source of Income

Since 1955, there has been a decrease in the number of working heads of households in the three developments, and an increase in the number of families receiving their incomes from other sources (primarily public assistance). (Figure 6.9 and 6.10) The trend does not appear to be evenly paced among the three developments. Washington Elms has had the largest increase in households receiving Aid to Families of Dependent Children (AFDC) and a concomitant decrease in the number of working heads of households. Corcoran Park has had a higher rate of working heads of households and the lowest percentage of AFDC recipients until 1975. Putnam Gardens has experienced an opposite trend since 1969. Since 1969, the number of workers has increased and the number of AFDC recipients has decreased. By 1975, Putnam Gardens and Corcoran Park had similar proportions of working and AFDC families.

Although income has not varied greatly among the developments, source of that income has been quite different. In particular, Corcoran Park has had a very low rate of AFDC recipients until recently. The percentage of AFDC families is also indicative of the number of households headed by females and the number of adult males in the development. Since 1969, Washington Elms has had the highest rate of AFDC recipients (39% in 1969, 42% in 1975). It has been shown by Scobie that female-headed households have a higher rate of problem tenancy in public housing.<sup>15</sup> The differences between the developments in this variable may be indicative of the incidence of problem tenancy.

#### Rent

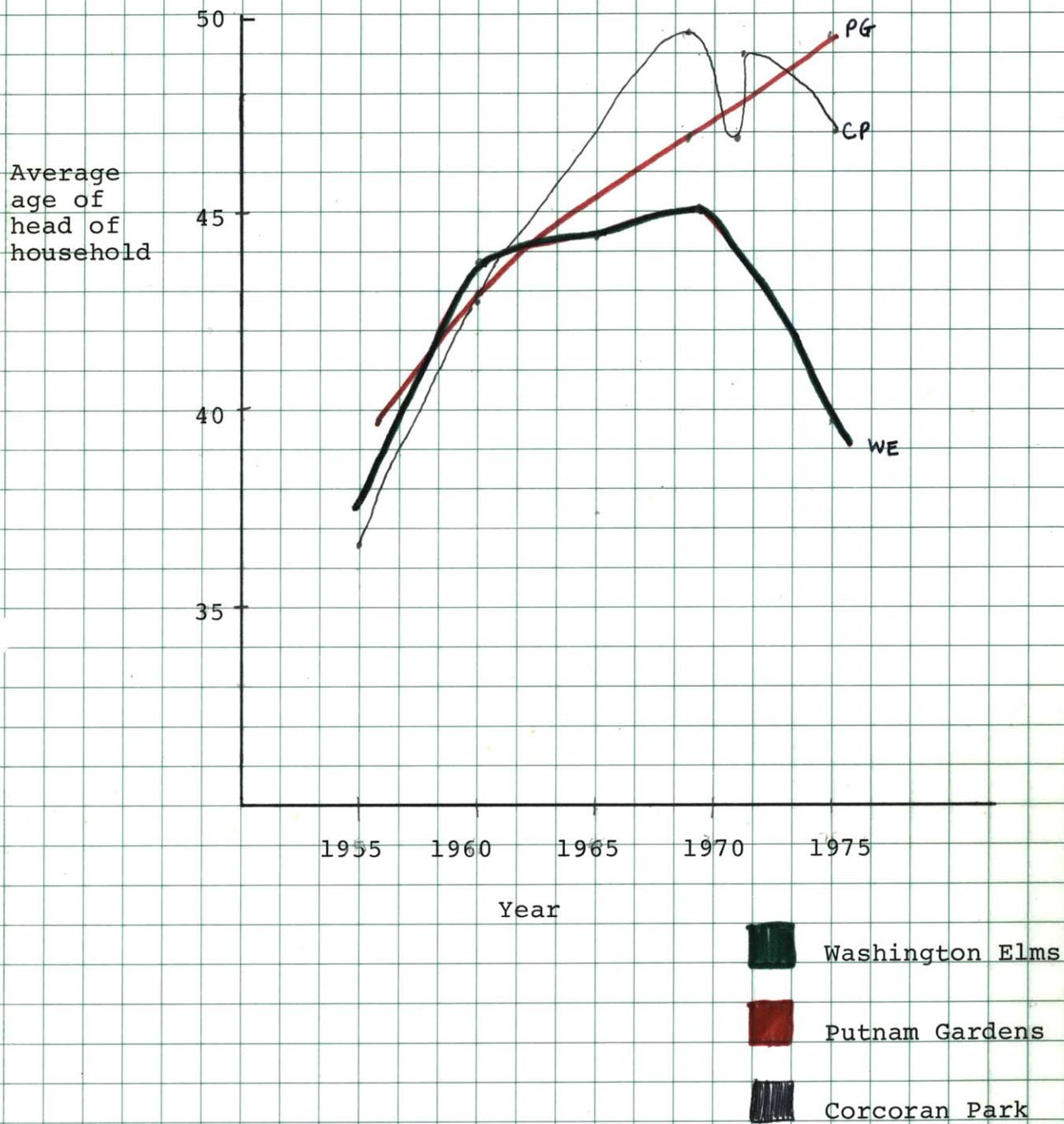
Because rent is set as a proportion of income, one would expect the correspondence between income and rent indicated in Figure 6.11. The high 1967-68 rents do not, however, reflect the lower income levels at Washington Elms, for a flat welfare rent of \$65 was in effect at that time. Since the welfare benefit for a woman and two children was only approximately \$2,200 at that time, \$65 represented 35% of her gross income. The Brooke Amendment's recalculations of rents are reflected in the 1975 rent figures, which correlate more directly with the average income figures in 6.6

#### Summary of Findings

In summary, only a few findings are significant in understanding the differences between developments with good reputations and those with bad reputations. Family size, number of minors per

AVERAGE AGE OF HEAD OF HOUSEHOLD 1955-1975

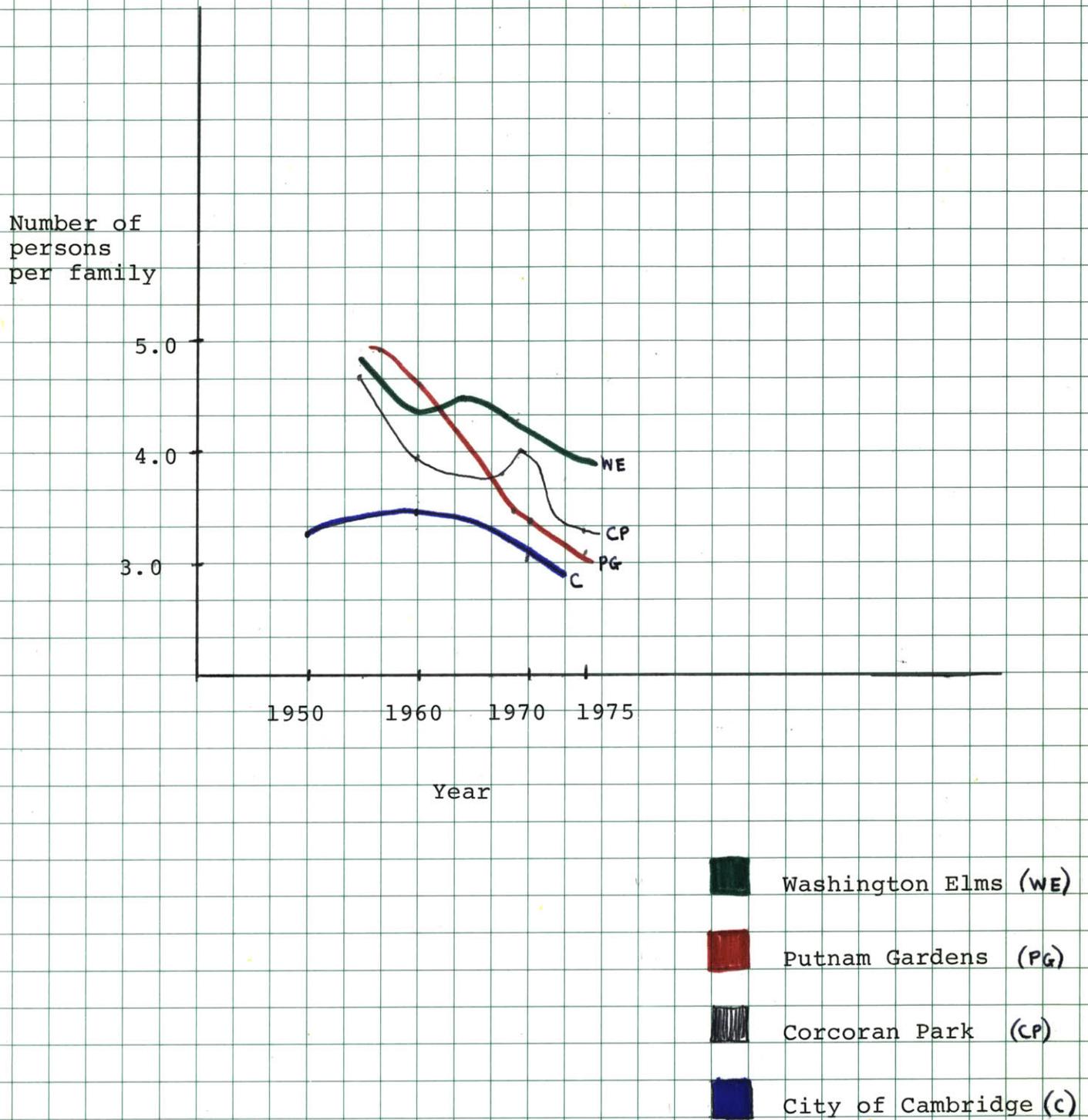
Figure 6.1



Source: Form 1245: Report on Regular Reexamination of Tenants in Low-Rent Housing (Sample)

