

728.1  
:325  
(7946)  
N17

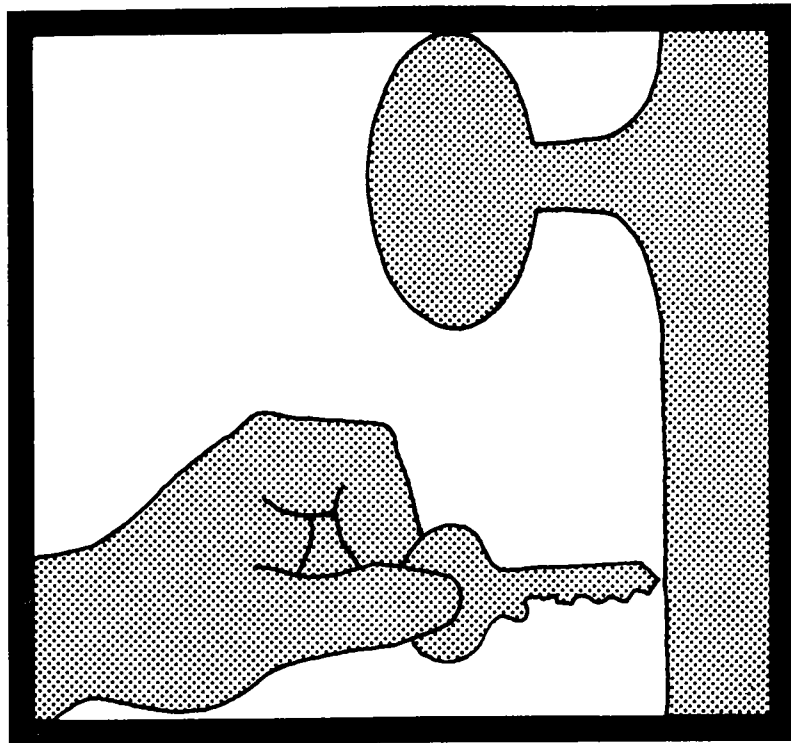
8141

# HOME FREE?

DEPARTMENT OF HOUSING  
AND URBAN DEVELOPMENT

OCT 15 1974

LIBRARY  
WASHINGTON, D.C. 20410



# NEW VISTAS IN REGIONAL HOUSING

8141

# **HOME FREE?**

# **NEW VISTAS IN REGIONAL HOUSING**

The Urban Renewal Demonstration Project and the publication of this report were made possible through an Urban Renewal Demonstration Grant awarded by the U.S. Department of Housing and Urban Development's Office of Policy Development and Research, under the provisions of Section 314 of the Housing Act of 1954 as amended, to the National Committee Against Discrimination in Housing, Inc.

# Table of Contents

Introductory Summary	4		
<b>1 The Why of It</b>	7		
<b>2 "The Lay of the Land" – Phase One</b>	9		
Probing for People Power			
The "Minority" View			
Fair Housing Groups			
Enlisting the "Establishments"			
Developing Liaison with Regional Offices of HUD			
Forming a Special Task Force of the Federal Executive Board			
Assembling Facts on Changing Patterns			
Population Trends and Projections			
Employment Trends and Projections			
Housing and Community Development Trends			
Interrelationships Among These Patterns			
<b>3 Toward a Metropolitan Authority – Action</b>	16		
Goals of Phase II			
HUD Structural and Personnel Changes Affect Project			
Study of a "White Ghetto"			
NCDH and ABAG			
NCDH and FEB Relationship			
Lending Discrimination in Oakland Studied			
Citizens' Participation Attempts			
Enhancing Local Fair Housing Group Programs			
<i>Operation Sentinel</i>			
<i>Battle for Open Occupancy at Parkmerced</i>			
<i>San Francisco Apartment House Audit</i>			
<i>Union City Fights Unsuccessfully to Bar Housing</i>			
<i>Bay Area Fair Housing Coalition</i>			
NCDH Terminates Project			
		<b>4 Reinstitution of the Project – Final Phase</b>	27
		Goals of Phase III	
		Regional Applicant Pool	
		<i>Why a Regional Applicant Pool</i>	
		<i>Relationship of HUD to RAP</i>	
		<i>Relationship to Managers</i>	
		<i>Relationship to Applicants and Tenants</i>	
		<i>Problems of Applicants and Tenants</i>	
		<i>Need for a RAP Service</i>	
		Affirmative Marketing Monitoring Program	
		<i>The Monitoring Process</i>	
		<i>Violations Found</i>	
		<i>Problems Encountered</i>	
		A-95 Review	
		<i>Workload Requirements</i>	
		<i>Summary of Proposals Reviewed</i>	
		<i>Effectiveness of the Review Process</i>	
		Convening of Elected and Appointed Minority Officials	
		<i>Aid to Minority Officials</i>	
		<i>San Francisco Fair Housing Planning Committee</i>	
		Community Workshops	
		<b>5 Blueprint for the Future?</b>	44
		Joint Venture Efforts and Results	
		Minimum Breakthroughs on a Major Problem	
		Regional Housing Now a Concern	
		The Project as Stimulator and Innovator	
		Regional Applicant Pool	
		A-95 Review Process	
		Regional Minority Coalitions	
		A Future Thrust	
		On Balance—A Successful Five-Year Program	
		<b>Acknowledgements</b>	50
		<b>Appendices</b>	52

# Introductory Summary

---

When the National Committee Against Discrimination in Housing, Inc. (NCDH) approached the Department of Housing and Urban Development (HUD) in August 1968, with a proposal to conduct a demonstration project in the San Francisco Metropolitan Area, it was with the strong conviction that mechanisms had to be developed which could, in fact, reverse the patterns and practices described by the Kerner Commission as moving the nation "toward two societies, one black, one white—separate and unequal". NCDH's interest in devising such mechanisms for a major metropolitan area was in logical sequence to its prior educational involvement in the passage of open housing legislation, culminating in Title VIII of the Civil Rights Act of 1968, and in litigation to secure the constitutional interpretation of the Supreme Court in *Jones v. Mayer* on behalf of open housing as a civil right. These great advances in the legal position of minorities in search of better housing, together with the forging of new tools in the Housing Act of 1968, convinced NCDH that the time had come to demonstrate how to put these instruments to use in breaching the barriers that excluded minorities from better housing and consequently from jobs located in suburban growth areas.

NCDH approached HUD at a time when the agency was embarking on its new responsibilities to enforce Title VIII and to administer the Section 235 and 236 "below market interest rate" insured loans programs. The proposed alliance between HUD (as the Federal agency with major responsibility for fair housing law enforcement) and NCDH (as the national spearhead of the civil rights movement in the housing field) seemed not only timely, but critically necessary, if the new laws and judicial decisions were to be projected into more than paper gains for racial and ethnic minorities.

The Bay Area Demonstration Project was approved by HUD on January 16, 1969, with the nine counties of the San Francisco Bay Area—Alameda, Contra

Costa, Marin, Napa, San Mateo, San Francisco, Santa Clara, Solano and Sonoma—chosen as the site for the development, testing and reporting of methods and techniques for achieving open housing within a metropolitan area.

The work plan approved called for a two-phase approach for the Demonstration Project. Phase I, of short duration, was a period of research in which statistical data were gathered on the characteristics and dimensions of the changing patterns of populations, employment and housing and their interrelationships. During this phase, individuals and groups involved in decision making were contacted, including persons from various areas of the region, public and private organizations, labor, and government, and representatives of minority and non-minority communities.

Phase II of the Project had as its goal the creation of a comprehensive regional authority with power to plan and implement housing and economic opportunity for minorities in the metropolitan area. Central to this plan was the organization of a Project "Strike Force" as the base for reaching this goal, with a working task force composed of NCDH, HUD, and the Federal Executive Board (FEB) serving as the core body of the "Strike Force".

The specific goals of Phase II were:

1. achievement of an open housing market, linking housing, jobs and economic opportunities for racial and ethnic minorities;
2. development of legal and community strategies to overcome obstacles to subsidized housing programs;
3. identification of appropriate sites for low income housing;
4. creation of the groundwork to effect these programs; and
5. encouragement of local agencies to plan communities with a view toward total racial and economic integration.

The Project was viewed by NCDH as a flexible, free-wheeling instrument for developing and testing

strategies, responding to regional programs and issues, and highlighting problems that limited the possibility of achieving equal opportunity.

A series of action-oriented studies were researched and released during Phase II, including *A Study of Patterns and Practices of Housing Discrimination in San Leandro, California*; *Bay Area Housing Needs: A Report and Recommendations to the San Francisco Federal Executive Board*, and *Patterns and Practices of Discrimination in Lending In Oakland, California*. Each of these reports pre-supposed Federal, regional and local agency support and follow-up to correct dislocations of the democratic process outlined in the laws which supported open housing.

The anticipated "partnership" with HUD never materialized, and the Project's areas of responsibility and authority were never made clear to such entities as the Association of Bay Area Governments (ABAG) and the FEB, which were key elements in the action program.

By February 1972, a series of mutual disagreements on the scope, direction, and supervision of the Project emerged and NCDH formally notified HUD that it was terminating the Project and Project staff effective February 18. Soon after this termination, discussions between HUD and NCDH resulted in a new beginning and the Project was reinstituted, subsequently, with substantially more limited and defined objectives than those projected during Phase II. The Phase III program had four goals:

1. testing the efficacy of a Regional Applicant Pool and the HUD Affirmative Housing Marketing Regulations for increasing minority and low income housing opportunities;
2. testing, through a relationship with FEPC, means by which a civil rights agency could function effectively in the A-95 Review Process;
3. investigating techniques to increase the level of effectiveness of minority elected and appointed officials in seeking regional solutions to housing and community development problems; and
4. developing avenues for effective community participation in the regional planning process.

A series of community workshops alerted interested individuals and groups to core issues on housing, transportation, governmental funding and its impact

on minorities, and regionalism in relationship to minority groups.

Each program segment outlined in the Project goals for Phase III was undertaken. The Regional Applicant Pool, functioning from March through October 1973, worked to establish a centralized vacancy information and referral service covering rental projects in the nine-county area subsidized under Section 236 and 221(d)(3) HUD programs. The need for a service such as RAP was well established during the operation of the project, which encountered both resistance and cooperation from managers of various projects and roadblocks which a closer relationship with HUD might well have removed.

Affirmative Fair Housing Marketing regulations adopted by HUD have not yet proved to be effective as an integration instrument. The need for adequately funded affirmative marketing monitoring was clearly evidenced during the visits made to projects during this segment of the program.

The A-95 Review program launched a concerted effort to utilize the provisions of Revised Circular A-95, Office of Management and Budget, to achieve positive civil rights results from programs funded with public monies. Procedures for increasing the impact of the A-95 Review program were developed and tested to provide a model which can be adapted for use anywhere in the nation. A methodology, including a flow chart describing the review process and a civil rights impact questionnaire, was designed as a guide for assessing the civil rights impact of projects seeking Federal funds. Inquiries about the program are coming to NCDH from civil rights agencies in states throughout the nation seeking to adapt the California model to their own needs.

Another program component, Convening of Elected and Appointed Minority Officials, provided information to local elected officials on problems of regional concern and issued invitations to these and other leaders to community-centered workshops on transportation and housing, money for the cities and the effect of regionalism on minorities. Two directories of minority elected and appointed officials in the region were published, with the directories serving as core invitational lists for conferences.



**NCDH/HUD PROJECT AREA**

A resolution, passed at the final conference sponsored by the Project on "Regionalism and Minorities", called for the development of an ongoing organization and structure, "Minority Regional Forum", to assist officials in obtaining and exchanging information on the effect of regional policies on their constituencies, and asked NCDH to help secure funding for the formation of such an organization.

Recommendations, based on the history of the Project, are highlighted in six vital thrusts for the future:

1. Institution of a mechanism to assure community responsibility for developing housing for all income groups.

2. Development of a Regional Forum of Minorities to discuss, evaluate, and respond to regional issues affecting minority and low income persons since present regional agencies do not yet reflect the needs and concerns of such groups.

3. Creation and implementation of affirmative action programs for the achievement of civil rights goals by all agencies and institutions,—Federal, state and local,—receiving public monies.

4. Establishment of a regional housing information and referral service to assist in increasing housing opportunities for minorities and low income persons throughout a metropolitan area.

5. Utilization of the A-95 review process by civil rights agencies to expand housing and economic opportunities for minorities and women in programs seeking or receiving Federal funds.

6. Increased pressure on governmental agencies responsible for equal opportunity programs including the creation of mechanisms for requiring such agencies to share information with and provide financial support to private civil rights groups working to implement existing laws and programs.

In essence, the Project proved the necessity for the strengthening of private civil rights groups and the cohesive action of racial and ethnic minorities to provide the necessary prod to the conscience of the nation and to the agencies of government charged with civil rights responsibilities. Reversal of the discriminatory patterns of the past and the present will not be accomplished by sole reliance on the instruments of government, most of which have proved cumbersome and unimaginative in discharging their responsibilities.

# 1 The Why of It

---

Numerous studies, underwritten through government and private funding, have documented the obvious: Americans of color—black, brown, yellow and red—have been victimized by a system which has effectively excluded them from participation in decision-making. As a result, residential and economic opportunities for racial and ethnic minorities have been severely restricted. In a nation geared only to token recognition of their plight, they have been trapped in a seemingly unending struggle for simple survival, alienated from those institutions and groups in the society which control the pace and range of change.

Crammed into decaying urban core areas, this nation's minorities are manipulated by an array of institutions in which they have no voice and are pacified occasionally by handouts from corporate and governmental larders. They are cynical concerning the system's voiced commitments to rearrange structures and priorities to permit them a share in affluence and power, and that cynicism is warranted.

America's central cities are seething with angers and frustrations which sometimes reach the boiling point and explode into violence. When such outbreaks occur, the system reacts—first with superior power to end the violence and then with another study to reduce people to statistics, identify trends, prepare recommendations and note the “crisis nature” of the problem. From suburban sanctuaries, the decision makers converge to calculate the minimum costs of restoring the status quo, so that the nation's nerve centers—the cities—can continue their vital social, political, cultural and economic roles.

The material amassed through the report-producing mills of government and private sources underlines a central point—the price of peace is shared power. In the cauldron of the cities, the status will never again be “quo”! America's alienated groups want meaningful and permanent involvement in making the determinations which affect their lives.

With regionalism an emerging fact of life in urban America, minority communities isolated in central cities have little voice in the decisions made by regional bodies, decisions affecting housing, employment, transportation, the quality of air and water, the schools.

The national commitment to a program to provide all Americans with decent homes of their choice appeared to be well defined with the passage of the Fair Housing Law (Title VIII of the Civil Rights Act of 1968), the Housing and Urban Development Act of 1968 and the Supreme Court decision (*Jones v. Mayer*) which outlawed discrimination in the sale, rental or lease of *any* housing.

In the light of these clear-cut developments, the National Committee Against Discrimination in Housing, Inc., decided that the time was ripe for action—action which, utilizing all the new legal tools, would demonstrate that massive change could be made in the segregated living patterns of America.

On this premise, NCDH submitted a proposal to the Department of Housing and Urban Development in August 1968, for a grant to establish an Urban Renewal Demonstration Project in the San Francisco Bay Area.

On January 16, 1969 the then Secretary of Housing and Urban Development, Robert C. Wood, approved the grant (No. Calif. D-8) and the program concept to:

“develop, test and report on methods and techniques for achieving open housing within a metropolitan area, a necessary ingredient in the prevention and elimination of slums and blight, using the San Francisco Bay Area as an example.”

The San Francisco Bay Area was selected as the ground for the project because: the pattern of residential segregation was relatively recent, hardly a generation old; it was an area of economic growth which offered job opportunities for minorities, providing a chance to loosen the white suburban noose

around the Black ghetto; the Federal government had a substantial financial investment in the area; and previous approaches had not made appreciable impact on the problem.

Included in the range of the project were the nine counties of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano and Sonoma.

It is important to note that approval of the NCDH Demonstration Project came during the final days of the Johnson Administration. With the advent of the Nixon Administration, although funding for the Project had already been approved, it was necessary to negotiate the action phase of the program with the officials of the new HUD administration before proceeding with program implementation.

Discussions with HUD Assistant Secretary for Research and Technology, Harold L. Finger, resulted in agreement to divide the three year project into two phases, in order to determine the most effective program for achieving the massive change required to reverse the trend toward separatist societies. The first phase, a brief research period to get the "lay of the land" and to probe fundamental questions on jobs, housing and population trends, was to develop recommendations for the second (action) portion of the program.

According to the first HUD-approved work proposal, the program would examine a "wide range of economic and political, as well as social and legal factors which impede the free mobility of minority citizens, probing the interaction of housing, education, jobs, training and the linkage between these and other factors which determine the quality of life". The relationship between access to housing and access to employment was one of its major components.

As minimum accomplishments during the three year period of the grant, NCDH expected:

1. To help achieve, through the combined efforts of public and private resources and the coordination and refinement of a wide variety of approaches and techniques, major breakthroughs in expanded housing and related opportunities for minority families in the San Francisco metropolitan region.
2. To stimulate new programs and at the same time assist and enhance on-going activities in the nine-county San Francisco Bay Area that prove to be

relevant to the goals and objectives of NCDH and its findings as developed in the course of the project.

3. To design a comprehensive, workable blueprint and guidelines which can be adapted for similar action in metropolitan areas across the nation based on the research and action undertaken, evaluated and recorded.

The Phase I program set itself five difficult goals:

1. To establish by a survey of existing knowledge the extent of segregation in Bay Area suburbs.
2. To identify barriers to minority access to jobs and housing there.
3. To uncover the institutional policies and practices that form and maintain those barriers.
4. To create a local identity and to establish a base within the various communities from which to mount an effective program.
5. To devise a program with more promise than any past program for bringing about the needed changes in public and private practices and policies in the suburban communities of the Bay Area.