AVERAGE FAMILY SIZE 1950-1975

Figure 6.2



Source: U.S. Census  
Form 1245: Report on Regular Reexamination  
of Tenants in Low-Rent Housing (Sample)

AVERAGE NUMBER OF MINORS PER FAMILY 1955-1975

(Does not include families with head of household over 62 years old)

Figure 6.3

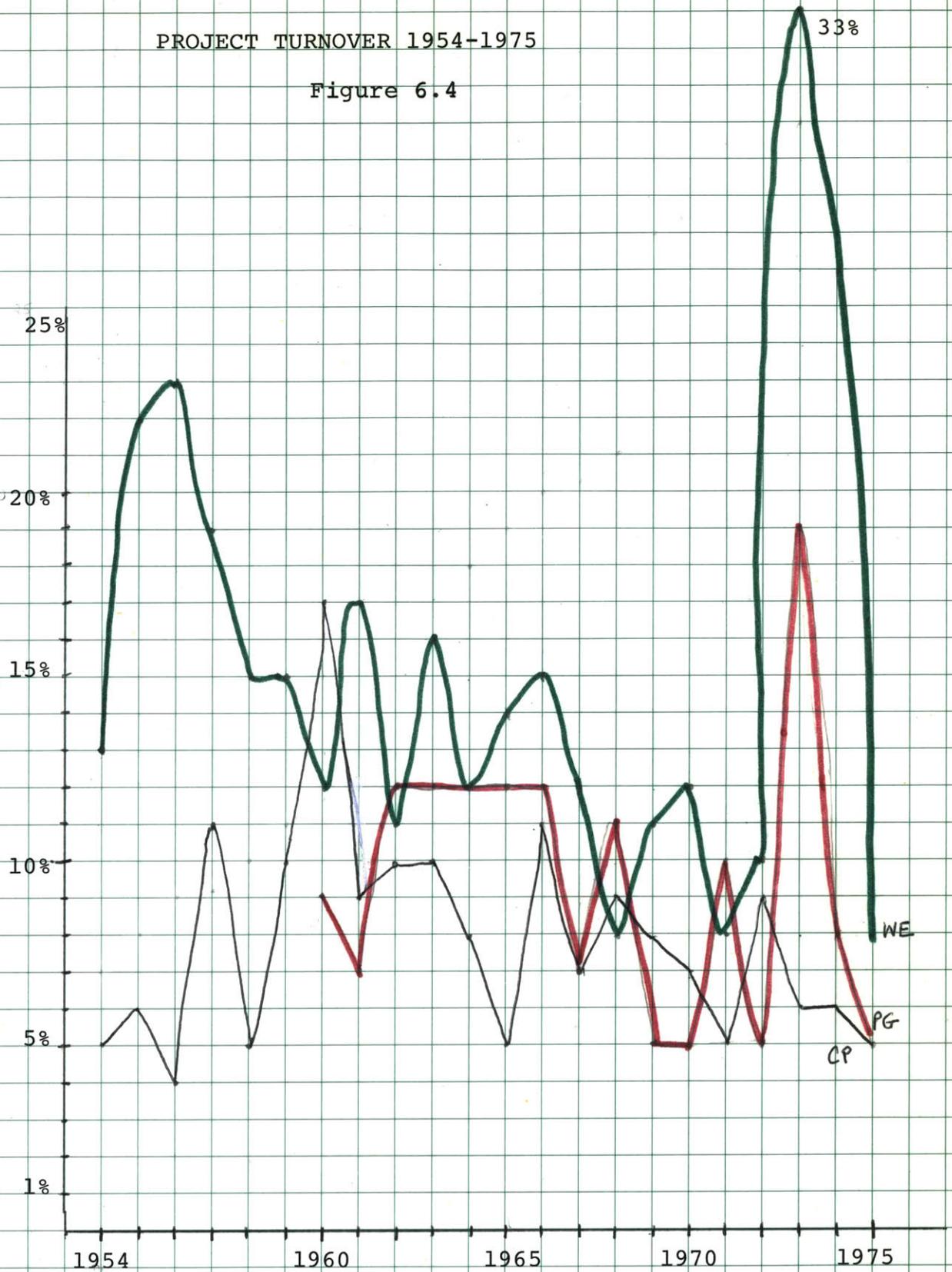


Source: Report on Regular Reexamination of Tenants in Low-Rent Housing (Sample)

-  Washington Elms
-  Putnam Gardens
-  Corcoran Park

PROJECT TURNOVER 1954-1975

Figure 6.4

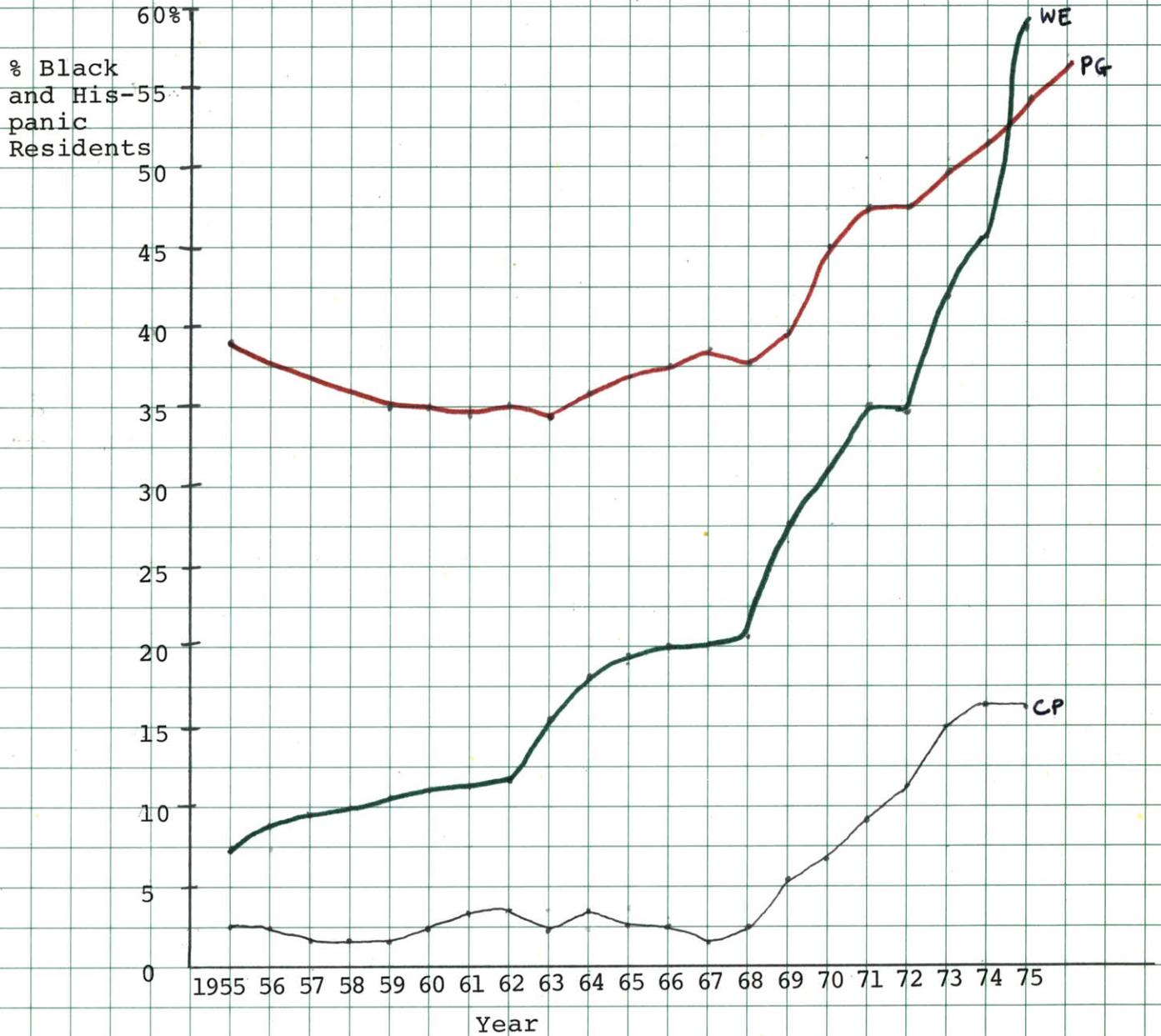


Source: Form 1235  
Report on Occupancy

- Washington Elms
- Putnam Gardens
- Corcoran Park

PERCENTAGE OF HOUSEHOLDS WITH NTS (AS % OF OCCUPIED UNITS)  
 MINORITY HEADS OF HOUSEHOLD  
 1955-1975

Figure 6.5

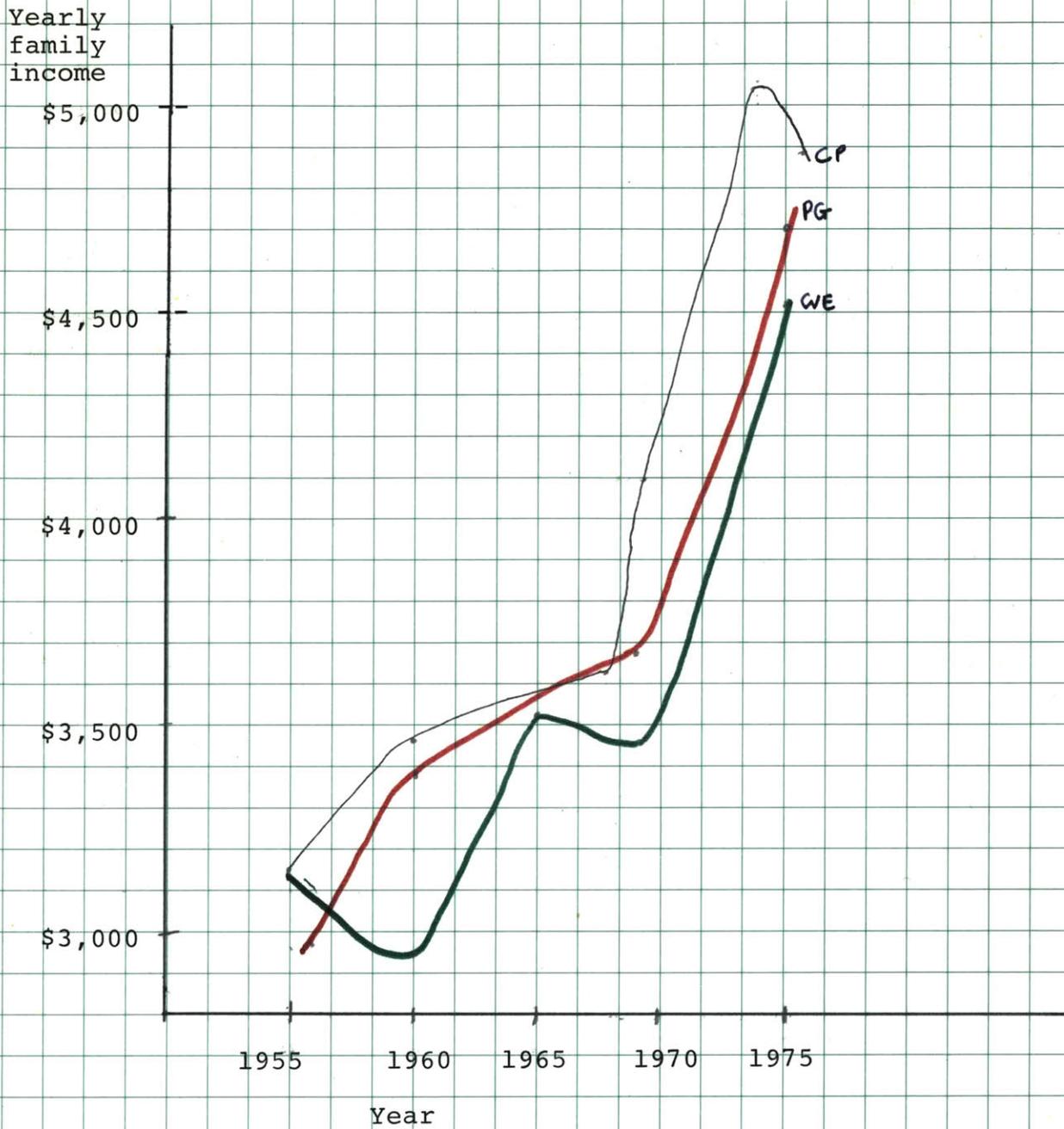


Source: Report on Occupancy  
 (Form 1235)

- Washington Elms
- Putnam Gardens
- Corcoran Park

AVERAGE FAMILY INCOME 1955-1975

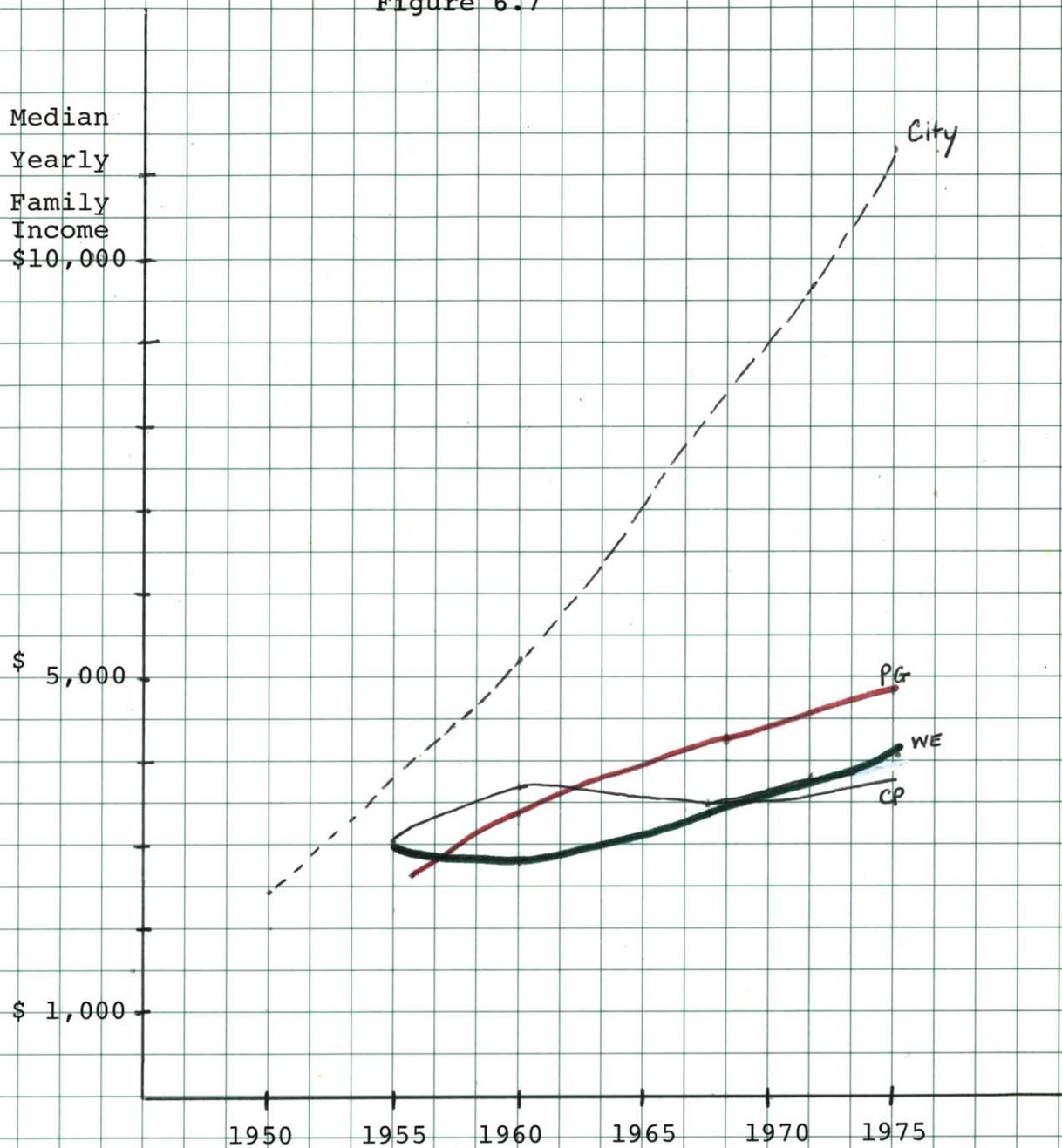
Figure 6.6



-  Washington Elms
-  Putnam Gardens
-  Corcoran Park

Source: Form 1245: Report on Regular Reexamination of Tenants in Low-Rent Housing (Sample)