*A SPIRITED EXCHANGE between Berkeley Councilman D'Army Bailey, extreme right, and Wilfred Ussery, (back to camera), Project Phase II evaluator, takes place as NCDH officials Aileen C. Hernandez, Jack Wood, National Co-Director; and Ernest Erber, Research Director; listen intently. The meeting was one of several held with the panel of minority consultants during the Project's beginning months.*

—ABLE photo



## 2 "The Lay of the Land" – Phase One

Because decisions about the Phase II action program were to be premised on the results of the Phase I research, NCDH elected to use consultants, rather than permanent Project staff, in this portion of the program.

Edward Rutledge, then national co-director of NCDH, served as Acting Project Director with the assistance of NCDH Western Representative Aileen C. Hernandez.

Two consultants, John Denton and Hal Dunleavy were hired and charged with the task of data gathering. They were aided in their assignments by a corps of students from local colleges and universities—two law students, two graduate students from the University of California School of Social Welfare, and four work/study students from the University of California at Berkeley—a statistical analyst, to analyze research data and develop charts and graphs, an editorial assistant-researcher, and clerical staff.

While the consultants proceeded with the gathering of statistical data, NCDH began the difficult task of contacting the groups and individuals who had impact on Bay Area decision making.

### Probing for People Power

Several panels of consultants, representative of various geographic areas of the region, public and private organizations, labor groups, government, and both minority and non-minority communities were enlisted. Included in these guidance and contact persons were a panel of minority consultants, business and labor consultants, local and state government contacts, fair housing groups and human relations commissions.

Fifteen meetings were held during the first four months of the Project with representative groups throughout the Bay Area, to explain the Project and

seek information and advice relevant to expanding economic and housing opportunities for minorities through the region. Detailed letters were sent to all those asked to participate in the meetings, assuring that even when an individual did not attend a meeting, background information on the Project had been widely disseminated and interest aroused. Additional information on the establishment of the Project was circulated in human relations newsletters to help insure maximum coverage, and to give NCDH an opportunity to assess potential allies.

### The "Minority" View

One group convened by NCDH during Phase I had special significance—the panel of minority consultants, drawn from various professional disciplines and geographic areas. Meetings of the group were held three times during Phase I and individual consultants were given special assignments or met with NCDH on specific issues.

The unique feature of the panel was that it was composed entirely of members of minority groups—Blacks, Asians and Mexican Americans—and reflected a variety of opinions on the problems of the region and possible solutions to those problems.

The skepticism of the group about government's readiness to turn its efforts towards *undoing* what it has been accused of doing—creating patterns of segregation—was reflected time and again.

Government was conceived of as "part of the problem" not as an effective implementer of solutions, and panelists frequently asserted that if the Project could demonstrate *only* that government could use its power in a positive way to reverse trends, the program could be termed successful.

Group meetings heavily underscored the need to develop economic opportunities for minorities, not



ELIJAH TURNER, Oakland activist and one of the Phase I minority consultants.

—ABLE photo



MINORITY CONSULTANTS Harold Brooks and Ben Martinez during one of the consultants' panel meetings held in Phase I.

—ABLE photo

just jobs, both in and outside the central cities. Stress was laid on the ability to accumulate capital. Many consultants were committed to development of *local power* for inner city residents—"control of their turf" as one put it.

The metropolitan concept, unique to this project, presented a new approach to the problems which the panel of consultants raised, but there was general agreement that the solutions could not be found with concentration *only* on the inner cities. The stimulating interchange at the meetings of the panel was an invaluable contribution to the design of the Phase II recommendations.

### Fair Housing Groups

The nine-county Bay Area has a large number of voluntary and official groups with a basic interest and involvement in housing and economic opportunities for minorities. Fair housing groups are a natural constituency of NCDH which helped to stimulate their formation throughout the nation. The activities of these groups, in large measure, brought about the state and national fair housing and urban development laws in effect in 1969. Despite these laws, residential patterns have not appreciably changed, and fair housing groups have been frustrated in their efforts. In addition, many such groups are seriously underfunded and some resented the "invasion" of a national organization (NCDH) bolstered by substantial financial resources from a Federal agency (HUD). In their view, the HUD money should have been spent in support of their local programs. Consultant John Denton, utilizing student interns, did a comprehensive survey of Bay Area fair housing groups, documenting their programs, their problems *and* their resentment of the NCDH/HUD demonstration project. Some of this hostility was dissipated during the course of the Project when NCDH extended both financial and staff assistance to local fair housing programs which were plowing new ground and which complemented the Project's over-all thrust. But some of the hostility remained, thus limiting effective cooperation with a few groups and individuals.

### Enlisting the "Establishments"

The Bay Area has well defined business and trade union communities which exercise substantial influence over the region's development. NCDH officials spent considerable time and effort in developing a Business and Labor Advisory Committee which was incorporated as a consultant group to the Project, and the contacts established were useful in later program elements.

During Phase I particular attention was also paid to developing contacts with local governmental bodies and with state agencies which had major responsibility in the area of economic and housing opportunities.

Local housing authorities and redevelopment agencies, planning and zoning commissions, the Association of Bay Area Governments (ABAG), the Bay Conservation and Development Commission (BCDC), League of California Cities, and the State Fair Employment Practice Commission were contacted.

With the new California legislation passed during the 1969 session of the State Legislature, intergovernmental relationships were of particular importance. State agencies play an important role in developing guidelines for local housing elements; regional and local agencies have important planning responsibilities. Their interrelationships with Federal agencies in the housing field were also important considerations in developing the Project's strategy for the action phase II.

### Developing Liaison with Regional Officials of HUD

Because of the "joint venture" nature of the Project, liaison with the Department of Housing and Urban Development at both regional and national levels was of primary importance. A central issue in the implementation of the Project was whether the Federal government and a national civil rights organization, specifically concerned with the interrelationship between housing and economic opportunities, could combine efforts to marshal the forces required to implement the new National Housing Policy reflected in Title VIII of the 1968 Civil Rights Act, the Housing and Urban Development Acts of 1968 and 1969, and



RAMON RODRIQUEZ, minority consultant during Project's Phase I.

—ABLE photo

recent court decisions including the far reaching *Jones v. Mayer* case. With the comprehensive open housing policy enunciated through these laws and judicial decisions, techniques had to be developed to make the policy and the program effective instruments for changing the pattern of our residential areas and the life styles of all our people.

During Phase I, NCDH established and maintained personal and telephone contact, on an informal basis, with HUD's Regional Administrator, Robert Pitts, and Asst. Regional Administrator for Equal Opportunity, Clifton Jeffers. In addition to these contacts, group meetings were held with all administrative heads of HUD Region VI, with the staff of the Equal Opportunity Section, and with the regional representatives of the Federal Executive Board.

These contacts attempted to set the pattern for the kind of cooperation that was possible between private and public resources to halt and reverse the trend toward two Americas—one made up of the white and the affluent, the other of the minorities and the poor.

### Forming a Special Task Force of the Federal Executive Board

The close relationship between NCDH and Robert Pitts, HUD Regional Administrator, made possible a session between Project staff and members of the Federal Executive Board (FEB) for Region VI. This led to the formation of a special task force of the FEB to work with NCDH during Phase II in furthering the goals of the project. Under the Chairmanship of Small Business Administration's Regional Administrator, Robert Strauss, the task force assisted NCDH in obtaining information on housing needs of Bay Area government employees and proposed a draft, "fair housing" statement for the Federal "family" in the Bay Area. The task force was viewed as a possible model for other regions of the country. Discussions were held on inserting a "housing element" into decisions made by Federal installations on relocation or expansion. The task force also proposed requiring an affirmative action program on housing, as well as jobs, in contract compliance programming.

This type of coordination of Federal activities in the Region could have had strategic value in determin-

ing where Federally-subsidized housing, such as the 235 and 236 programs, would be placed.

In addition to the special group meetings convened by NCDH, project staff made individual contacts with hundreds of resource persons in the course of collecting the data for Phase I, with the intention of utilizing these contacts, during Phase II, to implement local area action plans and assist the "strike force" in moving on specific programs.

The resource list developed provided a broad base for the dissemination of pertinent materials on the project.

### Assembling Facts on Changing Patterns

Documentation of the characteristics and dimensions of the changing patterns of population, employment and housing and their interrelationships in the Bay Area was necessary to provide a quantitative basis for the action portion of the Project. The data assembled established *where* in the Area, *what kind* and price of housing was available or needed and *where* and *what kind* of job opportunities existed.

Population, housing, and employment configurations involve a maze of complex phenomena for which the data are often not comparable (because of variances in year or definition), are sometimes inconsistent, and are always seriously deficient as to racial characteristics. Despite these data deficiencies, the research findings revealed, unmistakably, the major characteristics and approximate dimensions of the social and economic transformations that are reshaping the Bay Area.

### Population Trends and Projections<sup>1</sup>

The Bay Area (nine county) population in 1960 was 3,638,939; according to the 1970 census, the Area has grown to 4,628,199. The Bay Area Simulation Study (1968) estimated that by 1980 there would be a total Bay Area population of 6,157,000.

---

<sup>1</sup> Much of this information was extracted by consultant Hal Dunleavy from a 1968 study, *Jobs, People and Land*, by the Center of Real Estate & Urban Economics, University of California, Berkeley.



*THE POINT IS MADE by NCDH National Co-Director Jack Wood, during a meeting of the minority consultants panel, as Aileen C. Hernandez, NCDH Western Representative, pays close attention.*

—ABLE photo

In the interim, however, serious concerns with the effect of unlimited growth have been raised by several Bay Area communities. In 1973, ABAG adopted a "balanced growth" policy statement which contemplated a maximum 1980 population of 5.5 million.<sup>2</sup>

Comparison of the distribution of population—especially by race, income, and occupation—at decade intervals since 1940 reveals that the San Francisco Bay Area has undergone, and will continue to undergo (although perhaps at a reduced growth rate), a transformation that is both quantitative and qualitative.

In 1940 the four core cities of San Francisco, Oakland, Berkeley, and Richmond had a population of 1,045,888 while some 688,420 persons lived in the rest of the metropolitan area, representing roughly a 60/40 division between the core cities and the suburbs. The 1970 census placed the population of these four cities at 1,272,994; the rest of the Bay Area had grown to 3,355,205 for a 28/72 division.

Until 1940, the four central cities remained over 90% white.<sup>3</sup> Black in-migration during the war years caused a dramatic increase in the four-city Black proportion. White out-migration to the suburbs further increased this proportion. In 1960, whites constituted less than 3/4 of the four-city population. By 1980, this is expected to drop to less than 1/2, with white Anglos becoming a four-city minority, Blacks increasing to over 25%, other non-whites to almost 16% and Spanish surnames to 12%. The rest of the nine counties is expected to continue as a white Anglo preserve, so that, by 1980, they will constitute nearly 84% of the suburbs while Blacks will total only a little over 3% of the population of these new communities.

Although census data indicate that there has been an increase in the number of Blacks living outside central cities, figures which imply integration distort the facts. In reality, most of these Black migrants live in enclaves of suburbia as ghettoized as those in our cities.

<sup>2</sup> Formulation of Regional Growth Policy for the San Francisco Bay Region: Issue Paper #4, October 1973, Association of Bay Area Governments.

<sup>3</sup> Figures are given for whites and Blacks because census data on other non-white groups and the Spanish surname population are not consistent.

In terms of numbers of persons, therefore, the Bay Area majority is represented by those living in the new communities that have appeared since 1940 and especially since 1950.

The housing and communities created since 1950 to accommodate a population increase of some 2,200,000 persons relate to new life styles, new journey-to-work patterns, and new community linkages that are essentially different from those that prevailed in the Bay Area before 1940 and which continue to exist in the Area's four core cities.

The growth between 1940 and 1970 was largely low density, automobile and freeway oriented, shopping center and outdoor-movie linked, industrial park or highway-plant based. Without making a value judgment as to this form of community development and the life styles it fosters, it is essential to observe that it has represented upward mobility for most of its residents and that it is in these communities that there is visible evidence of mass participation in America's affluence.

It is also in these communities that few black, brown, yellow or red faces are visible. While it is too soon to evaluate the potential impact of environmental concerns and the energy crisis on the pattern of metropolitan development, it is important to note that significant changes may take place in this previously established pattern of growth.

## Employment Trends and Projections

A direct cause-and-effect relationship exists between the territorial separation of the population on the basis of ethnic grouping and social stratification in terms of income and occupations. Population data reveal that members of the white Anglo population have been highly mobile residentially in the past two decades as they moved outward from the core cities in pursuit of economic opportunity and improved environment. Such mobility has largely been denied Blacks, Asians, Mexican-Americans, and Native Americans (Indians) with the result that opportunities for improving *their* standards of living were confined to those areas accessible from the localities in which they were permitted to live.

The separation of the population on the basis of ethnicity takes the form, essentially, of the outward movement by the non-minority population from the core cities to largely uni-racial communities. The 1970 census reports indicate that 25 cities in the nine-county Area still have only 2% or less minorities, not including those with Spanish surnames. These cities are Pleasanton, Antioch, Hercules, Lafayette, Pleasant Hill, Walnut Creek, Belvedere, Larkspur, Ross, San Anselmo, Sausalito, Calistoga, Napa, St. Helena, Atherton, Burlingame, Hillsborough, Millbrae, Portola Valley, San Carlos, Woodside, Los Altos Hills, Los Gatos, Monte Sereno and Sonoma.

Although San Leandro is not among these 25 cities, its Black population in the decade 1960-1970 "rose" from zero to a miniscule .1 percent. This figure is additionally telling when compared to the Black population of adjacent East Oakland, which in 1970 was 80%.

This outward movement of whites causes a concentration of minorities in the core cities. Their confinement to the more limited opportunities of the core areas for upward mobility reinforces and prolongs historical disabilities imposed upon minorities by discrimination in employment which has limited them largely to the lower-paid and less skilled occupations and to the lower paying (largely service) industries.

Progress in reducing racial discrimination in employment has come at a time when manufacturing has been moving out of the core cities to the suburbs, taking beyond the reach of most ghetto dwellers the largest single category of higher-paid jobs requiring no (or quickly-acquired) skills. Thus the reduction in discriminatory barriers has been offset by increasing travel distance to the higher paid jobs. The construction industry represents a large part of the higher paid jobs that remain geographically accessible to residents of core cities. The entry of minority workers into the construction industry, however, continues to be fiercely resisted or glacially slow.

In 1969 it was estimated that there were some 1,961,000 jobs in the nine-county Bay Area. Of these 886,700 were in the four core cities while 1,075,144 were in the rest of the Area. The largest employment categories by industry were:

(in descending order of # of employees)

Services	391,100
Retail/Wholesale	383,100
Government	357,900
Manufacturing	353,600

Together they accounted for about 75% of all jobs. The remaining 25% of jobs were Transportation, 155,000; Finance, 118,000, Construction, 98,000; Agriculture, 28,700, and Other, 5,700.

The transformation of the Bay Area since 1940 has entailed a considerable relocation of industry resulting in the major growth of employment taking place in the major growth of employment taking place of the four core cities. Between 1958 and 1968, the four core cities gained only 17% of the new jobs, 83% went to the rest of the area. According to reports from ABAG, published in April 1970, the trend of employment loss in the four core cities has continued.

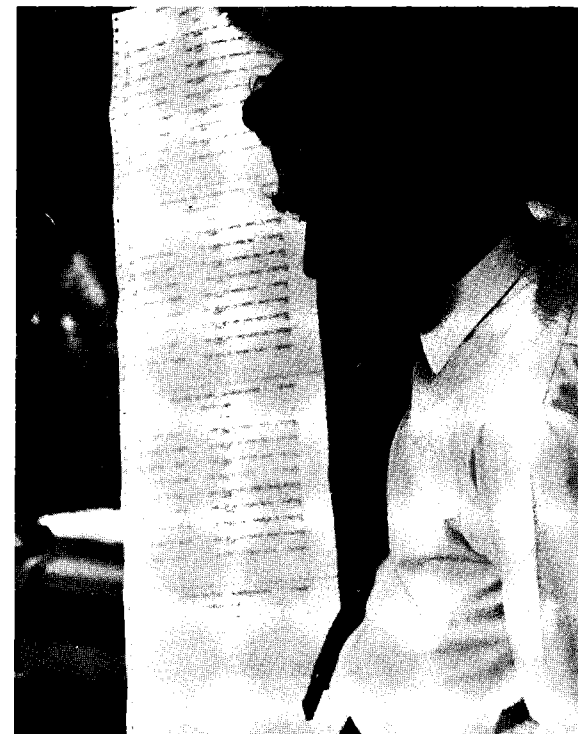
Therefore, projections are for most new jobs to be located outside the core cities, except for white collar employment, which may show slight increases in the cities in the decades ahead, e.g., it is estimated that San Francisco will add some 8,000 to 12,000 new jobs annually with the preponderance being in white collar categories—banking, insurance, government, headquarters offices, professional firms, etc., with occupational needs ranging from typists to computer programmers to actuaries; from waiters, to laundry-workers, to cab-drivers.

Even with the optimistic projection made by the *Bay Area Simulation Study* of some 115,000 additional jobs for San Francisco by 1980, it should be noted that by the same year the *total* number of jobs projected for San Francisco (708,259) will nearly equal the *new* jobs alone in the two counties of Santa Clara and San Mateo (710,422).

There were less than 10,000 non-white households in both counties in 1960; the 1970 Census shows an increase to 28,109 households, including Spanish-surname households not separately identified in 1960.

## Housing and Community Development Trends

In 1970 there were approximately 1,625,188



JOHN H. DENTON, Demonstration Project consultant during Phase I.

—ABLE photo

Households Needing Housing, 1970 Estimated for 9-County Region (In thousands)		Table I			
	Renters		Owners		
	#	%	#	%	
Total number of households in region	703	100	850	100	
Households needing housing because of:					
Physical deficiencies in plumbing and/or heating facilities (including households also overcrowded)	76	11%	24	3%	
Overcrowding: facilities adequate	(31)	(4)%	(16)	(2)%	
Overpaying: facilities adequate and no overcrowding	22	3%	25	3%	
	311	44%	—	—	
Total households needing housing	409	58%	4	6%	

dwelling units in the Bay Area. About 864,301 were one-family houses and about 760,887 were in multi-family dwellings.