MEDIAN FAMILY INCOME COMPARISON 1950-1975  
 CITY OF CAMBRIDGE AND THREE CHA DEVELOPMENTS  
 Figure 6.7

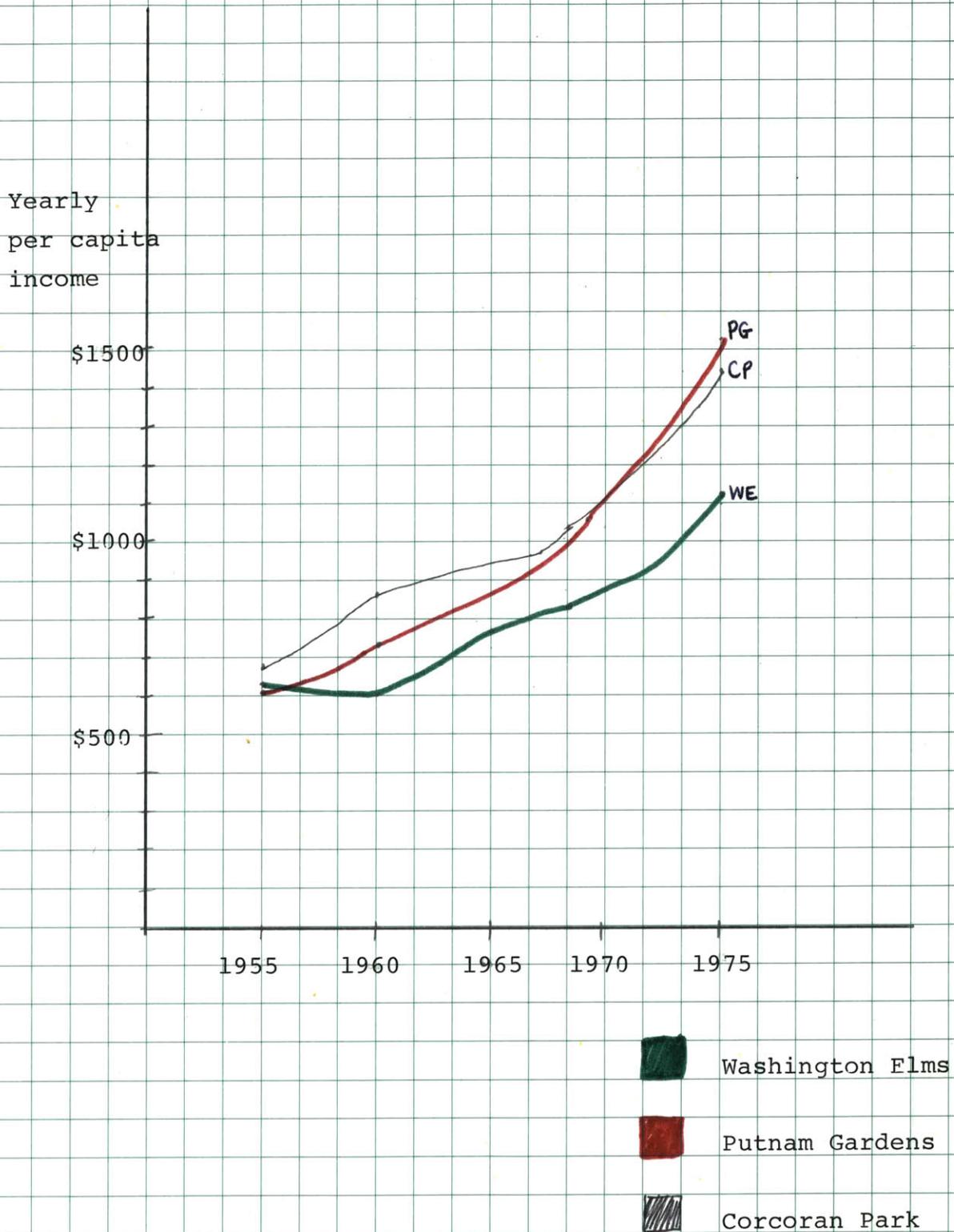


Source: U.S. Census  
 Report on Regular Reexamination  
 of Tenants in Low-Rent  
 Housing (Sample)

- Washington Elms
- Putnam Gardens
- Corcoran Park
- City of Cambridge

MEAN PER CAPITA INCOME 1955-1975

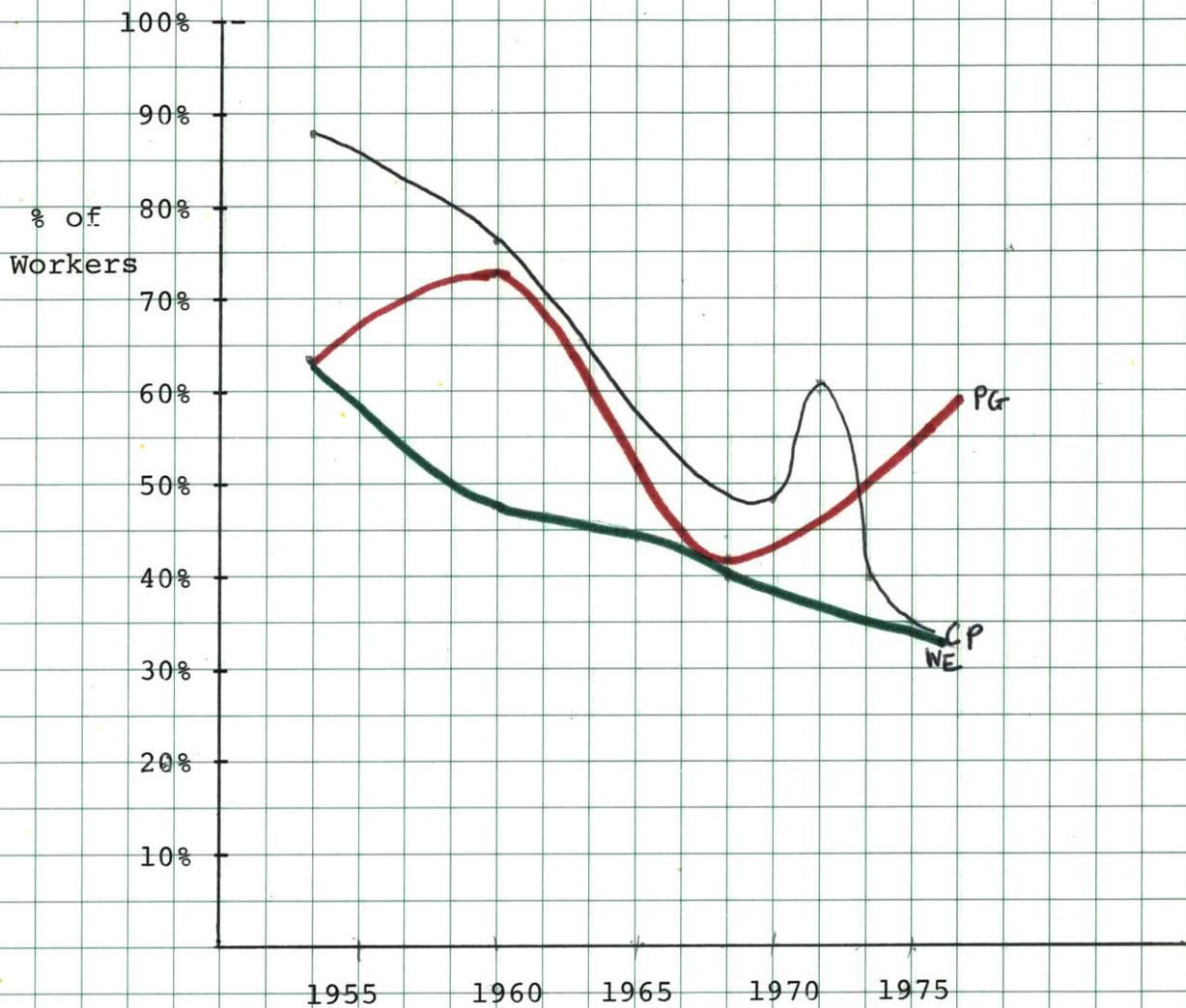
Figure 6.8



Source: Report on Regular Reexamination of Tenants in Low-Rent Housing (Sample)

PERCENTAGE OF WORKING HEADS OF HOUSEHOLDS  
(As percentage of occupied units)