The construction of one-family houses predominated in the 1950's, but as land in close-in suburbs became scarcer and more expensive, the trend turned toward construction of multi-family structures in the early 1960's.

By the beginning of the 1970's several Bay Area cities had announced "no growth" or "slowed growth" policies and had called a halt to home building. Among them were Petaluma, Livermore and Pleasanton, which are also among the 25 cities of the Area having minority populations of 2% or less.

The number of units constructed annually and the proportion that are single-family or multi-family, or how many are located in any particular housing market area, are largely unrelated to housing needs. The number and type of starts are usually determined by the availability of mortgage money, interest rates, land cost, zoning, and building codes.

In an October 1973 study by the Association of Bay Area Governments (ABAG), the following was noted:

In total, almost 147,000 households were estimated (at the time of the 1970 Census) to be living in housing that was either lacking necessary facilities or too small for the number of people living together, or a combination of the two. This included 98,000 rental households and 49,000 owner households. In addition, of those living in rental units, another 311,000 households were estimated to be living in dwellings that were too expensive for their means. (See Table I)

The housing supply does respond to *effective* demand when expressed in the housing market of any particular area. Such *effective* demand—i.e. buyers who are *both* willing and able to buy—usually appears in relation to an expanding employment base. This explains the phenomenal expansion of housing in Santa Clara county during the 1960's. The housing stock of the county consisted of 199,922 units at the time of the 1960 census (April of that year). There were added to this stock an additional 133,205 units between July 1, 1960 and July 1, 1969, an average of about 14,700 units per year. The explanation for this

unusually active housing market can be found in the addition of 187,900 Santa Clara county jobs between 1958 and 1968, an average of about 18,790 jobs per year.

Much of the effective demand for housing in Santa Clara County for the last decade was represented by blue collar workers in manufacturing plants. This required housing within relatively low price brackets. Currently some 86% of those working in Santa Clara County live there, thanks to the housing industry's response to an effective market demand.

[It may also account for the fact that Santa Clara's largest city, San Jose, was recently cited as the nation's number one city for housing, according to a report of the Council on Municipal Performance. Based on the five factors of cost, plumbing, efficiency, desegregation and discrimination, San Jose outranked all other cities in the nation in the number of units with adequate plumbing and in the lowest cost differential between Black and White renters in the city.]

A high percentage of manufacturing in Santa Clara County was in electronics, aerospace, and other industries with major defense contracts. Department of Defense allocations for Santa Clara County in 1968 alone totalled some \$1.1 billion. But relatively few Blacks are employed in Santa Clara County.

If one makes the assumption that fair employment practices would prevail in such defense contract plants, the logical explanation for the failure of non-whites to take advantage of the growth of employment in Santa Clara county and in all similar job growth areas is that they had no residential base in proximity to the jobs and no mechanism, either public or private, existed to get them a residential base.

### Interrelationships Among These Patterns

*How was it possible for employment to expand by 187,900 jobs and the number of dwelling units by 133,205 during the 1960's with Santa Clara's non-white households increasing only by about 5,000?*

The interrelationship of employment and housing is real and vital. Efforts to provide employment opportunities for minorities, without including housing

opportunities, will not make a meaningful contribution to closing the gap between the races in terms of income, housing quality, community environment, and above all, freedom of choice as to place of work and residence.

Compilation of vital statistics on the job and housing markets of each of the nine counties provides an adequate basis for devising a strategy and mechanism to gain an appropriate share of employment and housing for the minority labor force and households.

Statistical data on each county's housing and employment potential and a large amount of additional information have been gathered and are available. This material provides the basis for analysis of current land use trends, zoning and subdivision practices, land availability and cost, current building operations, etc. It was utilized in Phase II as an information base for specific action programs.

The identification of housing markets based on labor markets is unrealistic. Accessibility to places of employment from places of residence, based on travel time and cost, is complex. Commutation patterns indicate that those traveling from suburbia into San Francisco have more accessibility to transit than those in a reverse pattern.

The labor force employed in San Francisco is drawn from every one of the nine counties. On the other hand, the majority of the labor force employed in each county, except San Francisco, lives in that county.

The setting of regional goals for minorities, in the various industries and occupations and for housing in sub-areas and communities in which they are now underrepresented, should be to give minorities the ability to make decisions and effectively act on them to better their conditions in the same manner traditionally exercised by white Anglos without fear or hesitation as to the reactions of others (e.g. the immigration of nearly a quarter million white Anglos into Santa Clara County between 1960-68 to take advantage of better job opportunities and new housing.)

The Phase I report transmitted to HUD on October 31, 1969, made clear that, in NCDH's view, the Demonstration Project had to be action-oriented and had to be carried forward on a scale capable of either making an impact on the institutions of discrimination

and exclusion or of determining the additional drives necessary to make such an impact. Anything less was a useless exercise that would simply dissipate money.

NCDH was not interested in assuming the role of another "good will" group devoted to progress measured in dozens or scores of black or brown families "helped" to secure improved housing under one or another operational program. In making its Phase II recommendations, NCDH, emphatically stated that HUD must pledge a clear-cut commitment to join in an effort to make meaningful to millions of minority citizens the words of promise conveyed by Congress and the courts in 1968.

With such a warrant, NCDH was ready to pledge its resources to the fullest in demonstrating in the San Francisco Bay Area how effective the new tools and laws could be if put to use by a joint effort of Federal, state and local government in conjunction with the institutions of business, labor, religion, universities, civil rights and ethnic organizations, fair housing groups and other community forces.



*NCDH CO-DIRECTOR JACK WOOD and Ernest Erber, Research Director, at a meeting during the first Phase of the Demonstration Project.*

*—ABLE photo*

# 3 Toward a Metropolitan Authority—Action

---

## Goals of Phase II

The Project saw the need for the creation of a comprehensive regional authority with the power to plan and implement housing and economic opportunity for minorities in the metropolitan area.

NCDH proposed that to help lay the groundwork to reach this target a Project “Strike Force” be organized, functioning with great flexibility in developing strategies and executing programs.

Courses of action and emphases would be evaluated as to effectiveness and changed as demanded by specific projects.

The indispensable factor for the success of the “Strike Force” was that a working task force, consisting of NCDH, HUD and FEB, would serve as a central body to map programs and strategies with five specific goals in view:

- To combine a large range of forces—employers, unions, the housing industry; Federal, state, regional and local agencies, civil rights, religious, fair housing groups and all other public interest bodies—in an attempt to achieve an open housing market, and link housing, job, and economic opportunities for the social and economic mobility of racial and ethnic minorities.
- To develop legal and community strategies to overcome land use controls and other devices which were obstacles to the production of these housing programs.
- To identify and make selective land and employment inventories to determine the most appropriate sites for such housing.
- To lay the groundwork for actual construction by coordinated action with the private and public agencies and institutions that could affect and facilitate these programs.
- To encourage local agencies to plan their communities with a view to total integration—both racially and economically.

The work program of Phase II, aimed at achieving these goals, called for the designation of a limited number of “target areas” in which HUD, FEB and NCDH would commit themselves to a concerted effort to launch effective programs. Three areas were chosen on the basis of research findings as testing grounds for the “Project Strike Force”: Southern Alameda County including the incorporated cities of San Leandro, Hayward, Union City, Fremont and Newark and their adjacent unincorporated areas as a racially exclusive enclave in the Bay Area; Santa Clara County, because of a developing pattern of discrimination against both Mexican-Americans and Blacks; and one or more of the “mini-ghettos”, such as Marin City, North Richmond, West Pittsburg, East Palo Alto or Kelly City.

The plan of operation for the first two target areas differed radically from that for the mini-ghettos. In the former, the Project planned to seek the typical integration goals of more and better housing, jobs, and economic opportunities for minority citizens. In the third target area a drive would be made to aid the chosen community in developing its power to improve housing, job and economic opportunities and to obtain better public services.

In addition, the Project would investigate real estate and zoning practices in the target area and prepare test cases. Where the facts justified action under Title VIII, it would work with HUD’s Equal Opportunity arm to bring an end to the practice. Where appropriate, as in a pattern or practice case, it would request action by the Attorney General’s office. In other unique situations, the Project itself would initiate the action.

In one or more of the mini-ghetto target areas, the Project planned, for example, to identify basic economic needs of the area; identify opportunities for entrepreneurial activity of residents, point up lacking public services, develop an access plan to increase jobs, develop business and improve public services; utilize



the "task force" concept to bring about recommended changes as well as to publish the results and campaign to bring about public acceptance of the plan.

After a series of discussions between NCDH and HUD, the Phase II proposal was approved and the Project began this second phase with the hiring of Del Green as Project Director, in August 1970. A work program was developed and approved by HUD in October 1970, and permanent project staff was hired.

### HUD Structural and Personnel Changes Affect Project

In the period between the first phase report and the adoption of the Phase II work program, major changes were occurring in HUD.

The working relationship established between the Project and the Regional Office of HUD, under the direction of Robert Pitts, was seriously affected by the Nixon Administration decision to establish "new federalism". Mr. Pitts resigned to become a private consultant (and later assumed the responsibility for evaluating the Project's progress); in September 1970 the regional structure was revised and an area office, responsible for HUD program implementation, was created; new personnel, totally unfamiliar with the Project's genesis, were placed in positions crucial to the Project's functioning:

As it entered the action phase, which NCDH had conceived of as a joint venture between a national civil rights agency and national HUD, the Project began to note the problems of translating that concept into action at the local level.

### Study of a "White Ghetto"

In mid-January 1971, following a meeting between Demonstration Project staff and HUD officials in the Bay Area, the decision was made to document and attack discriminatory practices in San Leandro, California. At that date, San Leandro had only nine Black families in a total population of 75,000. Adjacent

East Oakland, with approximately the same population, was 80% Black.

HUD Northern California Director James Price, at the meeting, showed awareness of the practices and procedures in San Leandro which excluded minority families, and indicated that, with proper evidence, HUD would cut off future FHA insurance for houses in the area. The chief of the Housing Section, Civil Rights Division of the Department of Justice, Frank Schwelb, promised litigation of pattern and practice suits regarding discrimination by banks and financial institutions where proper evidence was submitted to the Department. Based on these commitments, the Project staff began its first major activity which resulted in the issuance of an action-oriented report highly critical of San Leandro as a "white ghetto" and one of the most extreme examples of racially-restricted suburbs.

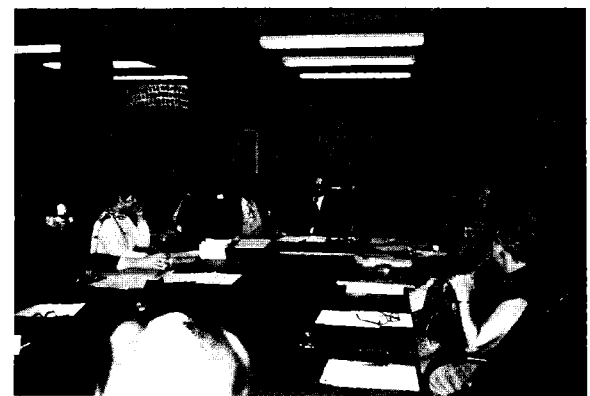
The report, released in May 1971, was a researched indictment of governmental and private action which had created and continued to maintain residential segregation in San Leandro.

Findings of the study covered a broad spectrum of resistance to open housing for all citizens of the area. The study charged:

- San Leandro was not 99.9 per cent "white" by accident. For 25 years, Federal monies and powers, municipal policies, practices of the real estate and home finance industries and pressures by property owners' associations operated to exclude Blacks and other minority residents.

- The real estate industry in San Leandro reflected widespread patterns and practices of housing discrimination. The Southern Alameda Real Estate Board, which served San Leandro, refused to exchange multiple listings with the integrated Oakland board. This refusal barred Oakland's minority population from the opportunity to purchase homes in San Leandro by denying these homeseekers essential information about available housing on the market. The racist intent of this refusal to share listings was shown by the Southern Alameda board's willingness to exchange listings with the Contra Costa Real Estate Board which serves an overwhelmingly white area.

- The Federal Government bore major responsibility for the creation of this all-white community.



*NCDH NATIONAL BOARD MEETING in the offices of the Demonstration Project, in 1970, at the beginning of the Project's action phase. National co-directors of NCDH Jack Wood, Jr., and Edward Rutledge are shown facing camera at left and right.*



*TAKING PART IN THE BRIEFING SESSION at the workshop for minority elected officials held in Carmel were Roberts Pitts, center, Project evaluator at that time, and Del Green, right, Project director during Phase II.*

The racial character of San Leandro was determined in large measure by FHA and VA-supported subdivisions built and marketed on a discriminatory basis in the 1950's during a period of rapid growth.

- Federal support of patterns and practices of residential discrimination continued, despite the mandate of the 1968 Civil Rights Act requiring all Federal agencies to administer their programs in a manner affirmatively to advance open housing and open communities.

- Federal monies expended in this racially-restricted community by various Government agencies during the fiscal year ending June 1969, exceeded \$40 million, a substantial part being in grants and contracts. There was no evidence that open housing was a consideration in the administration of any of these programs.

- In the year 1969-70, FHA provided insurance on mortgages totaling more than \$1,700,000 for properties sold on a closed housing market. Similarly, during the fiscal year ending June 1969, VA-guaranteed home loans totaled more than \$1,600,000.

- The City of San Leandro had taken no action to eliminate exclusionary practices and to open housing opportunities without regard to race, color or national origin. A proposal for a human rights commission was defeated 5-2 by the City Council. San Leandro was the only municipality in the country that refused to participate in the Alameda County Housing Authority's leased housing program to provide living quarters for families of modest income.

- Twelve homeowners' associations blanketing the entire community dominated city politics and maintained a vigilante-like watch on local real estate brokers to make sure that none adopted an open housing approach to the handling of properties listed for sale.

- Mortgage lending institutions were the "silent partners" sustaining patterns and practices of housing discrimination in San Leandro. In 1970, FHA-insured mortgages alone brought six of these institutions business totaling \$1,328,600 in loans.

- Housing discrimination denied Blacks and other minorities equal access to 36,200 jobs in San Leandro. An estimated 600 Black employees of firms under contract to the U.S. Department of Defense, for

example, were forced to live elsewhere and commute to work.

- Housing discrimination built a white educational system in San Leandro. Almost 10,000 children attended the city's primary and secondary schools,—9,752 whites; 21 Blacks.

The NCDH study examined the residential and industrial development of this San Francisco suburb over the last 25 years; 1960 and 1970 census figures by race; housing market conditions; the particular roles of FHA and VA; outlay of Federal monies and use of various Federal powers and programs; policies and activities of local government; real estate marketing and finance operations; influence of property owners associations; and the effect of housing patterns on educational and employment opportunities.

Recommendations growing out of this report were directed toward positive action by the Federal government, through powers of the President, HUD, the Department of Justice, the Department of Defense, the Federal Home Loan Bank Board and the Controller of Currency, the Area Office of HUD, the Federal Executive Board, FHA and VA. Further action was required of state and local governments, including the California Real Estate Commission, the San Leandro City Council and the City Government. Additional charges were made to the real estate industry, through the California Real Estate Association (CREA).

Finally, in developing the required housing element under the terms of its grant from HUD for comprehensive planning assistance as authorized by Section 701 of the Housing Act of 1954 (as amended), the Association of Bay Area Governments (ABAG) was urged to:

1. Endorse the concept of a metropolitan approach to meeting the Bay Area's housing needs, including a commitment from suburban areas to assume a fair share of housing opportunities for low-income persons.

2. Form a Housing Advisory Committee to provide meaningful minority citizen participation at every stage of ABAG's development and implementation of such a regional housing plan.

A follow-up to the report on *Patterns and Practices of Housing Discrimination in San Leandro*, covering the period from May 13 to October 15, 1971, indicated

little or no action by Federal, state, or local governments, the real estate industry or ABAG. It was not until the Spring of 1972 that ABAG began to address itself to fair share allocations and finally formed a Housing Task Force to assist the agency in developing a plan for metropolitan housing.

Upon the release of the report, *Patterns and Practices of Housing Discrimination in San Leandro*, considerable reaction came from both private citizens and public officials. Following a series of meetings with members of San Leandro's city government, during which the Demonstration Project was queried as to steps which might be taken to change the city's lack of open housing opportunities for Blacks and other minority group members, a *Recommended Affirmative Action Program for the City of San Leandro, California* was prepared and released by the Project in August 1971.

Recommendations in the report covered personnel practices of city government, community planning and development with a commitment to affirmative action; moves toward open housing, the institution of a functioning human relations program, improvement in police services in the city, and affirmative action by the city's Board of Education.

An immediate result of the report by NCDH was the formation of an equal rights committee composed of members of the Southern Alameda County Board of Realtors (charged with discriminatory practices in San Leandro), and members of the Oakland Real Estate Board to work on joint solutions to problems between the two Boards as identified at a July 1971 meeting between the two groups.

The public reaction to the report also led the city to seek HUD funding for a "Freedom of Choice in Housing" Project to attempt to undo the poor image of San Leandro. The proposal was funded by HUD in 1972, and Del Green, former Director of the NCDH Project, was called on to head the San Leandro program.

The "Freedom of Choice in Housing" Project concluded in November 1973. It should be noted that while the Black population of San Leandro is still a miniscule one per cent of the city's total, 30 local groups now support the city housing commission's anti-discrimination program and, for the first time,

real estate brokers there are exchanging housing listings with their Oakland counterparts.

The offer of a renewal of HUD funds to continue the Freedom of Choice program was refused by the city government. It has, instead, established a local human resources commission charged with the responsibility of continuing some efforts towards open housing.