Figure 6.9

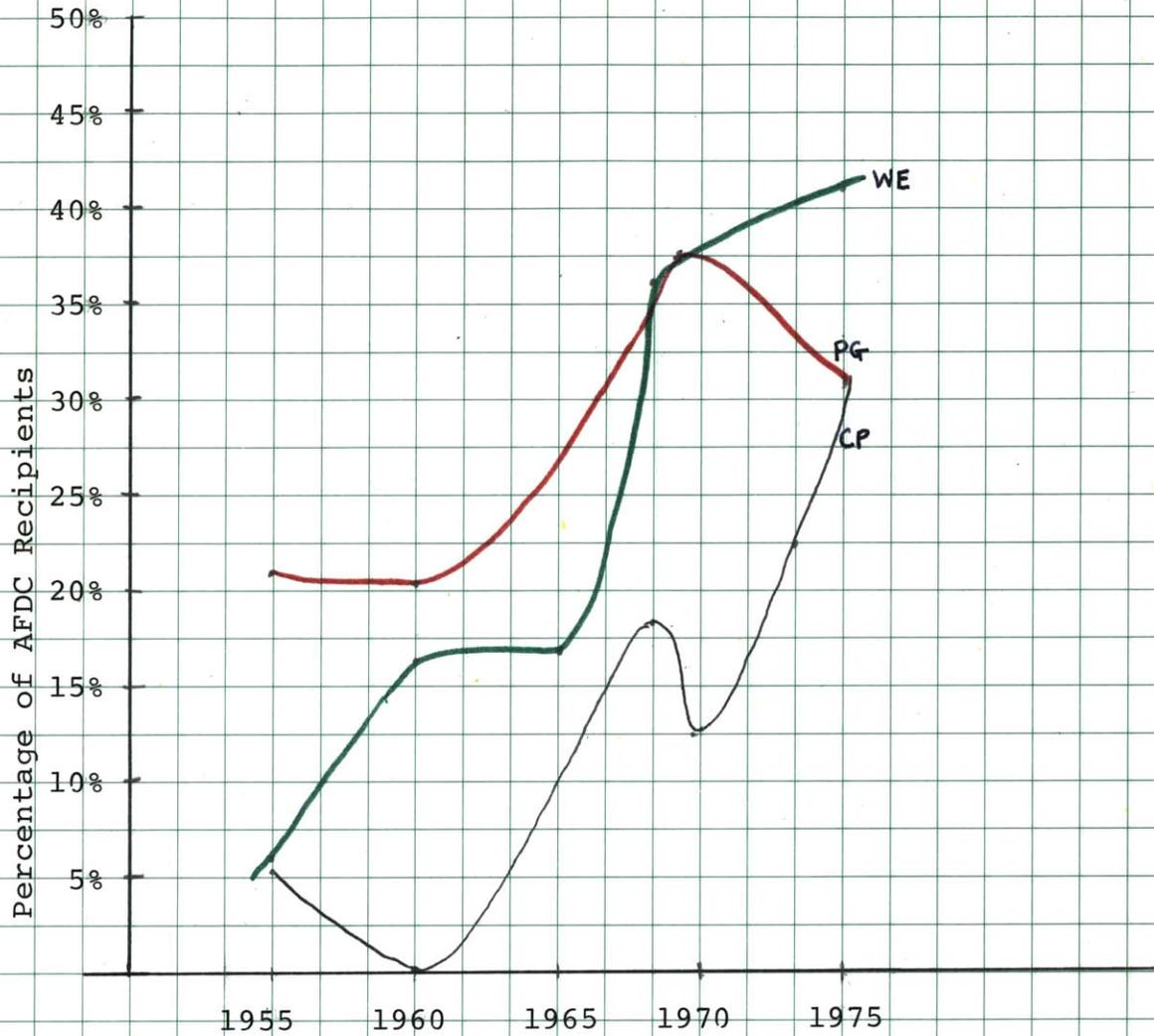


- Washington Elms
- Putnam Gardens
- Corcoran Park

Source: Report on Regular Reexamination of Tenants in  
Low-Rent Housing (Sample)

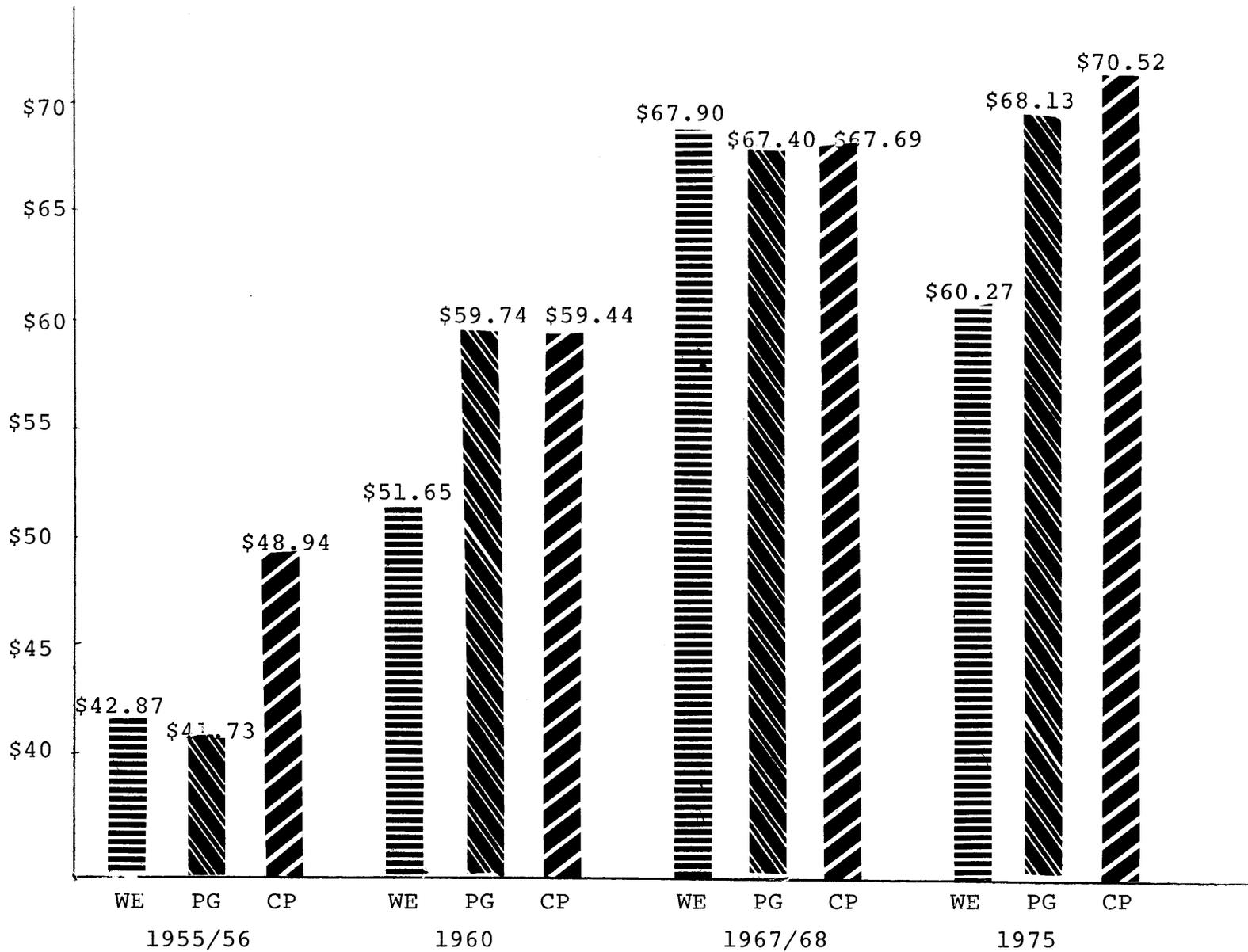
PERCENTAGE OF HEADS OF HOUSEHOLDS RECEIVING AFDC PAYMENTS  
1955-1975  
(AS PERCENTAGE OF OCCUPIED UNITS)

Figure 6.10



Washington Elms  
Putnam Gardens  
Corcoran Park

Source: Report on Regular Reexamination of Tenants in Low-Rent Housing (Sample)



MEAN CONTRACT RENT 1955-1975 Figure 6.11

Source: Report on Regular Reexamination of Tenants in Low Rent Housing (Sample)

family, income and rent are not significant factors. Important differences in turnover rates, the ratio of working families and AFDC recipients, and the pace of racial change and the age of the head of the household are apparent from the data. The good developments have had lower turnover rates, higher percentages of working families and lower percentages of AFDC families, and only gradual racial or social change. It is important to point out that one good development is predominantly occupied by black families, which demonstrates that the race of the occupants themselves is not as important a factor in determining good-ness or bad-ness as racial turnover. Age of the head of household varies with turnover, especially the outflow of elderly tenants.

#### TENANT POPULATIONS AND THE FORMAL/INFORMAL SYSTEM

The three developments under consideration are clearly different in design, location, and neighborhood influences. Their tenant populations have differed as shown above, in several important respects. In order to pursue the discussion of a dual system further, it is interesting to compare the outcomes of the tenant selection system as evidenced by the data collected with the intervention of politicians and social workers described in Chapter V.

An informal system controlled tenant selection and assignment since the beginning of the program. The informal system was manipulated by politicians for most of the life of the program, but manipulation has in large part been taken over by social service workers in recent years. The timing and extent of the shift in influence over the informal system varied from development to development.

The next section will explore hypotheses about the shift in manipulation, the imposition of formal rules by the federal government, and the influence of neighborhood effects and general trends on the populations of Washington Elms, Putnam Gardens, and Corcoran Park. The scenarios which follow are possible explanations of the relationship of the formal and informal system of tenant selection and the outcomes, as evidenced by the data presented above.

### General Trends

Since the mid-fifties, the characteristics of public housing tenants in Cambridge has shifted from working families with incomes very similar to the city median (Figure 6.7) to dependent poor families with only one-third of the city's median income in 1975. This disparity between the city and the tenants in CHA developments has also grown with respect to racial composition and welfare dependency.

As the tenant population and the general public's opinion of public housing has shifted, so has the applicant pool. The type of families who had lived in public housing during the early 1950s have stopped applying. The market for public housing in Cambridge has become dominated by very poor welfare recipients and, increasingly, minority families. Perhaps this change has been in part due to community organizing in poor neighborhoods, which encouraged large numbers of eligible families to apply for welfare assistance and public housing. Perhaps the shift has reflected an abandonment of the city for the suburbs by the same type of families who had previously chosen to live in public housing.

The change in the market has been a mirror for the change in tenant populations. The changes in the developments have been apparent to the general public; racial change and physical deterioration of the structures and grounds have been visible. High crime rates in the housing have become legend. Thus, the "good" families of the past, particularly white families, have had large disincentive to apply for public housing.

### Washington Elms

Until 1968, Washington Elms had experienced the most rapid turnover of tenants, a modest rate of racial change, and the largest shift in its residents' source of income compared to the other two developments under study. Since 1968, the rate of change of each of these variables has continued to increase faster than in the other two developments.

Until 1968, the racial composition of the development grew quite slowly, stabilizing at under 20% minority. After 1968, the black and Hispanic population rose dramatically. This shift can be viewed as the interaction of five variables: the abandonment of Washington Elms by the political system, the concurrent take-over by social workers of the informal assignment system, shift in the market for public housing, neighborhood factors, and the imposition of formal rules by the federal government regarding equal opportunity in housing.

The neighborhood and market changes were addressed earlier in this chapter. The neighborhood around Washington Elms was becoming poorer and increasingly crime-ridden by the mid-1960s. The trend in the development toward more welfare families had been

in evidence since 1955. These changes led to the abandonment of Washington Elms by families who sought political intervention and eventually by white people in general. The political system ceased to exercise influence over assignment to Washington Elms because it was no longer pressured to do so. Social welfare agencies filled the void left by City Councillors. Their clients were more likely to be minority group members and/or welfare families. Social workers' clients may have been different than politically-sponsored applicants. By definition they were people with problems, in many cases only financial problems, but often mental, emotional, and physical problems.

Federal enforcement of equal opportunity provisions and the 1-2-3 rule after 1968 also helped to accelerate the changes at Washington Elms. Because of the high turnover rate at Washington Elms, it was the first development offered under the 1-2-3 rule. Its high rate of refusal by white families who were able to wait led to its large minority population. The informal system, having been attacked by formal rules, responded by creating a dumping ground out of one of its already unpopular developments. From a political and practical standpoint, Washington Elms was the development most vulnerable to these changes. It was located in a racially mixed neighborhood. Its design, locational deficiencies, and size had already labelled it a "bad" project. By 1968, it had a large welfare population. In addition, because of its high turnover rate, it was possible to house significant numbers of minority families in a short time, thus showing to the federal government a good faith attempt at integration without seriously

interfering with the informal political system at other "good" developments.

Thus, the informal system responded to formal pressures, and the social welfare establishment took over the informal assignment process as families with political clout chose not to live in Washington Elms. The profile of Washington Elms tenants reflects the change in population which these shifts imply.

#### Putnam Gardens

Putnam Gardens provides an interesting contrast to Washington Elms. It opened in 1954 with a tenant population which, according to popular belief, should have doomed it to failure. It had the largest family size and the most minors per family of the three developments under investigation; its residents were almost 40% black; they had the lowest incomes in the system; and the highest percentage of AFDC families. But Putnam Gardens has not failed. It appears to have been rescued by both the formal and informal systems. In fact its tenant profile has improved since 1968, a period during which the profiles of the other developments have declined.

The evolution of the formal and informal system with respect to Putnam Gardens is particularly interesting. As stated previously, very little political influence was exerted over tenant selection at Putnam Gardens when it was first rented up. The lack of influence allowed the bureaucratic process as written to function. Therefore, it is likely that the original tenants were indeed those families with the greatest housing need among displacees and

veterans, a fact which is verified by the low incomes, high dependency rates, and large minority representation in the population.

The high proportion of minority tenants was due to three factors. First, Putnam Gardens' location in a minority neighborhood led to its desirability among black applicants. Second, federal laws and regulations required displacees from public housing sites to be granted preference for units. Twenty-one of the original tenants were black site displacees. Third, the CHA was under a political obligation to provide an appreciable number of units for black tenants. The black community had been angered by the absence of black tenants in other public housing developments despite the displacement of blacks to build them, and exerted its influence to ensure that the new housing was occupied by a substantial number of blacks. The strong support of the city's black community has contributed to the stability of the development over the years.

The federal government intervened early in Putnam Gardens' history through an informal agreement with the Tenant Selection officer to place racial occupancy controls on the development. While these occupancy controls existed, the proportion of minority to white tenants remained very stable. As the racial stability of the development became apparent, political influence over assignments became more commonplace. The proportion of blacks began to rise again after 1968. This increase in minority population was not a result of the abandonment of the white political system of what had once been "their" development, as

had been the case in Washington Elms. On the contrary, politicians continued to exert influence over assignments to Putnam Gardens. Liberal black City Councillors influenced admissions to the development.

The formal system also influenced the tenant population at Putnam Gardens. The 1-2-3 rule necessitated the removal of occupancy controls. Because of the popularity of Putnam Gardens among black applicants and the continuing informal operation of the tenant selection process, the percentage of black occupants rose. Putnam Gardens was not one of the first developments offered under the 1-2-3 rule, for its turnover rate was quite low by 1968. Therefore, only a small percentage of families received apartments there through regular assignment procedures. Most got support from a Council member.

In addition, the federal government did not interfere with tenant selection at Putnam Gardens because it was integrated. The lack of interference allowed the informal system to continue. The continued influence of politicians as well as neighborhood factors have been important variables in the improvement of Putnam Gardens since 1968. Of course, general trends in the public housing market are obvious at Putnam Gardens. While the figures may show improvement since 1968, the proportions of welfare families, very poor families, and large families are much higher than the general population of the city.

The contrast to Washington Elms is clear. Washington Elms was a bad development before it was a minority development. Putnam Gardens overcame its prediction of bad-ness in part because

of the informal system which prevented rapid segregation. Improvements in neighborhood conditions have contributed to the upswing in Putnam Gardens' profile. The neighborhood has been improving rather than declining. Rents have gone up in the private market. The minority population has decreased from 32% black in 1970 to 20% black in 1975, so the neighborhood has never "tipped," yet the neighborhood is a center of the black community. New residential building has occurred. The continued interest on the part of politicians has kept the proportion of "good" tenants high, and problems minimal.

#### Corcoran Park

Corcoran Park began its history with every advantage. Its scale and design were ideal for privacy and community. Its location in a middle-class neighborhood assured that the surroundings would have a positive influence on the development. Its initial population scored higher on social indicators than the other two developments under investigation. It had the smallest number of minors per family, the highest family and per capita income, a very high percentage of working fathers, a low percentage of welfare recipients and female-headed households. Its minority population was miniscule; it remained less than 5% minority until 1968.

Corcoran Park has enjoyed its label as a "good" development since before it opened. Despite its recent decline in social indicators, as evidenced by the data presented in this chapter, it maintains the reputation as one of the best places to live in

Cambridge public housing. The development has been, because of its great desirability, the exclusive province of Cambridge politicians. It has been the most middle-class in attitude, if not in income, of all Cambridge's family public housing, and the home of "good" tenants.