## NCDH and ABAG

Since a fundamental concept of the Demonstration Project was the development of a strong regional agency with the power to implement programs for expanding housing opportunity in the area, NCDH accepted the responsibility, during Phase II, of working with an existing regional planning agency, the Association of Bay Area Governments (ABAG). ABAG is a recipient of HUD funds and also has the authority to review local plans prepared under comprehensive planning assistance grants from HUD (Section 701 of the Housing Act of 1954, as amended). The Phase II work program for the Project pledged NCDH staff support, at both the national and local levels, to:

- Help in the development of a regional housing element
- Monitor an affirmative action program for ABAG and for its constituent governments
- Provide technical assistance to an ABAG Housing Task Force
- Assist ABAG in establishing a citizens' participation mechanism to provide formal citizen input into the proposed Regional Housing Element

In initial discussions with ABAG staff, there was a positive reaction to NCDH's involvement in the community programming necessary to the development of a regional housing element. Under state law, local communities were required to adopt a housing element prior to June 30, 1971, but because housing opportunities for low income persons were a politically explosive issue in many areas, few communities had actually adopted such a housing element.

ABAG depended on the voluntary cooperation of these local governments to endorse and implement its



**MINORITY LOCAL ELECTED OFFICIALS**, during the Project's first workshop conference in Carmel, California, heard Yvonne Brathwaite Burke, (facing camera at extreme right) discuss the impact of regionalism on housing and urban development. Also part of the group were Berkeley Councilmen D'Army Bailey and Ira Simmons, Berkeley Mayor Warren Widener and other local officials.

**CALIFORNIA VOICE**  
THE VOICE OF THE BLACK COMMUNITY

**San Jose Mercury**  
Oakland, Calif. 15c Per C

Thursday, June 24, 1971

Page 51, No. 35

# BLACKS EXCLUDED FROM ABAG

## Bias Complaint Puts ABAG ABAG Bias Charge Probe Due

By DAVID JOHNSTON  
Mercury Staff Writer

**BERKELEY** — Renewal of the Bay Area Association of Blacks (ABAG) is in jeopardy because of a discrimination complaint lodged against ABAG.

A full investigation of ABAG hiring practices will begin shortly, a statement of Housing Development said Friday. The Director charged that Rudy Platzek, a regional committee staff member, had repeatedly refused to change his interest in Regional participation.

**By Gregory Adams**  
Members of a Citizens' Committee Jesse Smallwood, Maurice Dawson, F. La Berge and Marie Converse charged this week that the staff of the Regional Planning Committee of ABAG (Associated Bay Area Government) is trying to keep black people out of the Citizens' Task Force by restricting citizen participation to housing. The Steering Committee charged that Rudy Platzek, a regional committee staff member, had repeatedly refused to change his interest in Regional participation.

charge was made by Del Green, Bay Area representative of the force. Against

**THE SUN REPORTER**  
Saturday, May 8, 1971

### ABAG Urged To Lift Gag On Housing

Full implementation of general housing program for citizens

**The Mercury**

### Minorities Criticism Of ABAG

An organization representing more than 50 communities

**MORNING, APRIL 24, 1971**  
Two months later in a meeting with ABAG, the ad hoc committee of citizens for citizen participation, pointed out that citizens participation should be a part of all ABAG activities; that the ABAG staff should reflect the ethnic composition of the region; and that all planning should be done with maximum citizen participation. These three requests were approved by the Regional Committee and by ABAG. But, at two meetings in June Platzek had no plan for citizen participation.

Green said the committee had an attack on ABAG. He said the committee had an attack on ABAG. He said the committee had an attack on ABAG.

regional planning decisions, and it was reluctant to engage in confrontation politics with its constituents. ABAG felt that NCDH, as a civil rights organization, could bring community pressure on the cities and counties to comply with the State law.

However, the NCDH/ABAG relationship began to deteriorate as NCDH pressed hard for the participation of lay persons, not just technical experts, in the development of the regional housing element and insisted that an advisory group, geographically, economically and ethnically representative, be formed to assist ABAG. NCDH was also critical of the employment pattern of ABAG which at that time had only one Black professional on its staff.

In April of 1971, NCDH publicly called upon ABAG: to develop a regional housing element which would provide for geographic distribution of low income housing throughout the region; to form a citizens' participation component to assist in developing the regional housing plan; and to undertake a comprehensive affirmative action program for itself and its constituent governments to employ minority staff and utilize minority consultants and contractors.

A significant factor in the NCDH/ABAG problems was the failure of HUD to define the interrelationship between the two groups receiving HUD funds for regional programming in the housing area. ABAG was non-responsive to the NCDH recommendations, and appeals to HUD to support the NCDH position elicited no response. By the end of 1971, the NCDH/ABAG relationship had completely broken down; however, the Project had major impact on ABAG's program and structure:

- NCDH filed an official complaint with HUD Regional and National Offices, charging ABAG with violation of Title VI of the Civil Rights Act of 1964. The Equal Opportunity Office of HUD instructed the San Francisco Regional Office not to fund ABAG for the next fiscal year until the complaint had been investigated. The discussions resulted in conditional funding of ABAG, requiring the agency to involve citizens in the development of a housing element for the region.

- A Regional Housing Task Force of the Association of Bay Area Governments, composed of geographically representative elected officials and com-

munity leaders—including racial minorities and low income persons—was formed to assist ABAG in determining Bay Area housing needs and in developing an allocation model for subsidized housing as a part of a regional housing plan. In late 1972, Project staff was invited to address the task force, and was later invited to participate as a member.

- NCDH staff participated in evaluating ABAG's capital improvements programming process as a member of a Technical Evaluation Task Force and assisted in developing affirmative action criteria by which projects can be evaluated.

- NCDH staff participated in the design and establishment of the Regional Citizens' Forum, an official citizens' participation arm of ABAG. NCDH staff monitored the activities of this group to determine to what degree minority and low income interests would be represented in the delegates elected from each of the nine Bay Area counties. The formation of the group was a positive step, but the organization is not yet a meaningful citizen voice in ABAG decision-making.

During Phase III, two elements of the work program required contact with ABAG. The A-95 Review staff of ABAG met with NCDH to discuss the pilot project on Civil Rights impact being conducted by NCDH and FEPC. A tri-partite cooperative agreement was attempted, but did not materialize when ABAG declined to provide regional notices of intent to NCDH. The second contact with ABAG came in discussions of the work element involving cooperation with regional minority elected and appointed officials.

In general, cooperation between the NCDH Project and ABAG was minimal, providing little basis for a definitive assessment of the regional agency's work, its commitment to civil rights or its ability to assume a strong regional role in expanding housing and economic opportunities for minorities and low income persons. Had a cooperative working relationship been forged between the two HUD-funded Bay Area groups, more impact might have been possible on the housing problems of the region's minorities.

## NCDH and FEB Relationship

The second action-oriented report of the Phase II project, *Bay Area Housing Needs: A Report and Recommendations to the San Francisco Federal Executive Board*, was prepared at the request of the Federal Executive Board and published in November 1971.

The Federal Executive Board, representative of Federal agencies in all of the country's regions, functions to coordinate their activities in order to achieve maximum benefit from local programs. At the start of the Demonstration Project in 1969, Robert Pitts, then Regional Administrator of HUD and Chairman of the Federal Executive Board, convened a meeting of all regional chiefs of Federal agencies and officials of NCDH, to outline the thrust of the Demonstration Project and secure the cooperation of Federal agencies through the FEB. From that meeting grew a working task force of FEB, which served as liaison to the NCDH/HUD project and aided Project staff in data collection on Federal programs during Phase I of the Project.

In 1971, following changes in leadership and extensive reorganization of the Federal system into regional and area offices, liaison with the FEB task force, so important to the success of the Demonstration Project, was nearly moribund.

The report on *Bay Area Housing Needs* grew out of a request from the FEB Housing Subcommittee for specific information on Bay Area housing needs and problems.

The report, drawing on project research, detailed information on the significance of racial and ethnic segregation, the effect of housing on economic opportunities, lack of housing choice for minorities and the impact of Federal funding policies in housing in worsening the problems of racial polarization.

Recommendations made in the report to the FEB outlined Project beliefs as to the ways in which Federal agencies could begin to combat the forces of involuntary segregation and discrimination in the Bay Area. The recommendations were:

- The FEB should reinstitute its liaison task force with the NCDH/HUD Project
- This task force should work to implement a coordinated Federal program to respond to the directive of Title VIII of the Civil Rights Act of 1968.

- All executive departments and agencies should support the efforts of the FEB Task Force and administer their programs and activities relating to housing and urban development in a manner affirmatively to further the purposes of Title VIII of the Civil Rights Act of 1968.

- Each Federal agency should undertake a continuous survey of current housing resources for minority employees and those employees with G.S. rating 1-7 to assess present housing status, including location, price, type, adequacy for number of occupants and condition; and potential for mobility of the employees.

This survey would serve to identify existing housing needs and housing problems of Federal employees and also be valuable in the development of a region-wide housing element.

- Each Federal agency should designate a housing officer to serve as an educational, informational, and referral resource for employees of the agency. The officer should have a close liaison with the Housing Assistance Office of HUD to ascertain availability of and access to Federally subsidized housing within the surrounding areas. This officer should maintain contact with local fair housing groups which can provide testing services and a knowledge of local housing markets. Housing complaints, including those of discrimination, made to the housing office were to be referred to the appropriate source of assistance (i.e., Department of Justice, HUD, FEPC, Legal Aid, etc.)

- The FEB should direct its member agencies to evaluate and recommend as future sites for Federal installations only those sites that meet criteria that will enhance the potential for equal opportunity.

- Each Federal agency should assess its own progress in meeting affirmative action requirements in employment—recruiting, hiring, training, and promotion—and the FEB should monitor this assessment, make recommendations to correct program inadequacies and publish findings.

- The FEB should schedule one of its quarterly meetings for addressing the issue of housing problems that confront the Federal agencies. A second quarterly meeting should be devoted to problems of securing equal opportunity in employment within Federal agencies.

- Federal agencies should establish criteria which take into account, among other things, enforcing of fair housing practices by localities; provision of low-to moderate-income housing to meet needs and to satisfy Federal equal employment opportunity requirements; meeting local transportation needs for low mobility citizens, before specific programs are funded. Applicants for Federal funds should be apprised of these selection criteria prior to application.

- The FEB should recommend that ABAG exercise its A-95 grant review powers in a manner which would facilitate Federal approval or disapproval for projects based on the above criteria.

The report and recommendations were submitted to the Housing Subcommittee of the Federal Executive Board, but no action was taken. As a follow-up, in June 1972, the Project submitted the report to the Federal Regional Council, which had been given major responsibility for coordinating Federal activities designed to address urban problems. The Council decided not to act on the report since problems of housing discrimination had a low priority on its crowded agenda. As a result, the Project abandoned its effort to work closely with the Federal Executive Board and its housing subcommittee to stimulate coordinated government activity in housing.

## Lending Discrimination in Oakland Studied

In February 1972, the third report of Phase II, *Patterns and Practices of Discrimination in Lending in Oakland, California* was completed and released. The research, with its resulting recommendations, addressed one of the major impediments to equal housing access for racial and ethnic minorities—the refusal of lending institutions to make mortgage or home improvement loans in geographically designated areas of a city, in this instance, Oakland.

Though discrimination in the financing of housing made illegal under Section 805 of the Civil Rights Act of 1968, residents of certain geographically defined and racially segregated areas still find it difficult, if not impossible, to get loans to improve their property or new mortgage money to purchase homes. Several Federal agencies—HUD, the Federal Home

Loan Bank Board, the Department of Justice—have overlapping responsibility to enforce prohibitions against discrimination in financing in general and the practice of “redlining” in particular, which the NCDH project researched during Phase II. The Project staff documented the practices of three major savings and loan institutions in the Oakland area and uncovered distinct geographical belts of loans, with fewer loans being made in areas where the percentage of Black residents was high. The refusal to grant loans under these circumstances is known as “redlining”—a practice often alleged, but seldom documented. The information gathered by NCDH during its survey of Oakland lending practices was shared with the institutions studied, community groups, the Oakland Real Estate Board and affected Federal agencies. Great Western Savings and Loan, American Savings and Loan and Fidelity Savings and Loan—the associations surveyed—were urged to take affirmative steps to assure non-discrimination in their lending practices.

A series of recommendations was made: to the lending industry—to evaluate all policies and practices in terms of Federal civil rights requirements and to take necessary corrective action to assure full compliance; to the Federal Home Loan Bank Board—to issue strong regulations in regard to its Title VIII responsibilities concerning civil rights mandates; to the Department of Housing and Urban Development—to institute procedures to facilitate enforcement of the Civil Rights Act of 1968 and to develop meaningful guidelines for the implementation of programs furthering the Act; to the Department of Justice—to take legal action against lending companies in violation of Title VIII.

These action-oriented recommendations relied heavily on the assumption that Federal cooperation would be forthcoming to implement them. Federal cooperation failed to materialize and the Project recommendations were lost in the Federal bureaucracy.

However, local fair housing groups, using the information in the Project report, brought pressure on the largest of the savings and loan associations through an informational picket line. In discussions with the principals of the association, some progress was achieved. Minimum loan requirements were revised to permit more low income persons to qualify for loans, and the



**METROPOLITAN TRANSPORTATION COMMISSION** meeting draws interested spectators, including representatives of the Demonstration Project. Several MTC members participated in the Project workshop, “Transportation and Housing” held in March 1973. John Dearman, second from left in photo, is the only minority appointee to the MTC.

—Michael Scott photo

association agreed to participate in a mortgage association formed to accelerate lending in high risk areas of Oakland.

National groups also relied on the data in the Project report to call for new regulations by the Federal Home Loan Bank Board to outlaw discrimination in lending.

### **Citizens' Participation Attempts**

Throughout the Project's life, staff attempted to establish and maintain regular contacts with citizens concerned with fair housing. Phase I experience with the Panel of Minority Consultants had demonstrated the value of a formal structure for this input. In Phase II, attempts were made to broaden the geographic base of citizens' participation and a Regional Advisory Council was established. Representatives from each of the nine counties, reflecting various racial and ethnic groups and economic levels, were invited to participate in the Council with the idea that the group would provide regular review of the progress of the Project and would assist in developing strategies to achieve specific goals.

Several meetings were held with the group, but problems soon arose. It was difficult to determine a centralized location for meetings that would be convenient for all participants. Continuity of discussion was virtually impossible because participants, all of them heavily involved in activities in their own local communities, were not consistent in their attendance at meetings. Regional issues were not yet a primary focus for these local activists. However, some support was engendered from the group in the Project's efforts to bring pressure on ABAG to develop a regional housing element and a citizens' participation element.

### **Enhancing Local Fair Housing Group Programs**

As has already been noted, the Bay Area has a significant number of fair housing organizations. Some groups, originally active in the passage of fair housing laws, have become totally inactive; others have begun

to revise their original programs which depended heavily on a one-to-one social service approach to opening housing for minorities (e.g. putting together willing buyers and willing sellers). These groups have now shifted their focus to create institutional change, utilizing the new laws and programs to achieve major results.

During the course of the Bay Area Demonstration, NCDH provided both financial and staff assistance to several groups which were engaged in imaginative enforcement and/or legal efforts to quicken the pace of change in discriminatory housing practices.

### *Operation Sentinel*

"Operation Sentinel", an innovative program to combat housing discrimination, was begun in 1971 and is still operative in a six-county section of the San Francisco Bay Area. The program, sponsored and conducted by the Stanford Midpeninsula Urban Coalition, received its original funding for staff from the Demonstration Project, and Project funds partially paid the costs of the media materials developed by Stanford University as an in-kind contribution to the work of the Project and the local fair housing group.

The multi-media, multi-lingual public service information campaign is utilized to alert the public, especially minorities, to their legal housing rights, and to guide homeseekers who have been discriminated against to avenues for redress.

Operation Sentinel's message, "Discrimination in housing is illegal. If you need help, dial H-O-U-S-I-N-G." is repeated again and again on the airways. Calls following up on this invitation are taken seven days a week, with a clients' service, operating as the second major segment of the program, geared to fast action on complaints. A "checker" system is used to provide back-up data on complaints, and where necessary, cases are referred to a battery of volunteer attorneys organized to assist in processing cases. Operation Sentinel is turning increasingly to the courts, and its attorneys have been successful in challenging discriminatory practices in a number of cases. Courts have awarded damages to clients and fees to attorneys under recent rulings. Since the NCDH Project's initial



assistance to Operation Sentinel, the program has received additional support funds from HUD and from major foundations. It has also been featured in local and national news stories.

### *Battle for Open Occupancy at Parkmerced*

The legal battle against discrimination at the Parkmerced housing complex in San Francisco, which was won before the Supreme Court in September 1972, was supported by the NCDH Demonstration Project with staff aid in the early stages of preparation of the case.

The suit against the development was brought by the Parkmerced Residents Committed to Open Occupancy, whose members complained that they were being deprived of the opportunity to live in an integrated environment by Parkmerced rental policies. The volunteer attorneys from the San Francisco Lawyers' Committee on Urban Affairs who carried the case to the Supreme Court were assigned two members of Project staff during the summer of 1971 to aid them in developing the necessary supportive materials to pursue the case. An affirmative action agreement has been signed with Parkmerced and a monetary settlement has been made and distributed among several local and national civil rights groups.

### *San Francisco Apartment House Audit*

The Project assisted in an apartment house audit, conducted by the San Francisco Human Rights Commission in 1971, to reveal patterns and practices of discrimination in the rental and leasing of housing. One of the Project interns was loaned from staff to assist the Commission in documenting discriminatory patterns.

The audit was prepared for use in subsequent action by the Housing Section of the Civil Rights Division, U.S. Department of Justice, in bringing class action suits against violators. It was used additionally in aiding the relocation services of the San Francisco Redevelopment Agency.

### *Union City Fights Unsuccessfully to Bar Housing*

The Southern Alameda Spanish Speaking Organization (SASSO), during its long and ultimately successful challenge to exclusionary zoning in Union City, was aided by the Demonstration Project as well as the attorneys for the National office of NCDH who handled the precedent setting case. For a critical three-month period during the summer of 1971, while SASSO was awaiting the court decision which instructed Union City to take immediate steps to accommodate the needs of its low income residents, the Project gave both staff time and funds to keeping the fair housing thrust of SASSO viable.