The shift in influence over the tenant selection system from politicians to social service workers probably never occurred in Corcoran Park. Its position as the best public housing in Cambridge guaranteed a strong market demand for units among people who could command the support of a politician. There was no slack in demand, as there had been at Washington Elms, which allowed social service workers to increase their influence over the assignment process. The number of vacancies which occurred each year was small; political intervention on behalf of only a few constituents was sufficient to fill these few apartments.

The informal system influenced by politicians, however, came under direct attack during the controversy over equal opportunity in 1968. The segregation at Corcoran Park was cited as evidence that the CHA did not operate an open housing system. The increase in minority representation at the development from 1969 to 1975 has been in part related to the formal pressure brought by HUD to enforce the Civil Rights Act. The growth of minority families at Corcoran Park has been slow but steady since 1969.

In recent years, the relative advantage which Corcoran Park has in social indicators has narrowed. Corcoran Park is becoming much like other developments in the CHA's stock. It has matched Putnam Gardens in many variables. Its income, percentage of working

families, and percentage of welfare families are much like the other two developments. Its income level has not been substantially different from the other developments since 1960, although it has consistently been a bit higher. Certainly Corcoran Park no longer houses the same type of temporarily poor folk who occupied the development when it opened, whose incomes were much like the city median. As stated earlier, those families are no longer interested, for the most part, in public housing.

#### Summary

This chapter has traced a demographic history of three developments operated by the Cambridge Housing Authority in an attempt to identify the kinds of differences which contribute to project reputation and in turn influence the tenant selection and assignment process.

The three developments are quite different in design, size, location, neighborhood surroundings, and age. The two "good" developments are smaller, have more desirable spatial and physical characteristics, and younger. Washington Elms and Putnam Gardens are both located in high-crime and poor neighborhoods, but Putnam Gardens, a "good" project, is located in a neighborhood which is experiencing a revival. Both Washington Elms and Putnam Gardens are in racially-mixed areas of the city. Corcoran Park is located in a nearly all-white area which exhibits social characteristics much like the city average.

The tenant populations in the three developments have been quite different in the past with respect to racial composition,

proportions of working and welfare families. Most recently they have had different aged families as well. But most of the variables examined did not show significant differences among developments. Turnover has been quite different in each development, in part in direct correspondence to the reputation of the development and the value which individual tenants placed on a housing unit in it.

The differences among the developments has prompted different political intervention for constituents. Politicians' influence has waned at Washington Elms, because families who can get political support want to go elsewhere. Social service workers have replaced politicians for Washington Elms' advocacy. Putnam Gardens, because of its location and history, did not require political influence during initial rent-up, but as it was the only development for a long period of time which housed many minority families, it became the "good" black development and as such required political influence to get an apartment. Corcoran Park has required political influence since the project was conceived. It continues to be the place for which "good" white families request political help. But the importance of political influence in general has decreased as the applicant pool has become composed of families who do not demand political influence, but rather get assistance from their social workers.

While politicians did not operate a system which was fair or equitable, political influence over tenant selection in Cambridge did help to expedite the housing of applicants who were organized enough to seek political intervention. Social workers advocate for

different reasons. While they may indeed help people with more need than the politicians helped, these people may also bring the most insurmountable problems to the public housing setting. Advocacy by social service workers may have had graver social repercussions for public housing than that done by politicians.

Perhaps the non-intervention of politicians in the tenant selection system from the beginning might have created a system which was more balanced in its distribution of "good" and "bad" developments and tenants than the present distribution. However, the influences of other factors, such as design, size, location, and expectations of reputation by the city, may have mitigated against a balancing of reputations and populations.

The changes in the market among public housing applicants cannot be underestimated in Cambridge. Given the composition of the waiting list and the intention of the reform Cambridge Housing Authority to pay strict attention to chronological order in housing applicants, the composition of its housing developments will undoubtedly change in accordance to the changes in the waiting list. Such a change means a further increase in minority families and welfare families. The pace of such a change, as evidenced by the differences among the three developments investigated with respect to this variable, is an important factor in the maintenance of community reputation and stability. In addition, without outreach to some types of families underrepresented on CHA waiting lists, the pace will not be controllable. Specifically, racial change will accelerate and perhaps cause massive turnover in predominately white developments. Marketing to white families and

working families may be the only recourse to finding the mix of low-income families which the 1974 Housing and Community Development Act mandates.

The following chapter will discuss the future of the formal and informal system.

## Footnotes -- Chapter VI

1. Cambridge Community Development Department, Neighborhood 4 Profile, 1975.
2. U.S. Department of Commerce, Bureau of the Census, U.S. Census of Population and Housing, 1970.
3. Cambridge Planning and Development Department, Social Characteristics of Cambridge, Vol. 1, 1971.
4. Cambridge Community Development Department, 1975 Cambridge Mid-Decade Household Survey, 1975.
5. Interview with Alfred Folger, Manager of Putnam Gardens and Corcoran Park, Cambridge, Massachusetts, 19 February 1976.
6. Letter to Cambridge Housing Authority, from Public Housing Administration, New York, N.Y., 25 October 1955.
7. U.S. Department of Commerce, Bureau of the Census, U.S. Census of Population and Housing, 1970.
8. Cambridge Planning and Development Department, Social Characteristics of Cambridge, Vol. 1, 1971.
9. Cambridge Community Development Department, 1975 Cambridge Mid-Decade Household Survey, 1975.
10. Interview with Alfred Folger, Manager of Putnam Gardens and Corcoran Park, Cambridge, Massachusetts, 19 February 1976.
11. U.S. Department of Commerce, Bureau of the Census, U.S. Census of Population and Housing, 1970.
12. Cambridge Community Development Department, 1975 Cambridge Mid-Decade Household Survey, 1975.
13. Cambridge Planning and Development Department, Social Characteristics of Cambridge, Vol. 1, 1971.
14. Memorandum to Howard Cohen, from Jayne Shister re Washington Elms Affirmative Action, 4 August 1975.
15. Richard S. Scobie, Problem Tenants in Public Housing (New York: Praeger, 1975).

## CHAPTER VII

### CONCLUSIONS

This paper has discussed the history of the formal and informal systems which guided the selection of tenants for public housing in Cambridge. The formal system of federal statutes, regulations, and local official policy has historically been quite flexible. Moreover, the formal system has been silent on many important issues requiring resolution on the local level. Because neither the federal, state, nor local rules adequately addressed the four major issues of tenant selection (race, income, priority order, and basis for rejection), an informal system developed in Cambridge. This informal network circumvented the loosely written rules and found a way of operationalizing the four salient issues of tenant selection. The informal system provided for the selection of applicants who had advocates.

The development of this informal system fits Robert Merton's model of the latent and manifest functions of an agency.\* Merton states that the functional deficiencies of the official structure generate an alternative, unofficial structure to fulfill existing needs more effectively.<sup>1</sup>

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\*The manifest function of the Cambridge Housing Authority, according to Merton's model, is to provide low-income families with decent, safe, and sanitary homes at rents they can afford. The latent functions, fulfilled by the existence of the informal system, are to maintain good relations with the city (which includes patronage in the form of apartments, jobs, and contracts), to maintain patterns of racial and income segregation which do not disrupt the status quo, and to house "good" poor folk.

The actors in the informal system which influenced the CHA's tenant selection procedures were of two types: politicians and social welfare workers. Each manipulated the system in their own personal or institutional interest. Politicians operated a personalized system of advocacy. The families for which they advocated represented a network of campaign workers and their families, old friends, relatives, and neighbors. The politician generally took a personal interest in his constituents in public housing. He also was considered personally responsible for their actions, and did intervene when a tenant whom he had sponsored became a problem at a development.

The informal system which social workers and legal service agencies influenced operated quite differently. While social service workers took a professional interest in their clients, their personal interest was likely to be minimal. Unlike the politicians, the social workers were generally of a different class and social background than their clients. Moreover, social workers did not claim responsibility for their clients once they were housed. Unlike politically sponsored applicants, who "belonged" to a certain City Councillor, tenants who were sponsored by social service agencies did not "owe" their sponsors anything. The increase in social service workers' advocacy for applicants contributed to a cycle of housing "bad" tenants at some developments. The social workers had influence, however, only at the developments in which the politicians were no longer interested.

The informal system was fortified by the federal government's

role in the public housing program. The federal government often neglected to state clear positions on important issues. Furthermore, it was reluctant to interfere with and monitor the practices of the Cambridge Housing Authority. Until 1968, the formal system had only slight influence over the operation of local tenant selection or the informal system which controlled it.

The federal Department of Housing and Urban Development intervened in the CHA's practices regarding equal opportunity, in an attempt to eliminate the gaps between federal rules and local practice. The intervention did increase the number of minority tenants in Cambridge public housing. But, because of the influence of the informal system, the intervention helped to intensify the stratification of the public housing system. Developments which were already considered "bad" were used to respond to federal pressure to quickly house more black and Hispanic families.