As a result, 140 units of low and moderate income housing went into construction under SASSO sponsorship and will reach the half-way mark towards completion in early February 1974.

### *Bay Area Fair Housing Coalition*

In July of 1972, a Bay Area Fair Housing Coalition was spontaneously formed when participants in a HUD-convened Equal Housing Opportunities Seminar abandoned the session and regrouped to discuss issues they felt were more relevant to the concerns of minority persons and low income groups. In their statement announcing the new organization, the designated spokespersons said:

HUD staff has an overriding moral obligation to minorities and the poor . . . and should use their positions to bring about more efficient and effective programs for the people.

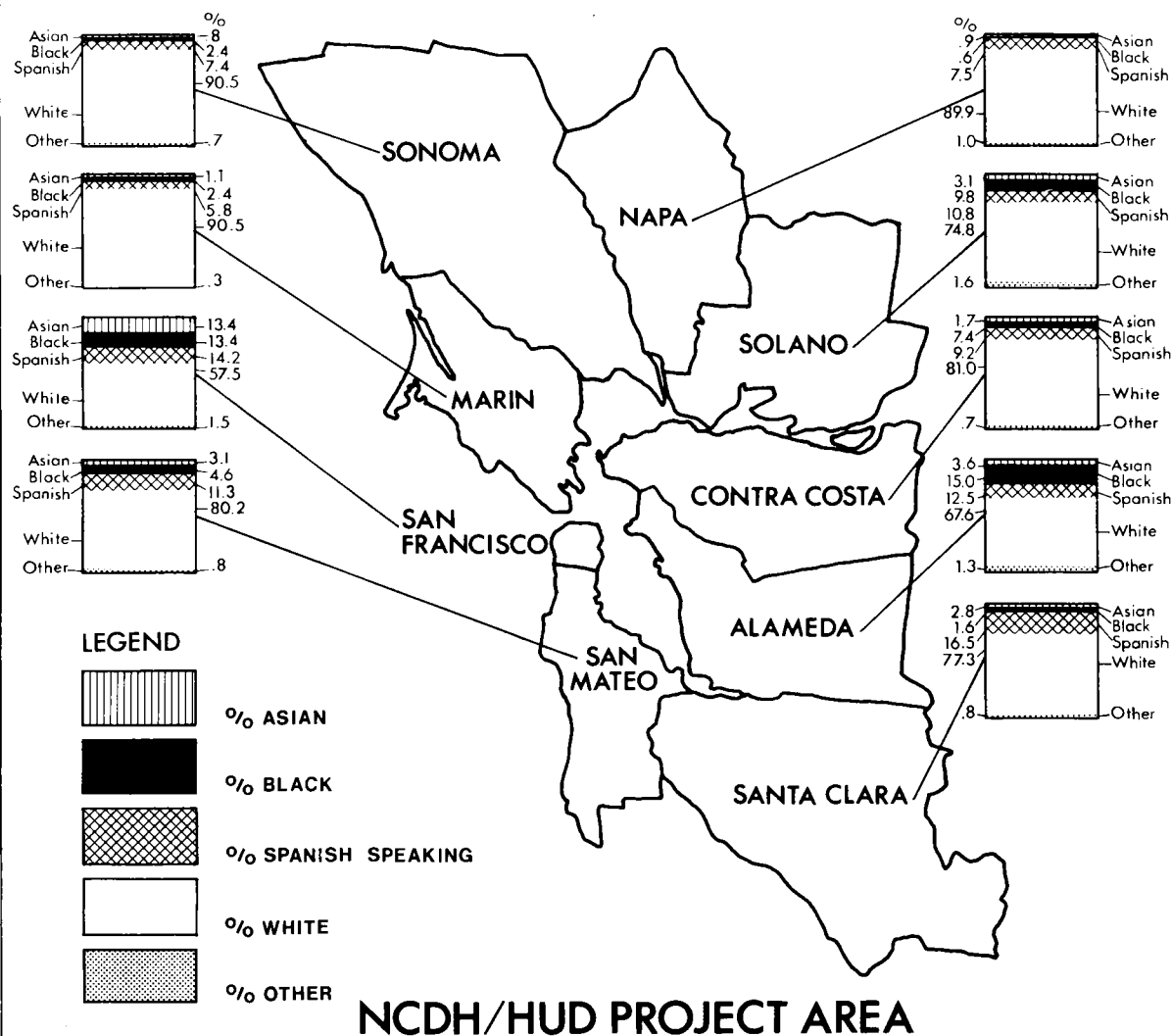
The group highlighted the need for community outreach by HUD, with staff representatives assigned to work in low income community areas to receive and transmit to appropriate HUD officials the concerns of these communities. The Coalition, unique in that it combined fair housing advocates and minority activists from all counties, seemed to offer hope for the beginning of an effective lobbying force for regional housing needs. Because this thrust was within the work program of the Bay Area Demonstration Project, NCDH offered to assist the group with clerical services



*"MONEY FOR THE CITIES" workshop session discussion holds the attention of participants, including Peter Mendelssohn, center, senior citizens' activist and official of Tenants and Owners Opposed to Redevelopment.*

—ABLE photo

## RACIAL DISTRIBUTION BY COUNTY



during its organization phase. One of the demands of the group was that HUD fund its activities to provide necessary community input into HUD programs, since HUD's outreach was so inadequate. For about six months, the Coalition met and developed strategies for increasing the supply of low and moderate income housing in the Bay Area and for giving local human relations commissions enforcement authority to implement employment and housing civil rights programs pre-empted by the State Fair Employment Practice Commission. When the Administration announced its moratorium on subsidized housing programs in early 1973, the Coalition members began to work actively in the California Coalition Against the Moratorium, and clerical assistance to the group was no longer necessary. It was also clear, before the Moratorium was announced, that the group would need some paid personnel to carry through on program thrusts if it was to remain viable. Without such staff, continuity of decision-implementing suffered. NCDH's assistance to the group made it possible for them to postpone their demise for six months and have some impact, even for only a brief time, on HUD and regional agencies.

### NCDH Terminates Project

At the start of Phase II, in the fall of 1970, the "new federalism" was beginning to be implemented under the Nixon Administration. In addition to the existing *Regional* offices, Area offices of HUD were formed and given substantial program responsibilities to implement the concept of local decision making.

The newly-appointed Area officials had no clear definition of the Project as a "national demonstration" model. Area officials also saw their role as one of close supervision of all aspects of the Project—including program determination and budget review. Their view was supported by national HUD which indicated that it had always expected the Project to work through its local field offices. NCDH sharply dissented from this approach. Contending that the "localization" of the Project would seriously limit the effectiveness of the program, NCDH terminated the Bay Area Demonstration Project and its staff, effective February 18, 1972.

# 4 Reinstitution of the Project – Final Phase

---

At the request of the national office of HUD, a meeting was convened between National and Area HUD staff and executives of NCDH, in an attempt to work out the problems which had led to the termination. As a result of these meetings, the Demonstration Project was reorganized in late February 1972. A revised work program was proposed, mandating closer liaison between Area HUD and the Project on specific program elements, while continuing general supervision of the program and the Project's budget by National HUD. Aileen C. Hernandez, NCDH Western Representative, was named Project Director, effective March 1, 1972.

With the approval of the revised work program by National HUD, after consultation with its Area staff, the third and final phase of the Bay Area Demonstration Project was undertaken.

## Goals of Phase III

Through the avenue of four pilot programs, Phase III of the Demonstration Project set itself the following goals:

- To test the efficacy of a Regional Applicant Pool (RAP) and the HUD Affirmative Fair Housing Marketing Regulations as vehicles for expanding housing opportunities for minorities and low income persons in the Bay Area.
- Through the creation of an on-going work relationship with the California FEPC, to test whether and how a state civil rights agency can participate effectively in the review process established by Circular No. A-95, Office of Management and Budget, as revised March 1972.
- By testing a variety of techniques, to demonstrate how, and at what costs, the level of effectiveness of persons—especially minorities holding policy-making positions in public agencies relating to planning, housing and community development in the Bay

Area—can be significantly enhanced. This effectiveness was to include both their work in the local setting *and* action in concert with other minority officials in seeking regional solutions to housing and community development problems as they related to minorities.

- Through mobilization, training and orientation of community groups (including “grass roots” groups, fair housing organizations, business leaders, labor and others) to develop innovative techniques for increasing effective community participation in the regional housing planning process.

The Affirmative Marketing segment of the program set a series of approaches by which to test, improve or implement the Affirmative Fair Housing Marketing Regulations. These were:

To design an appropriate mechanism to assist HUD in the review and implementation of the Affirmative Fair Housing Marketing Plans submitted by applicants.

To make recommendations on accepting, changing or rejecting applications by sponsors of Federally assisted housing, based on applicant's proposed Affirmative Marketing programs.

To develop and implement an evaluation and monitoring system to measure the compliance of sponsors with Affirmative Marketing Plans approved by HUD and to determine the effectiveness of such plans in expanding housing opportunities for minorities.

To create a system for flow of information on Affirmative Marketing Regulations and other HUD programs to civil rights, fair housing and other housing related community groups.

To establish a linkage and ongoing relationship between appropriate Federal agencies and housing-related community groups to assure continuity in monitoring and enforcement of Affirmative Fair Housing Marketing programs after the project terminates.

The Regional Applicant Pool attempted to develop a centralized applicant/housing vacancy information service for Federally-subsidized projects in the nine-county areas. RAP approached its assignment through:

Selection of the 102 Federally-subsidized Section 236 and 221(d)(3) projects as participants in the centralized applicant pool.

Seeking cooperation of the selected sponsors and managers in the program.

Compiling a master vacancy list for the 102 housing developments which was utilized by managing agents, community groups, applicants, and other entities concerned with identifying vacancies in housing projects near places of work or near areas of indicated preference.

Developing a training program for managers and others who participated in the pilot program.

Conducting periodic spot checks of projects to identify procedures and practices used by managers.

Assessing and evaluating changes occurring in rental patterns to determine if they were due to the opportunity for expanded choice.

A-95 Review and the California FEPC was a pilot program which tested the efficacy and means by which a State civil rights agency could participate effectively in the review process established by Circular No. A-95, Office of Management and Budget. It worked to:

Analyze revised Circular A-95 to determine the procedures established to implement it; evaluate the scope of work involved in A-95 reviews in the Bay Area; translate the A-95 review process into easily understood terminology; secure agreement from FEPC to use the NCDH services in analyzing the civil rights impact of proposed federal projects.

Develop guidelines for the evaluation of civil rights impact of Federal projects for future use by FEPC, community groups and others concerned with equal opportunity in housing and employment.

Conduct seminars, training sessions, discussions with FEPC staff on the A-95 review process to assist them in fulfilling responsibility under Revised Circular A-95 in other areas of the state.

Elected and Appointed Minority Officials program, in demonstrating how minority officials could increase their effectiveness locally and regionally, used a series of techniques. Program thrusts included:

Development of a directory of all housing related officials and agencies in the nine Bay Area Counties, in particular identifying racial and ethnic minorities whose cooperation is necessary for implementing programs.

Meeting with such officials individually and collectively on a regular basis to exchange information related to local and regional housing needs and programs.

Preparing and disseminating official materials in a simplified non-technical form, on a variety of subjects related to housing—e.g. HUD programs, State programs, zoning, regionalism, busing, “no-growth” initiatives, etc.

Developing a system for flow of information between public agencies whose programs relate to housing, and community groups with an interest in housing opportunities for minorities—e.g. NCDH, fair housing groups, Model Cities boards, etc.

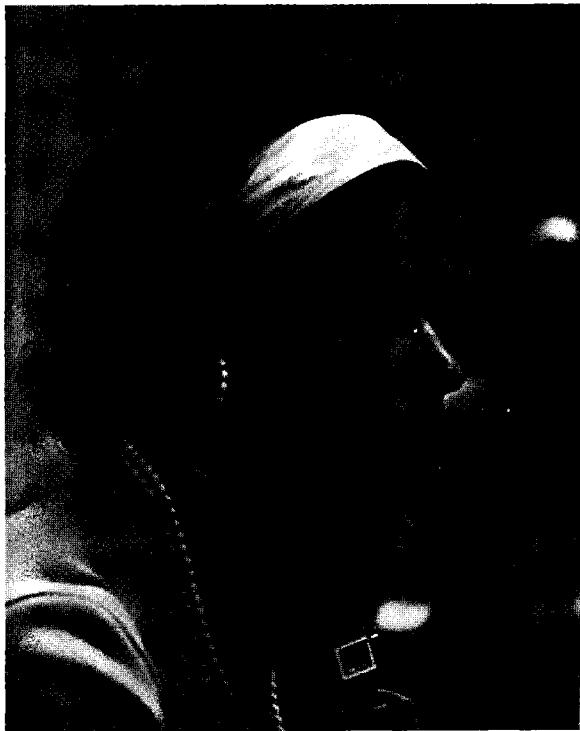
Encouraging local officials to work in their own communities and collectively to ensure expanded housing opportunity; assisting them in developing local affirmative action plans on housing; urging them to become active in regional agencies which have an impact on housing and employment opportunity.

Providing a forum for communication between minority officials and local fair housing groups, community action groups, and others.

Arranging conferences, and workshops, for minority officials on specific subjects related to housing opportunity.

Providing technical information including legal decisions, upon request, for minority officials to utilize in developing and implementing programs to increase housing opportunity; sharing data on “success stories” in the housing field.

Encouraging local officials to review zoning regulations, practices of real estate brokers, lending institutions, *et al*, to ensure that their communities are taking action against exclusionary practices which affect housing opportunity.



AILEEN C. HERNANDEZ, NCDH Western Representative and Demonstration Project Director during its final phase.  
—ABLE photo

The Community Group pilot program, as a campaign to mobilize, train and orient community groups for effective participation in regional housing planning, demanded a many-faceted approach. Program implementation encompassed:

Identification and maintenance of a current directory of "community groups" interested in equal opportunity and establishing regular contact with them.

Development of non-technical analyses of proposed and existing legislation, rules, regulations, guidelines, pertinent to housing and disseminating these to relevant groups.

Production of materials highlighting issues related to the achievement of a regional housing plan and the establishment and coordination of coalitions to address those issues. Cooperation with other groups with similar programs and exploration and initiation of possibilities for legal action to achieve goals were part of this segment. (Appendix A)

Arrangement of periodic joint sessions between community groups and technical experts on specific programs designed to increase the supply of low and moderate income housing and equitable distribution of it throughout the region.

Incorporating the aid of community groups in making the Regional Applicant/Vacancy Information Service successful in expanding housing opportunity.

Developing guidelines and checklists related to equal opportunity for use by community groups in determining the impact of specific programs on housing for minorities.

Utilizing the media to help create understanding of and positive involvement in regional planning which opens housing opportunity.

Monitoring the various efforts at citizens' participation in the regional planning process and providing technical assistance to appropriate community groups seeking to increase housing and employment opportunities for minority and non-minority low income families throughout the region.

Continuing to monitor and evaluate local efforts (such as San Leandro) to develop affirmative programs for achieving housing and employment opportunity.

## Regional Applicant Pool

Research during Phase I of the Bay Area Demonstration Program had highlighted the fact that home-seekers, particularly minorities and low income families, were handicapped in the search for housing because there was no centralized information service on available housing in the nine counties. NCDH proposed the concept of a housing vacancy and referral service through which applicants in need of housing could be matched with existing vacancies.

### *Why a Regional Applicant Pool*

It was against the following backdrop that the concept of the Regional Applicant Pool (RAP) was developed by the staff of the Bay Area Demonstration Project of the National Committee Against Discrimination in Housing:

- Section 235 and 236 programs for providing an increase in the housing supply for low and moderate income families seemed to have done little to change the desperate housing plight of minorities. The central city projects, built largely by small non-profit sponsors in urban renewal areas, were as segregated as the public housing projects which preceded them.
- Exclusionary zoning practices of local municipalities have effectively prevented construction of Section 236 housing in areas where the need is greatest—in proximity to jobs, good schools, shopping and social services.
- Amenities in suburban Section 236 housing far surpassed the amenities available in central city projects.
- HUD criteria, combined with attitudes of managers and developers, excluded many families in need of housing from qualifying for the limited supply of subsidized rental housing available in the Bay Area. The moderate income family was served; the low income family was not.
- Affirmative marketing regulations appeared to be ineffective in providing balanced occupancy of developments. Managers expressed concern about exceeding the "tipping point" in some projects and



*CONTRA COSTA COUNTY SUPERVISOR James Kenny talks with one of the small groups making up the "Transportation and Housing" workshop sessions.*

*—O. A. Sung photo*



*REGIONALISM AND MINORITIES is the topic at this Demonstration-sponsored workshop. Sharing the platform, Project Director Aileen Hernandez, speaking; Mary Salazar, John Williams and Don McCullum.*

sought approval of "benign quotas" to limit the numbers of minority families in their developments.

- Projects eligible for rent supplement chose not to use the supplements rather than increase the number of low income—and presumably "financial risk"—families.

RAP was generated out of a discussion with a Section 221(d)(3) project manager who sought NCDH assistance in persuading HUD to permit a "benign quota" in a complex on the outskirts of Richmond, California. NCDH rejected the concept but suggested that a Bay Area-wide referral service might be useful in expanding opportunities for minority and low income families to exercise geographical choice in selecting housing, and would offer project managers a pool of applicants from which to fill vacancies in their vacancies in their units.

After a series of discussions with HUD, NCDH completed the design of the Regional Applicant Pool—a housing vacancy information and referral service organized to test the effectiveness of such a service in expanding opportunities for housing choice of eligible applicants (particularly minority families) for Federally-subsidized housing.

The program started in March of 1973 and was suspended in October of 1973. With the help of HUD's Area Housing Management Office, the 102 projects to be included in HUD were selected; a meeting was held with managers and sponsors to solicit their cooperation; forms were developed to obtain vacancy information from projects on a regular (monthly) basis (Appendix B); a RAP phone was installed at NCDH to take calls from housing seekers; training sessions were given during which RAP staff was schooled in basic eligibility requirements for prospective tenants; a RAP informational brochure was developed for dissemination.

Key elements in the program were services to low income and minority families to assist them in achieving geographical choice in housing; centralization of vacancy information for all 102 Federally-subsidized projects [Section 236 and 221(d)(3)] included in the pool; and analysis of the effectiveness of such a service in implementing the mandates of Title VIII. In short, RAP was conceived as an effort to assist HUD in administering "the programs and activities relating to

housing and urban development in a manner affirmatively to further the policies" of the 1968 Fair Housing Act.

### *Relationship of HUD to RAP*

HUD cooperation was a necessary prerequisite to the effective functioning of RAP. Where there was joint cooperation and mutual support, positive results were obtained and the overall effectiveness of the program was enhanced.

RAP staff had no leverage except that which came through HUD, and it was critically important to the success of the Project that HUD encourage the participation of the managers and developers. A "carrot and stick" approach, which would give high priority for future certification or feasibility approval by HUD of managers and developers who cooperated with RAP and low priority to those who did not, was discussed. HUD preferred to emphasize voluntary cooperation on the part of managers, contending that it did not have the authority to force managers to participate in RAP. With the Administration's announcement, in early 1973, of a temporary halt to most Federally-subsidized housing construction, HUD also felt it did not have the leverage to implement the "carrot and stick" approach urged by NCDH staff. While NCDH visualized RAP as a multi-faceted program with real potential for enforcing fair housing laws, HUD considered RAP primarily a housing referral service, not an equal opportunity program.

HUD Housing Management Director Erwin Farley was generally supportive whenever RAP staff met directly with him or asked for his assistance. At the meeting at which RAP was introduced to managers and developers, Mr. Farley set a positive tone for cooperation by his endorsement of the project, and in a joint evaluation meeting after NCDH staff submitted the first quarterly report on RAP, his general support was again expressed. In addition, other HUD staff worked closely with RAP, assisting in the training of student interns and in monitoring the progress of the program. Experience in the Project has demonstrated that effectiveness of the Project and managers' cooperation depend heavily on the extent to which HUD is willing

to exert its influence and authority on managers, rather than on the managers' inclination to "buy" the program. A letter sent by Director Erwin Farley on August 20, 1973 definitely improved the response from managers who had earlier elected not to cooperate with RAP. After the letter, several managers indicated a willingness to cooperate, and agreed to allocate a percentage of their future vacancies to RAP.

In contrast, RAP staff learned that several managers were refusing applicants who did not already reside in the community in which the project was located on the grounds that there was an obligation on the part of the developer to meet the housing needs of that specific community on a priority basis. In most instances, the projects in question were in communities with miniscule minority populations. If such practices were permitted to continue, NCDH felt that racial and ethnic minorities would have little chance to expand their housing opportunities outside of central city ghettos. RAP staff, therefore, challenged these preferences, relying on a June 14, 1972 memo to all Regional Administrators of HUD from Samuel J. Simmons, HUD Assistant Secretary for Equal Opportunity, Eugene Gullledge, Assistant Secretary for Housing Production and Mortgage Credit-FHA; and Norman V. Watson, Assistant Secretary for Housing Management, which stated:

"It is HUD's policy, therefore, to advise any sponsor of FHA financed housing or the owner of any existing FHA financed multi-family project who imposes a residency requirement or preference in a community, geographic area, or jurisdiction which has a population that is composed primarily or predominately of a single group, that the imposition of such a requirement under those circumstances constitutes an apparent violation of law and HUD's regulatory agreement."

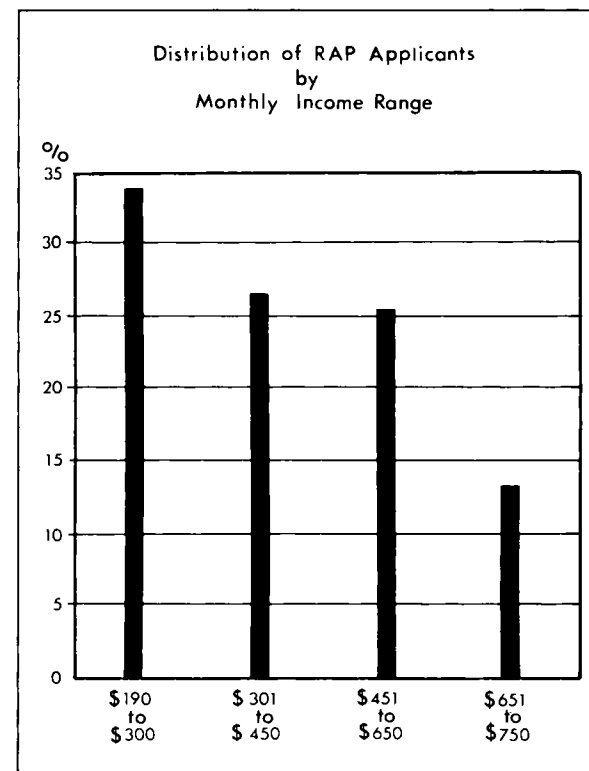
HUD Housing Management was asked to send copies of the memo to all project managers, but this was not done. The Area Office did send a memo to all managers on August 27, 1973, which indicated to management that "displacees" have a nominal preference for placement in HUD-subsidized housing, but that the "preference" need not be taken too literally when viewed against the overriding concern of "ability to meet the applicable monthly charge."

The question of preference to local residents in HUD-assisted projects was not addressed in the August 27 memo, and the issue remains unresolved. Since RAP was designed to help expand residential opportunities for minorities, as well as provide a general housing referral service, the potentially restrictive effect of such residency requirements was a relevant concern to NCDH and RAP staff.

### *Relationship to Managers*

RAP experience indicated that cooperation, or lack of cooperation, with the program is generally reflected in the individual manager's positive or negative attitudes about equal opportunity in housing. Heavy emphasis was placed on the two-way value of RAP—to the prospective tenant in search of housing and to the manager seeking to maintain full rent-up. Most managers provided RAP with the relevant data on their projects, especially when RAP staff had the opportunity to follow through with personal phone calls and visits after the initial request for cooperation was mailed to all managers by HUD's Housing Management Office. The best cooperation with all aspects of the RAP program came from managers of racially integrated projects who tended to view RAP as a beneficial service to them. Hostility to RAP tended to come from a few managers who had projects in communities with few, if any minority residents, and who expressed fear that RAP would send them only minorities and only very low income tenants.

Some of the difficulties with managers stemmed from insufficient communication to them about RAP's goals and operational procedures. If managers had not attended the HUD orientation meeting on RAP on February 22, 1973, they were unprepared for RAP staff's requests, or as some saw it "demands", but where managers contacted RAP to express their concerns, staff attempted to clarify the issues they raised. In some cases, detailed letters were sent to individual managers, managing agents or sponsors explaining procedures or concepts, but occasionally these letters were not successful in alleviating fears. It may be unfair to judge the ultimate prospects for total voluntary cooperation by all managers. RAP operated for a relatively short period—only seven months—perhaps too



COUNTY SUMMARY OF UNITS AND BEDROOM SIZE							
COUNTY	0	1	2	3	4	5	TOTAL UNITS
ALAMEDA	918	760	594	486	191	10	2959
CONTRA COSTA	7	162	680	483	71	-	1403
MARIN	7	18	22	14	-	-	61
NAPA	-	32	50	56	-	-	138
SAN FRANCISCO	971	866	1022	616	170	2	3647
SAN MATEO	364	115	-	-	-	-	479
SANTA CLARA	345	458	1218	803	216	30	3070
SOLANO	82	283	152	98	20	-	635
SONOMA	140	142	207	87	15	-	591
	2834	2836	3945	2645	683	42	12983

short a time to develop effective procedures, train a competent staff, educate managers and sponsors, solidify the cooperation of HUD, take applications, visit projects, follow up on placements, etc. It is possible that, given sufficient time, and fortified with strong HUD commitment, RAP could have inspired all managers to respond as warmly and cooperate as fully as many of the managers who participated wholeheartedly in the program.

In HUD's evaluation of the initial period of RAP, Erwin Farley suggested that more training and more maturity and experience of the RAP staff of interns might have produced more uniform cooperation of managers. It was also suggested more individualized attention to the managers eligible to participate in RAP would have been beneficial. There is undoubtedly considerable truth in these observations, but it is also true that some managers expressed themselves as unalterably opposed to the RAP concept as interference with their managerial responsibilities. It is unlikely that they could have been won over to the program without considerable effort and without the leverage of potential reward or possible punishment.

The Manager's Monthly Report form, which was required of each RAP participant, was useful in compiling data on vacancies, turnover, etc. and well over 3/4 of project managers completed at least one of the forms during the short duration of the RAP program.

### *Relationship to Applicants and Tenants*

Contact was maintained with the 353 applicants who sought help from RAP during the period of the Project's operation. (Appendix C) When vacancies were posted, staff reviewed the applicant file in search of eligible families. A "Guide to Low and Moderate Cost Housing in the San Francisco Bay Area" was developed for distribution to the applicants who had not been placed at the time of RAP's termination.

Twenty-one applicants were placed during the pilot program with 14 of that number in locations of their first choice and seven in second and third choice locations.

It is possible that other families referred by RAP found appropriate housing, but it is difficult to document this since some applicants failed to report back

to RAP and RAP's follow-up letters to them were returned by the post office.

While the number of placements to applicants was low, RAP staff feels that the project *did* help to place families who are frequently unserved and who face great difficulty in the housing market because of their race, sex and economic status. The RAP experience also served to highlight the fact that the Federally-assisted housing programs involved in RAP do not serve the needs of many low-income prospective tenants who cannot meet the income qualifications of Section 236 and 221(d)(3) programs, but are over-income for public housing.

In addition, much of the available housing is in areas which are not appealing to tenants, while "attractive" areas have few, if any, vacancies.

Staff interviews with applicants to the RAP program indicated that minority applicants looking for housing are disinterested in relocating into virtually all-white communities for the sake of integrating the neighborhood; many expressed reservations about moving into hostile situations. It seems logical to assume that minority families would move to suburbia if offered better opportunities than the central city offers.

### *Problems of Applicants and Tenants*

While there were approximately 13,000 Federally-subsidized Section 221(d)(3) and Section 236 units in the RAP program, they were not all available for low income families. Only 8% (1,041) of these units were eligible for rent supplement assistance to bring them within the range of such families, and some projects, allocated rent supplement units, do not use their allocation. Thus, there were relatively few available low income units within the RAP program and many families in search of them.

Access to rent supplement assistance is further restricted by HUD eligibility regulations which require that low income applicants *also* be:

Senior citizens, 62 years of age or older (or with a senior citizen spouse) or

Physically handicapped, (or with a physically handicapped spouse) or



Displaced by Federal Government action (and officially certified as such) or

Presently occupying substandard housing which has been officially declared substandard or

Displaced from housing destroyed by a natural disaster, or military on active duty.

RAP staff found several cases in which applicants, living in obviously dilapidated and unsafe housing, were unable to obtain the proper certification from local authorities which would entitle them to priority certification or preference for available housing and rental assistance. The San Francisco Redevelopment Agency, however, reported to the Project that there are 2,092 families which do hold displacee priority certificates for housing (in some cases for as long as 18 months) and which have not been able to find decent, safe and sanitary housing to exercise their priority. HUD guidelines permit managers great leeway in tenant selection and these certificate holders have frequently been unable to meet the criteria.

Tenants occasionally called on RAP for aid. When problems arose in a San Jose complex, Elena Gardens, in which an applicant had been placed after some difficulty, RAP staff was asked to help. The RAP placement recited a series of incidents, including the violent attack on the husband of a tenant who had been friendly to the RAP placement, and harassment of other tenants. Staff submitted a documented account to HUD for investigation and appropriate action.

Similarly, the Tenants Association of Story Road Apartments (TASA) called upon RAP staff for help in settling its strike against the management firm at Story Road Apartments which was accused by TASA of racially discriminatory policies, including the termination of a resident manager who, according to the tenants, had been particularly sensitive to the needs of minority and low income tenants. TASA had wanted to convene a meeting with the owners of Story Road Apartments for discussion of the issue and wanted HUD assistance in bringing the meeting about. RAP staff arranged for TASA to meet with HUD Area and Regional officials and was present during that session which resulted in HUD's agreement to bring the Tenant's Association and the owners of Story Road together. That subsequent meeting settled the dispute and ended the strike. The terminated manager was

reinstated and pledged to utilize RAP in filling the substantial number (30%) of the units which had been vacated during the lengthy strike.

### *Need For A RAP Service*

RAP staff's experience with the operation of the Regional Applicant Pool supports the thesis that there is a compelling need for a region-wide housing information service, such as RAP, in the San Francisco Bay Area. While there are several commercial housing referral agencies in the area, their listings are limited to vacancies in the five central cities—San Francisco, Oakland, San Jose, Berkeley and Richmond. There is no linkage or coordination among these agencies and their listings cover only market rate rentals which are beyond the means of low income families. RAP's experience has also shown that there are very few vacancies for low income families in projects within the central city areas; the only significant turnover occurs in those projects outside of the urban areas which are not served by the existing commercial agencies, and therefore central city applicants never hear about this housing. Ideally, a regional housing service should cover all housing, but a service covering all federally-subsidized housing would be a significant beginning toward meeting the needs of many Bay Area residents. Our findings in the Bay Area are undoubtedly applicable to other areas of the nation.

RAP terminated its services to applicants on October 9, 1973. A brochure listing pertinent data on all projects in RAP was prepared and mailed to all applicants. Managers were also notified that the service had been terminated and a report on the Project and recommendations were forwarded to each.

### **Affirmative Marketing Monitoring Program**

In the Phase III action portion of the Demonstration Project, agreement was reached with HUD to monitor a sample number of Affirmative Marketing plans developed under regulations of the Federal government which became effective February 25, 1972,



**THE WELL-ORGANIZED STORY ROAD APARTMENTS TENANTS' STRIKE** against the San Jose project management for alleged discriminatory practices, called on the Demonstration Project's RAP staff for aid in settling the dispute. Pictured is one of the many rallies and entertainments held during the strike to keep up tenant morale.

—Michael Scott photo

and which require builders and developers to formulate and carry out affirmative action programs. The regulations are designed to insure that all individuals of "similar income levels in the same housing market area" have the same range of choices in seeking housing and were promulgated pursuant to the provisions of Title VIII of the Civil Rights Act of 1968 which call upon HUD and other Federal agencies to administer their programs in a manner to "affirmatively further the purposes" of the Fair Housing Act. Developers are required to:

1. Carry out an Affirmative Marketing Program to attract buyers or tenants of all minority and majority ethnic groups.
2. Maintain a non-discriminatory hiring policy in recruiting for sales and rental staff.
3. Instruct all employees in writing, and orally, in the process of non-discrimination and fair housing.
4. Conspicuously display the HUD approved fair housing poster and include in all printed material the HUD approved fair housing logo, slogan, or statement.

#### *The Monitoring Process*

Monitoring approved affirmative marketing plans essentially involves two steps. The first step is evaluating and making judgments on the adequacy of approved affirmative marketing plans. The second step is the actual monitoring of the developer's implementation of the approved plan.

The project relied heavily on the draft monitoring forms of the Center for National Policy Review. With slight revisions, these were used by the monitoring staff. (Appendices D,E,F,) It should be noted that there are many factors that may complicate efficient monitoring. One such complication is the variation in interpretation and enforcement among HUD/FHA area offices when reviewing affirmative marketing plans. What may be considered an adequate plan by one HUD/FHA area office may be considered an inadequate plan by another office. Despite these variations in procedures, each area office must follow the guidelines of HUD Circular 8000.4 when reviewing affirmative marketing plans.

#### *Violations Found*

The NCDH monitoring team visited either the pro-

ject sites or developer's offices for all 18 plans selected for review, and found violations of one or more of the Circular 8000.4 guidelines at 17 of the 18 developments.

At seven project sites, no equal housing opportunities logo was visible on construction signs; six developers knew little or nothing about affirmative marketing guidelines; at three project sites, affirmative marketing plans were not available; at a majority of the project developers' offices, the affirmative marketing plan was not available for public inspection; several developers were uncooperative, and two refused to meet with the monitoring staff.

Only one plan was judged by the monitoring team to be in compliance with all the guidelines contained in Circular 8000.4.

#### *Problems Encountered*

Several problems were encountered by the NCDH staff in the initial monitoring of a sample number of affirmative marketing plans.

Much of the information NCDH received from HUD regarding affirmative marketing plans was either inadequate, outdated or incorrect—e.g., one affirmative marketing plan had been substantially revised, but the new plan was not transmitted to NCDH by HUD; thus the interview with the developer centered around essentially outdated facts.

In most instances, developers were not familiar with their own affirmative marketing plans, because the plans had either been formulated by others with the developers simply affixing their signatures or the developers had not reviewed the plan since its approval by HUD. Often the person responsible for formulating the plan was not responsible for implementation, and in several instances the developer was not even aware of the requirement for such a plan. (The same holds true for several managers who were not given any background on affirmative marketing guidelines by the developer or the management company.)

Generally, interviews with developers proved fruitful in that NCDH was able to gain some information concerning the implementation of affirmative marketing plans; however in two instances developers flatly

refused to meet with the monitoring team to discuss plans. In addition, the majority of developers contacted indicated no serious commitment to the plan.

Much of the impact of the affirmative marketing guidelines is lost due to HUD's lack of effective sanctions for non-compliance and to the stress upon "good faith" efforts in the implementation of approved plans.

Presumably because HUD Equal Opportunity staff is small and has other duties which make it impossible for them to monitor the implementation of affirmative marketing plans effectively, the HUD Area Equal Opportunity Office has "certified" private organizations such as fair housing groups to monitor the plans on a volunteer basis. But, if NCDH experience is any indication, HUD gives little cooperation to these groups in their efforts. NCDH was unable to get any information from HUD on other groups which are "monitoring" and it is therefore impossible to present any comparative data on the effectiveness of one system of monitoring as compared to another. Some fair housing groups informed NCDH that they have refused to monitor because they consider the guidelines and HUD's enforcement powers ineffective.