The enforcement of federal rules, such as regulations regarding the due process rights of rejected applicants, did not abolish the informal system, but merely modified it. "Bad" applicants, previously rejected, were now shuffled to "bad" developments. Since bad developments generally had high turnover, they were the first places offered under the 1-2-3 rule. Applicants who did not have the political clout or resources to gain exemption to the 1-2-3 rule were assigned there. "Good" applicants with political sponsors were excepted from the rules and got assigned to good developments. Social service workers

primarily had access only to bad developments for their clients.

The existence of an informal system which determined tenant selection meant that the formal rules were followed only when necessary, specifically, when the Authority was monitored by the federal government. Because the supervising agencies audited the income and rent of public housing tenants, it is unlikely that the informal system often violated the formal federal rules regarding income eligibility or rent.

Vague or undefined issues of tenant selection were subject to local interpretation. Local procedures were largely controlled by the informal system. Therefore, the gap was great between policy intended by Congress and its implementation at the local level. Issues were not addressed by the federal government for several reasons: the desire to encourage flexibility at the local and national level, an inability to gain consensus on an issue, the influence of pressure groups upon the legislative process.

For example, the federal agencies which supervised public housing took no official position on racial discrimination until 1965. CHA, guided by its informal system, chose generally not to upset the existing racial composition of neighborhoods in selecting sites and tenants for its public housing. The lack of federal direction regarding racial discrimination helped to bolster the status quo of the city and in turn foster discrimination against minority applicants. In spite of federal regulations issued in 1965, CHA continued to assign tenants as it had in the past. Only

when the Department of Housing and Urban Development began to monitor CHA's procedures did the racial make-up of Cambridge's developments begin to change.

Because priority order was established in statute and regulation, but not monitored by federal agencies, the procedure was not followed by the CHA. Indeed, the informal system completely overruled priority order. After the 1-2-3 rule, emergency priority constituted a large percentage of assignments, so the Cambridge practice of determining entry by a form other than that dictated by the federal government continued.

The federal government must have known that most localities were selecting tenants in a political manner. It chose not to change that fact. Perhaps the federal government recognized that it could not alter the established political networks at the local level by formal rules. Yet HUD continues to impose more requirements upon local authorities without apparent recognition of the actual forces which dictate assignment and selection at the local level. The tenant selection provisions of the Housing and Community Development Act of 1974 demonstrate this point.

The Act goes much further in establishing social engineering than did the equal opportunity provisions of the late sixties. Congress' response to the sinking level of income of public housing tenants nationwide was to direct Local Housing Authorities

to alter the social composition of their tenant populations.\*

The development of housing projects with a cross-section of low-income families may well become mythical. Given the deteriorated physical plant of many housing developments, the high crime rates, sites in the poorest and most stressful neighborhoods of cities, and the range of other alternatives available to moderate-income households, the likelihood of attracting them back to public housing is small. Perhaps it would be possible to develop a social mix in the housing developments with the lowest turnover, highest percentage of working families, and least incidence of serious crime, since the social characteristics most prevalent in these projects are in less abundance on the waiting lists. Certainly giving priority to applicants who are in the upper scales of "low-income" would be an incentive to get these families to apply to public housing. However, it is doubtful that most families who are not desperate will accept housing in the most dangerous and deteriorated developments. Because many of the moderate-income applicants would have access to a politician, the continued existence of the informal advocacy network would be guaranteed. This would also serve to further intensify the stratified public housing system.

Certainly the definition of "serious social problems" is not readily available. It is not always obvious from an application,

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\*The law requires that Local Housing Agencies establish "tenant selection criteria designed to assure that within a reasonable time period, the project will include families with a broad range of incomes and will avoid concentrations of low-income and deprived families with serious social problems..."<sup>2</sup>

an interview, or a reference check whether a family will cause serious trouble when they move to public housing. Furthermore, evidence indicates that there is a fine line between a tolerable number of troublesome tenants and the outflow of those "good" tenants who perceive the trouble multiplying. A serious long range question is clear when one examines the waiting list for a large city housing authority. Many of the people who request public housing have problems, be they social, mental, physical, marital, or emotional. Screening is a useless exercise if the market for "normal" families is limited. Screening is very time consuming, expensive, and difficult to carry out within the letter of the law. The executive decisions which were carried out to reject problem tenants previous to the mid-sixties were illegal and often unjust. But by rejecting some applicants, it was possible to minimize the number of problem tenants. The screening outlined in the 1974 Act is, by contrast to the screening done in the past, judicial in nature. Each LHA is expected to underwrite the cost of providing an extensive legally defensible written rejection, hearing, and perhaps further appeal, for applicants.

Despite the federal government's plan to change the composition of the public housing tenant population, measures to correct the failures of public housing await a Congress and administration willing to commit major energy and funds to run the program. The trend toward relatively poorer and more troubled tenants has been relentless. Local practice in Cambridge held the trends at bay

for many years in some developments, but the informal mechanisms which accomplished this have been condemned by courts, tenants organizations, and reformers.

The reform Cambridge Housing Authority is in a position to test whether enforcement of rules can create a healthy public housing system. The task is onerous, and nearly forty years of Cambridge history would indicate that a reversal of the informal system which has chosen tenants in the past is not without its problems. The manner in which the CHA relates to the city must be changed. If conditions in CHA housing improve, and the popularity of public housing increases enough to attract moderate-income households again, it is unlikely that City Hall will remain aloof from the operations of the CHA. Politicians have withdrawn only when the demand for their influence has waned. It is problematic for CHA to both revitalize public housing and ignore political influence in tenant selection. As the commodity becomes more attractive, the competition for it is likely to increase; rekindling the interest of politicians is a byproduct of improvement.

On the other hand, if the housing conditions continue to decline, public housing will further sink in the eyes of Cambridge's eligible population. This eventually would be conducive to elimination of the informal system, certainly the informal system dominated by politicians, for they would not be pressured to provide apartments for constituents in great numbers. However, social service workers might come to dominate the informal system.

Given the propensity of liberal reformers to reply to neediness rather than familial or ethnic contacts, the potency of the social workers' influence would be felt.

These possible scenarios demonstrate the difficulty in eliminating the informal system, for it serves a real function to the consumers of the program, and to the program itself. Even with strict adherence to rules, as long as there are fewer apartments than applicants, it is unlikely that the informal system of tenant selection can be eliminated completely. The latent functions fulfilled by that system must also be served or, as Merton has stated, reformers will be practicing social ritual rather than social engineering.<sup>3</sup>

Footnotes -- Chapter VII

1. Robert K Merton, On Theoretical Sociology (New York: The Free Press, 1967), p. 127.
2. Housing and Community Development Act of 1974. Public Law 93-383. 93rd Congress.
3. Robert J. Merton, op. cit., p. 135.

## APPENDIX

### METHODOLOGY FOR COMPARISON OF TENANT POPULATIONS

The data used to examine the tenant populations at the three developments has come from two sources. Turnover of apartments and complete racial information was obtained from the Report on Occupancy (Form 1235) filed quarterly with the federal government. Most of the remaining information was taken from a second reporting form which was also submitted quarterly to the federal government: Report on the Regular Reexamination of Tenants in Low Rent Housing (Form 1245). The reports from this series which provided the most complete information were submitted in September of the reporting year, except in 1975, when a complete survey was done in December. The reports were, unfortunately, incomplete. For two of the developments, no information was available from 1968 until 1975. This absence of reporting corresponded with the years which the CHA resisted the federal government in its tenant selection procedures, and failure to file the reports was in part another expression of defiance and also an indication of the casual manner with which CHA was run during those years. It must be remembered that these years from which data was unavailable were key transitional years, for it was during this period that the 1-2-3 rule was implemented and the Brooke Amendment went into effect. Although the interim years' information is missing, it is possible to extrapolate the trends from 1968 until 1975. A sample of four to six years' information was selected for each development. The years from which the data was taken roughly correspond to census

years, within the restrictions of available information. The reports were not filed at all until 1954. A sample of apartments were taken for the following years:

Washington Elms	16% sample	54 apartments
	1943, 1955, 1960, 1965, 1967, 1975	
Putnam Gardens	20% sample	25 apartments
	1956, 1960, 1968, 1975	
Corcoran Park	20% sample	31 apartments
	1955, 1960, 1967, 1968, 1973, 1975	

For each year examined, the following information was analyzed:

- Age of the head of household
- Family size
- Number of minors
- Length of stay; turnover
- Race
- Family income, per-capita income
- Number of workers
- Source of income
- Rent

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## LEGISLATION, REGULATIONS

A variety of statutes, summaries of statutes, regulations, circulars, and handbooks were used to prepare the chapter on legislation and regulations. They are too numerous to mention here.