Determinations of compliance with an approved affirmative marketing plan and the Affirmative Fair Housing Marketing Regulations are based solely on the good faith efforts of a developer and not on the actual implementation of the plan.

Non-compliance as presently established by the guidelines is strictly a value judgment with the final decision distributed among several HUD officials. It is possible for a developer to be given an unlimited number of opportunities to correct the plan before being held in non-compliance.

HUD monitoring staff is very small and detailed review of implementation is virtually impossible, without outside help. Fair housing groups, almost completely dependent on volunteers, require some funding if they are to be effective in the monitoring program.

Affirmative marketing plans for a number of the projects are grossly inadequate and as site visits indicated, even these plans are not being implemented. Without a forceful approach to affirmative marketing by HUD and frequent monitoring, it is unlikely that the program will produce any significant results for minority homeseekers.

## SITES OF PROJECTS MONITORED



**NCDH/HUD PROJECT AREA**

## A-95 Review

In August of 1972, the Bay Area Demonstration Project entered into a memorandum of agreement with the California Fair Employment Practice Commission (FEPC) to implement Office of Management and Budget Circular A-95, as amended March 8, 1972. At the time of the agreement, FEPC as the sole administrative agency in California with enforcement power over state and local civil rights laws, had the exclusive responsibility for the implementation of a new section of Circular A-95 permitting state and local civil rights *enforcement* agencies to comment on the civil rights impact of proposals submitted for Federal funding and to challenge the expenditure of Federal funds for programs which do not meet the requirements of Federal, state, and local civil rights laws. Under the terms of the NCDH/FEPC Memorandum of Agreement NCDH agreed to:

- develop civil rights review guidelines for evaluating Federally-funded proposals;

- review and analyze project applications from the nine-county San Francisco Bay Area and, where necessary, develop formal recommendations of approval or disapproval for FEPC to transmit to the Clearinghouse and funding agency;

- estimate the workload requirements needed to continue the project at a statewide level; and

- assess the effectiveness of an A-95 Civil Rights Review Process.

In no other state in the nation has there been any concentrated effort to utilize the provisions of Revised Circular A-95 (March 8, 1972) to achieve positive civil rights results in programs funded with public monies. The NCDH/FEPC pilot program developed and tested procedures for increasing the impact of the revised A-95 program which can be applied anywhere in the nation.

Innovative and imaginative use of A-95 can result in great gains for minorities and women by accelerating the pace at which they are brought into full participation in the society. Limited Federal and state funds can be channeled, through effective enforcement of A-95, into programs which support equal

opportunity rather than into programs which ignore equal opportunity.

The purpose of Circular A-95, issued in 1969 by the Office of Management and Budget (a Federal agency in the Executive Branch with responsibility for fiscal planning) was to facilitate coordination of Federal expenditures in the context of regional planning. Circular A-95 establishes a Project Notification and Review System (PNRS) which alerts potentially affected groups to proposed projects seeking Federal funds, thereby providing an opportunity to discuss and, if necessary, revise proposals which are duplicative, conflicting or in other ways incompatible with sound planning. Subsequent amendments to Circular A-95 added the requirement that projects be reviewed for their effect on the environment. The A-95 Review Process enables affected groups to comment on the potentially adverse or beneficial impact of more than 100 Federal Aid Programs and grants for community development.

In March of 1972 Circular A-95 was amended to provide state and local civil rights *enforcement* agencies an opportunity to consider the civil rights impact of proposed projects seeking Federal assistance. On November 28, 1973, new revisions were adopted which offer the same opportunity to participate in the review process to public civil rights agencies (such as local human rights commissions) without enforcement authority, and which add certain human resources and development programs to the list of programs subject to A-95 Review.

A major element in the review process is a civil rights impact questionnaire which is used to obtain detailed information on the applicant, the project itself, and the potential civil rights impact/implications of the project. The questionnaire elicits information on the affirmative action practices of the applicant regarding minorities and women, the extent of minority involvement and support for the proposed project and the potential impact on minority communities of the project. (Appendix G)

The staff also developed a detailed methodology for the pilot project which has been reproduced in a flow chart depicting the precise procedures used in the selection of proposals with "obvious" civil rights impact, in contacting affected groups to review the com-



**THE GREATER VALLEJO MINORITY COALITION** during a meeting at which the implications of revenue sharing and charges of police brutality were discussed. ACLU lawyer Amitai Schwartz, left, facing camera, talked of the newly-formed Northern California Police Practices Project; at back, left, Coalition chairman Melvin F. Thompson; standing, Val P. Flores, 1st vice chairman; third from right, Lawrence Roberts, Demonstration Project intern; extreme right, Oscar A. Sung, Project program associate; center, with glasses, board member Arthur Scott; back to camera, Tranquilino Martinez, recording secretary.

—R.L. Whitfield photo

pleted questionnaires, for raising issues regarding proposals, and for meeting with project applicants to resolve any conflict.

#### *Workload Requirements*

An accurate appraisal of the workload and staff requirements for a statewide A-95 Civil Rights Review process is heavily dependent on the number of applications reviewed and the depth of the analysis of each proposed project.

In the one year of operating the pilot project, NCDH received a total of 2,483 Notices of Intent from the State Clearinghouse: 642 for projects within the nine-county area of the pilot program, and 1,841 from other areas of the State. The potential workload might seem overwhelming, particularly for state and local human rights agencies which are traditionally understaffed. However, NCDH experience with the A-95 process suggests that once initial work is completed so that procedures are developed and funding agencies, local human rights commissions and community groups are made aware of the revised A-95 provisions, the workload can be equitably distributed with local and county human relations commissions undertaking review of specific projects. Responsibilities of a statewide civil rights agency might be limited to one of coordination, information dissemination and guideline-setting. NCDH suggested to the California Fair Employment Practice Commission that a statewide review staff of six professionals, equally divided between Northern and Southern California, could effectively handle the A-95 Civil Rights Review Process, with assistance from college student interns.

#### *Summary of Proposals Reviewed:*

During the one-year pilot project, the A-95 staff made in-depth reviews of 11 proposals for Federal funding. The following summarizes the results of those reviews:

**Express Bus System—Bay Area Rapid Transit District (BART):** It appears likely that the bus route will be adjusted to accommodate Black residents in Pittsburg as a result of the Project's discussions with community leaders and BART planners. Pressure has also

been placed on BART to develop a *written* affirmative action plan which will have impact on this project *and* other BART activities.

**Richmond's Brookside Hospital Expansion Project:** Project staff alerted the minority community of Richmond to Brookside's responsibility to respond to their needs if Brookside was to get support for its request for Federal funds. A dialogue has been opened between the hospital and the Black community and has culminated in the adoption of a resolution by the Board of Directors of Brookside Hospital—a resolution designed to ensure equity for the minority community both in the delivery of services and in hospital employment.

**Project Intercept:** NCDH staff encouraged the U.S. Department of Labor (DOL) to give favorable consideration to this request for funding for the rehabilitation of ex-offenders. The project, submitted by the North Bay Human Development Corporation of Solano County, was approved by DOL at a reduced level of funding. NCDH A-95 staff support may have been instrumental in the DOL support of this project.

**Berkeley's Burglary Reduction Project:** Project staff's review activities initiated a dialogue between the Berkeley Police Department and a segment of the minority community; the dialogue resulted in the hiring of minorities in some of the 11 summer jobs created by the project. In the opened dialogue, minority representation on the Citizens Police Advisory Board was suggested by the community participants.

**S.F. Police Department's Minority Recruitment Program:** Although no formal recommendations were made, NCDH A-95 staff gave full verbal support to this request for funding to increase minority employment in the S.F. Police Department; the project was funded by the Law Enforcement Assistance Administration (LEAA) at the level of support requested. The project was successful in recruiting over 50 minorities and women who have been given special training to prepare them for the Civil Service examination for police officers.

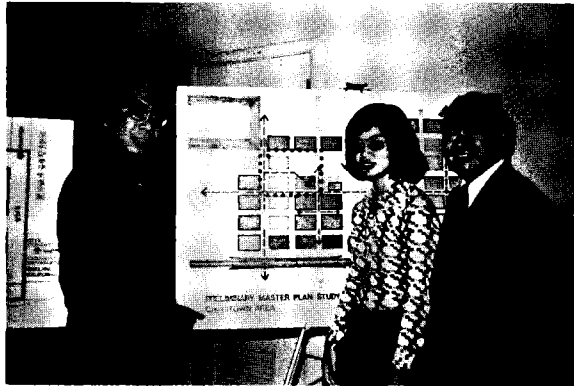
**Contra Costa County Work/Education Furlough Program:** Staff spent considerable time and effort in attempting to raise the Contra Costa Sheriff Department's level of interest in the civil rights implications of its request for funding. Notification of the Law

#### Notices of Intent — San Francisco Bay Area

<u>MONTH/YEAR</u>	<u># RECEIVED</u>
AUGUST 1972	22
SEPTEMBER "	87
OCTOBER "	69
NOVEMBER "	45
DECEMBER "	72
JANUARY 1973	31
FEBRUARY "	34
MARCH "	62
APRIL "	27
MAY "	54
JUNE "	44
JULY "	39
AUGUST "	56
TOTAL	642

#### Notices of Intent — Non-Bay Area Counties

<u>MONTH/YEAR</u>	<u># RECEIVED</u>
AUGUST 1972	101
SEPTEMBER "	148
OCTOBER "	148
NOVEMBER "	235
DECEMBER "	118
JANUARY 1973	213
FEBRUARY "	130
MARCH "	76
APRIL "	180
MAY "	96
JUNE "	105
JULY "	129
AUGUST "	142
TOTAL	1,841



CHINATOWN PROJECT AREA COMMITTEE members Suzan Yee, center, and Dr. Kenneth Hoh, right, former PAC member, discuss redevelopment plans for the four-block area in Oakland's Chinatown with Oscar A. Sung, Demonstration Project Associate.

—Carolyn C. Gan photo

Enforcement Assistance Administration's (LEAA) approval of the project came in the midst of NCDH discussion with the Contra Costa County police officials and the Sheriff's Department thanked A-95 staff for its input and cancelled all future appointments.

The Oakland Chinatown Redevelopment Project: A-95 Project staff was instrumental in assisting citizens and the Oakland Redevelopment Agency in the formation of a Project Area Committee (PAC) to assist in planning and implementing redevelopment programs. Much work remains to be done to insure a viable citizens' participation element in this important project.

The Vallejo Projects: Four projects were reviewed as part of a comprehensive Vallejo effort which was the subject of a major report, with recommendations, to the California Fair Employment Practice Commission in September of 1973. FEPC was incredibly slow in responding to NCDH's evaluation and recommendations and by January 1974, the situation had still not been resolved. It is obvious, however, that the A-95 Project has had a telling effect on the Vallejo area. NCDH interactions, during the course of the reviews, with the various racial segments in Vallejo have served as a catalyst in the formation of the Greater Vallejo Minority Coalition. This Coalition could have a major impact on the future of Vallejo's minorities and their involvement in decision-making in the Vallejo area.

### *Effectiveness of the Review Process*

The A-95 Process can only work effectively to raise civil rights enforcement to an appropriately high priority if full cooperation, firm commitments, and genuine working relationships are developed among Federal funding agencies, local public bodies, and the communities they serve. Positive results can be achieved that can begin to improve the chances of minorities and women to obtain equal opportunity. The effectiveness and success of the A-95 Civil Rights Review Process rest not so much on formal provisions and guidelines as on the extent of community involvement and the spirit in which the process is implemented by those in a position to act and effectuate compliance.

To enhance effectiveness, the NCDH Civil Rights Review staff conducted an intensive public information campaign to alert all parties—government agen-

cies, applicants for funding, and community groups—to the existence of the A-95 program. Copies of the Civil Rights Impact Questionnaire, flow chart, and an A-95 fact sheet have been distributed quite extensively. But the "best seller" of them all is the brochure entitled *Civil Rights and the A-95 Review Process: A Guide to Citizen Action* which was printed in English, Spanish and Chinese, and which has been distributed to a large number of national and California organizations. *Trends in Housing*, NCDH's national newsletter with a circulation of more than 20,000 also carried an article on the California pilot A-95 program in its November-December 1973 issue.

NCDH believes that the most effective weapon in the A-95 arsenal is the full involvement of organizations and individuals who have real concern for civil rights. Local community groups must know what is happening in their areas and must be ready to challenge programs which have negative civil rights impact. Ultimately, organized community support of, or opposition to, a project can be the deciding factor in whether or not a project is approved and funded. Whatever measure of success was attained in Vallejo, Richmond, and Oakland Chinatown was possible only through the active involvement and support of the affected minority communities. These communities were able to perceive the potential of A-95 in redressing some of their many complaints and reservations regarding some aspects of projects seeking or receiving Federal funds. The key to assuring the effective implementation of any program—including the A-95 Review Process—is an enlightened and active citizenry.

In order to improve the functioning of the Civil Rights Review under A-95 NCDH has made a series of recommendations:

*Civil Rights Agencies* given the opportunity to participate in the A-95 Process should: elect to do so immediately and develop and implement programs which would include informational outreach to human rights commissions and concerned community groups; and the establishment of advisory committees composed of representatives of public agencies, minority and women's civil rights groups.

*Citizens Concerned with Civil Rights* should: seek legislation requiring recipients of all public funds to

submit comprehensive statements on the civil rights impact of planned projects; seek legislation requiring applicants for public funding to outline affirmative action programs to assure equal opportunity for minorities and women; work to secure appropriate funding for local state and Federal civil rights enforcement agencies.

*Area and State Clearinghouses* should: use their review and comment authority under A-95 to implement equal opportunity requirements; develop affirmative action programs of their own; establish civil rights review staffs.

*The Office of Management and Budget* should: highlight the revisions in Circular A-95 concerning civil rights agencies; develop explicit and comprehensive civil rights guidelines to assist in the evaluation of the civil rights impact of Federally-funded projects; emphasize to clearinghouses their responsibilities to review and comment on the impact of proposals for Federal funding in relation to the A-95 Review Process; take immediate action to make programs which receive revenue sharing funds subject to the A-95 Review Process.

*Funding Agencies* should: initiate an informational effort to highlight the provisions of the Revised Circular A-95 for their project review sections, regional offices and in-service training programs; inform all project applicants of the circular; alert applicants that "notices of intent" should be filed well in advance of formal proposals; develop internal procedures for evaluating and responding to comments on potential civil rights impact of specific projects.

### Convening of Elected and Appointed Minority Officials

Early in the action phases of the Demonstration Project the need to alert minority officials to some of the basic issues affecting open housing became apparent. A three-day work conference for Northern California Black Elected Officials, was sponsored by the Project with the cooperation of the Joint Center for Political Studies May 14-16, 1971.

Focus at the meeting was on Title VIII of the 1968 Civil Rights Act; litigation on exclusionary land use

practices; jobs and housing in suburban areas; and related programs funded by Federal and state agencies.

The Project became increasingly aware, as the battle for open housing continued, that lines of communication among minority officials were of utmost importance. This awareness led to the development of the first directory of minority officials, elected and appointed, to be compiled in the nine Bay Area counties covered by the Project.

This directory, published by the Demonstration Project in February, 1973, served as a core invitational listing for planning conferences aimed at drawing together such officials to discuss issues affecting them all as minority representatives—revenue sharing, regionalism, transportation and housing, and a host of related issues.

During the first months of 1973 Project staff provided information to local elected officials on a variety of subjects of regional concern and impact.

Invitations to community-centered workshops on "Money for the Cities" and "Transportation and Housing" went out to all officials, in an attempt to enlist their interest and attendance.

Questionnaires were circulated to the up-dated listing of officials following elections in March, seeking information on ways in which the Project could be of the greatest assistance to them in serving the housing needs of their constituents in a regional context.

As the final months of the NCDH Bay Area Demonstration Project approached, the time seemed ripe for another workshop—specifically focussed on minority elected and appointed officials—to discuss what structure and strategies were needed to assure that minority voices would be heard in regional enclaves. NCDH staff explored the idea with a number of such officials and got positive reactions which suggested the need for a one-day workshop specifically aimed at Black, Chicano, Asian and Native American elected and appointed officials with housing-related responsibilities in the nine Bay Area counties—Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano and Sonoma.

With their concurrence, NCDH sent letters of invitation to a conference on "Regionalism and Minorities" co-convened by all the minority representatives on County Boards of Supervisors and the four minority



**WORKING TOWARD INCREASED INVOLVEMENT** in the area's decision-making, officers of the Greater Vallejo Minority Coalition pose prior to a meeting. Left to right, Joseph Sandoval, Edward Billie and Arthur Scott, Coalition board members; Val P. Flores, 1st vice chairman; Melvin F. Thompson, Chairman; Tranquilino Martinez, recording secretary, and Richard Banks, financial secretary.

—R.L. Whitfield photo

mayors in the area. The prestigious group included Honorable Booker Anderson, Mayor, Richmond; Honorable George Y. Chinn, Supervisor, San Francisco; Honorable Terry Francois, Supervisor, San Francisco; Honorable Robert Gonzales, Supervisor, San Francisco; Honorable Clarence Jackson, Mayor, East Palo Alto; Honorable Norman Mineta, Mayor, San Jose; Honorable Sig Sanchez, Supervisor, Santa Clara; and Honorable Warren Widener, Mayor, Berkeley.

Personal contacts were made with each of the officials acting as convenors to assure their understanding of the format and content of the workshops and to encourage their participation. The response was excellent, with all officials indicating interest, and invitations were extended to about 100 minority leaders holding elective and appointive office in the region. The workshop was well attended and participants were enthusiastic in their endorsement of such meetings. Using a case study approach, NCDH staff and panelists organized the discussions to probe the possibilities for cooperation among the various minority groups to achieve mutually desired regional and local goals. As a demonstration of the support of workshop participants for such information-sharing and strategy discussions among Bay Area minority officials, the group unanimously endorsed a resolution to seek the formation of a permanent structure. The resolution stated:

*Whereas:* Regional and metropolitan mechanisms have been generated and continue to mature for the purpose of facilitating better planning and the utilization of available physical and human resources, and

*Whereas:* Many regional concerns have special and unique impact on minorities and minority communities, and

*Whereas:* Minority communities have expressed reservations about the development of regionalism because it poses a threat to the emerging base of political and economic power of minorities in central cities, and

*Whereas:* The fact that less than a dozen racial and ethnic minorities, out of a total of 130 persons, serve as policy makers for the 19 regional agencies presently operating in the nine-County San Francisco Bay Area, underscores the validity of those reservations, and

*Whereas:* Obtaining greater representation of minorities on the staffs and policy-making boards of these regional agencies is a necessary prerequisite to overcoming existing reservations of minority groups about regionalism, and

*Whereas:* There is already active work within minority communities to relate to regionalism as is evidenced by the attendance and participation of minority elected and appointed officials in this conference on "Regionalism and Minorities" sponsored by the National Committee Against Discrimination in Housing, and

*Whereas:* Increased participation of minorities will assist regional agencies in meeting responsibilities for effective metropolitan planning and implementation of regional programs, therefore be it

*Resolved:* That the minority elected and appointed officials participating in this workshop on "Regionalism and Minorities" authorize the National Committee Against Discrimination in Housing to seek appropriate funding for the development of an ongoing organization and structure to assist minority elected and appointed officials in the San Francisco Bay Area in obtaining and exchanging information on the impact and potential effect of regional policies on their constituencies, and be it

*Further Resolved:* That said participants in this workshop will aid in obtaining endorsement of such a structure from appropriate individuals and organizations.

The proposal has been developed and is now being circulated to appropriate governmental and private sources for funding.

### *Aid to Minority Officials*

From its inception, the Demonstration Project sought to channel information to local minority officials and leaders on a variety of subjects of regional concern and impact. In many instances the program objectives included specialized services to groups or to legislators that would provide support for policies that aimed at the achievement of open housing.

Among such services were: an analysis of a proposed rent control amendment of the Berkeley City



*REPRESENTATIVES OF LOCAL GROUPS, elected and appointed officials and organizational representatives were all part of the "Regionalism and Minorities" workshop, final community meeting of the Demonstration Project.*



Charter, made in response to a request from Councilman D'Army Bailey, in February 1972; testimony on impaction in the Hunter's Point and Western Addition sections of San Francisco before the Board of Supervisors, at the suggestion of Supervisor Terry Francois, April 1972; and a statement during the appeal hearing before the Board of Supervisors on economic discrimination in the housing/commercial development proposed for the "Playland" area of San Francisco. Project Director Aileen C. Hernandez sought the Board's approval of a requirement that the large development include a percentage of units for low income families.

During the same period, NCDH, at the request of a Chicano resident of the Decoto *barrio* in Hayward, drafted a Fair Housing Ordinance for the city, which was later adopted and implemented by city officials.

Workshops with Minority Elected and Appointed Officials have dramatized the fact that such meetings are important informational sources for these office holders. Because the workshop conferees hold policy-making positions in agencies related to planning, housing and community development, technical briefings for them were valuable. In several instances such officials sought and obtained specific aid from the Demonstration Project in fulfilling their mandate for open housing.

The mobilization, training and orientation of community groups, including fair housing organizations, have served to develop innovative techniques for building effective community participation in the regional planning process.

### *San Francisco Fair Housing Planning Committee*

As a result of testimony before the Board of Supervisors on racial impaction in San Francisco and the effect of urban renewal policies and programs in the Western Addition and Hunters Point sections of the city, NCDH, the San Francisco Human Rights Commission and many community groups agreed that a committee should be formed to develop a comprehensive plan for housing integration in the Bay Area as a whole. (Appendix H)

After much discussion and revision, a resolution

was adopted by the Board of Supervisors approving the formation of a city-wide committee charged with the task of developing an action plan for residential integration in the city and county of San Francisco. The NCDH project played an important role in convening interested community organizations and individuals concerned with residential integration in the area, and in drafting the final resolution with its uniquely representative committee structure.

From the implementation of this resolution the San Francisco Fair Housing Committee for the racial, ethnic and economic integration of residential neighborhoods in San Francisco was formed.

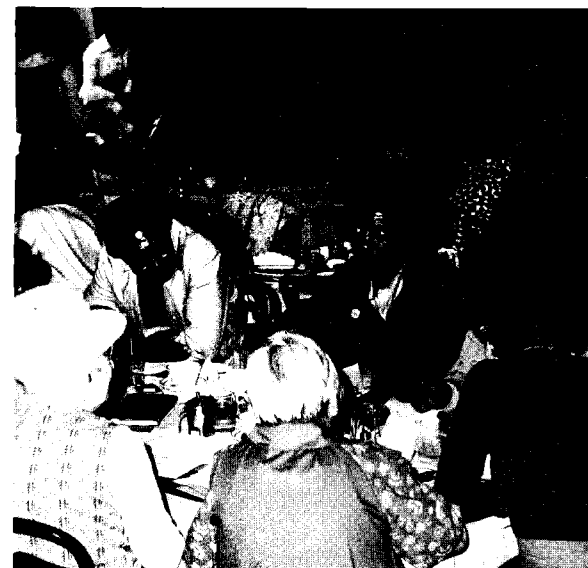
Membership in the Committee included 25 community organizations with a demonstrated interest in fair housing, 10 public agencies, and 25 community members representing a cross section of neighborhoods, organizations and occupations. The Fair Housing Committee, which began its duties in February 1973 issued its 66 page report in October. This report, "One City or Two?", contains 16 recommendations covering neighborhood measures to preserve and expand housing opportunities, and suggestions for more equitable tenant-landlord relations. (Appendix I)

The Committee has placed its recommendations before the Board of Supervisors for action. At the writing of this report, no substantive action had been taken on the recommendations, and the final outcome is uncertain. However, the unique group has established a structural pattern for citizens' committee which may be universally adopted.

### **Community Workshops**

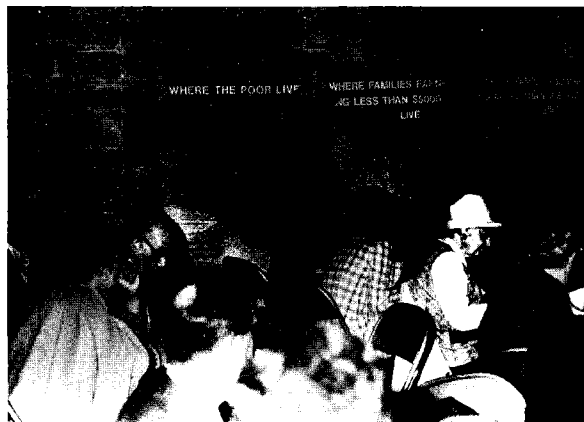
The planning and organization of workshop meetings have been part of the Demonstration Project work plan to assist in mobilizing, training and orienting community groups, including fair housing organizations, in the development of innovative techniques for building effective community participation in the regional housing planning process.

Five informative and action-oriented workshops have been sponsored by the project during its existence.



*JAMES VANN, co-chairman of the ABAG Housing Task Force, (facing camera), helps summarize the recommendations of one of the "buzz groups" during the workshop on "Transportation and Housing".*

*—Michael Scott photo*



AN MTC EMPLOYEE challenges the affirmative action program of that agency during the workshop on "Transportation and Housing".

—Michael Scott photo



WORKSHOP PARTICIPANT Lorna Hill expresses her views at the meeting on "Transportation and Housing".

"Regionalism: An Alert for Minority (Black) Officials", was the first of these work sessions. Held early in 1971, it drew together a selected group of Black officials to provide concentrated background information on a series of issues of prime importance to the drive toward open housing in the nine-county area covered by the Project.

The second workshop, "Fair Share Housing Plans", held in September 1971, brought together members of the Project's developing Regional Advisory Council, at that time in process of formation. Representatives of business and industry and a small number of community activists were part of this workshop which outlined details of the "Fair Share" concept in housing, discussed by Dale Bertsch, Director of the Dayton (Ohio) Miami Valley Regional Planning Commission. The Commission had adopted and implemented the "Dayton Plan", which was viewed as a model for fulfilling the concept of "fair share" regional housing plans. Under "fair share" all government jurisdictions within a metropolitan area share in the responsibility to provide decent housing for the region's lower income families.

"Money for the Cities", the third community workshop on November 30, 1972, drew more than 125 community activists. Discussions focussed on HUD Annual Arrangements, Revenue Sharing, and A-95 Civil Rights Impact Reviews. Conference speakers outlined the basic structures of the three processes, along with possibilities for greater citizen involvement in the programs given high priority at the meeting. Informational material distributed included fact sheets on Federal Revenue Sharing, a program for citizen action in monitoring revenue sharing, as well as fact sheets on Annual Arrangements and the A-95 Review Process as it relates to civil rights.

Since transportation is a key factor in assuring access to housing and jobs, the Project arranged a community workshop, "Transportation and Housing", to bring minorities and others concerned with open housing and equal job opportunities into discussion with policy makers charged with the responsibility for planning a transportation network to serve the needs of all of the Bay Area's people.

In an all-day session in Richmond, California, March 31, 1973, policy makers and the people focussed

on the powers and duties of the Metropolitan Transportation Commission (MTC) and the transportation and housing needs of Bay Area minorities and poor people. MTC Commissioners and staff, representatives from the Bay Area Rapid Transit District, AC Transit, and the California Division of Highways, interacted with a panel of community leaders and approximately 150 other workshop participants. In afternoon sessions the group formulated recommendations for action on transportation services which were to be taken under advisement by Commission members prior to the submission of the initial regional transportation plan in mid-1973. Among the recommendations for action on Metropolitan Transportation Commission should:

- develop an effective method for involving people, other than elected officials, in planning regional transportation.
- require affirmative action plans from public transit agencies before approving a metropolitan transportation plan.
- aggressively encourage the diversion of some highway trust funds into transportation uses other than the building and maintenance of highways.
- provide for flexible, community-based transit (dial-a-bus systems).
- support the concept that MTC and other regional agency officials should be elected, rather than appointed, and chosen from small enough electoral districts to insure representation of minorities and low income persons.
- become a model affirmative action employer.
- sponsor and fund community transportation planning committees.
- affirmatively seek to involve community leaders, particularly minorities and low income persons, in Commission activities.
- establish a sliding scale transit fare.
- eliminate time restrictions on reduced fares presently in operation.
- require full service scheduling to all areas where there is a demonstrated need for transit service.
- study and plan for non-work related transit needs in setting routes and schedules.
- adopt a system of interchangeable transfers for systems within the Bay Area.
- assure that the inventory of housing available to

low income persons is not lowered because of demolition of such units for the creation of the regional transportation system.

It was further recommended by the workshop that NCDH distribute the report of the community workshop to all participants and to all individuals and organizations capable of assisting in implementing the recommendations. That report "Transportation and Housing" was published and distributed. Some of its recommendations were incorporated into the regional transportation plan submitted by MTC in June 1973. NCDH staff and community leaders continue to press for strong civil rights and affirmative action components in all regional plans.

The fifth and final workshop, "Regionalism and Minorities" was discussed previously in this report under the section "Convening of Elected and Appointed Minority Officials".



JEANNE FOX of the Joint Center for Political Studies talks with members of the Greater Vallejo Minority Coalition at the workshop on "Regionalism and Minorities". At extreme left, Arthur Scott; center, with glasses, Melvin F. Thompson; center front, Val P. Flores. Oscar A. Sung, extreme right, is a member of the Demonstration Project staff.



Some of the reports published by the Project.

# 5 Blueprint for the Future?

---

Did the Project achieve its goal as expressed in these objectives?

1. Help achieve major breakthroughs in expanding housing and related opportunities for minority families in the San Francisco Metropolitan region, through the combined efforts of public and private resources and the coordination and refinement of a wide variety of approaches and techniques.
2. Stimulate new programs, and at the same time assist and enhance on-going activities in the nine-county San Francisco Bay Area, that prove to be relevant to the goals of NCDH and its findings as developed in the course of the Project.
3. Design a comprehensive, workable blueprint and guidelines which can be adapted for similar action in metropolitan areas across the nation based on the research and action undertaken, evaluated and recorded.

The Project was also to be a demonstration of a positive impact of governmental-advocacy cooperation as a joint venture between a national civil rights organization and a Federal agency charged with responsibility for achieving civil rights goals. An evaluation of goal achievement must, therefore, begin with an examination of the experience of joint venturing.

## Joint Venture Efforts and Results

The efforts of the NCDH Project staff to forge a partnership with HUD—at national or local levels—to create the environment necessary to full effectiveness proved most frustrating and, in the end, unsuccessful. When the original proposal was submitted in the summer of 1968 and accepted by Robert C. Weaver, then HUD Secretary, the concept seemed readily understood. However, by the time HUD officially approved the project design, the new administration had been

elected; Secretary Weaver had left the agency; and new appointees were being assigned to handle National and Regional HUD duties.

Prospects for effective implementation continued to be bright, especially with the appointment of Samuel Simmons and Samuel C. Jackson, both long-time civil rights activists, to high HUD posts. To assure full understanding of the proposal and full acceptance of its thrust, NCDH renegotiated the terms of the contract with the new HUD administration. NCDH even suggested that the existing commitment to a three-year grant be waived so that HUD officials could satisfy themselves of the feasibility of the proposed program.

A staged approach to the demonstration project was agreed upon to allow either party to withdraw from the program if it appeared, during the short research phase, that no meaningful results could be achieved.

The Project began with excellent prospects for cooperation. Robert Pitts, then HUD Regional Administrator, worked closely with NCDH Executive Co-Director Edward Rutledge, who acted as Project Director during Phase I, in convening meetings of major HUD staff in the region to apprise them of the Project and to solicit their help. In his role as Chairman of the Federal Executive Board for the region, Pitts brought NCDH leadership together with the Regional Administrators of all Federal agencies and stimulated formation of an NCDH/FEB Task Force. Informal discussions between NCDH and HUD principals were held on a frequent basis and an effective working relationship began to appear possible.

The “partnership” prerequisite to successful attainment of the Project’s goals was again stressed in the final report of Phase I, when NCDH stated:

If HUD is prepared to join in an effort to make meaningful in the lives of millions of minority citizens the words of promise conveyed by Con-

gress and the Courts in 1968, NCDH is ready to pledge its resources to the fullest in demonstrating in the San Francisco Bay Area how effective the new tools and laws *can* be if put to use by a joint effort of federal, state and local government in conjunction with the institutions of business, labor, religion, universities, civil rights and ethnic organizations, fair housing groups and other community forces.

The acceptance by HUD of the work plan for Phase II implied the acceptance of this concept and the cooperation of HUD officials, at all levels, with the program. That implied "partnership" did not materialize in the degree that NCDH felt was necessary to the success of the Project. In seeking to activate Phase II, the new Project Director Del Green was faced with "new federalism" and the resultant transfer of many program responsibilities and decision-making from the national level of HUD to the new Area offices. New relationships had to be forged in a new context.

Meetings held between the Project staff and local HUD officials resulted in initial plans to structure the "partnership." HUD opened its FHA files to Project staff to document patterns of FHA mortgage financing in San Leandro and promised action to halt future FHA guarantees in "white ghetto" communities, if evidence of discrimination could be shown. The action-oriented San Leandro report, with its recommendations to a host of Federal agencies, was prepared and issued by NCDH, but HUD felt that the documentation was not sufficient and that they would be on shaky legal ground if they announced a decision to refuse all future FHA mortgage guarantees in San Leandro. In the view of the Project staff, HUD's failure to act placed the partnership in early jeopardy.

Further strain on the partnership concept arose as the Project attempted to implement the work program element involving the Association of Bay Area Governments. Project staff met with resistance from ABAG staff in discussions about the interrelationship of the two groups as HUD-funded programs concerned with housing in the Bay Area. Project staff felt that progress could have been accelerated, and a supportive atmosphere created, if HUD had taken an active role in bringing ABAG and NCDH together. HUD did not move to establish such a linkage, and without such

"good offices", the relationship between ABAG and NCDH was, at best, aloof and, at worst, hostile. NCDH leveled a public blast at the regional agency for its failure to initiate a regional housing plan, for its avoidance of citizens' participation in its planning efforts, and for its poor record of minority hiring. NCDH also made a formal charge of discrimination against ABAG for violation of the mandates of Title VI of the 1964 Civil Rights Act. Area HUD later took action to assure that ABAG would establish and adhere to a timetable for developing a regional plan, with citizen input, but the NCDH/ABAG relationship was never defined.

Other problems arose between NCDH and HUD over the concept of the Project as a "national demonstration model." From NCDH's viewpoint, that implied that the scope of the Project and its supervision should be determined by national NCDH and national HUD, on a "joint venture" basis; the local HUD officials and the Project staff would cooperate to implement the goals of the Project. This appeared possible under the original work plan, but with the advent of "new federalism" and the emergence of the Area Office as a local decision-making entity, conflicts began to appear. Local HUD officials wanted more involvement in determining what the Project would do and how its budget would be spent. NCDH felt those matters were the concern of national HUD, not the Area office. Although an October 1971 meeting in Washington, D.C. convened by national HUD officials brought regional and Area HUD principals together with NCDH national and Project staff to attempt to establish better understanding for cooperation, the differing interpretations of a "national demonstration model" were not resolved, and in February 1972, NCDH terminated the Project.

In March 1972 NCDH agreed to HUD's request to reinstitute the Project with certain basic changes: local HUD officials would be involved in discussions of the work plan and would have the right to approve program work elements which involved HUD's activity; and supervision of the Project and budgetary control would remain a national HUD responsibility.

With the reinstitution of the Project, several sessions were held between Project staff and the Area HUD staff during which the specifics of program elements were discussed and agreed upon. HUD Area Director



*ANOTHER POINT OF VIEW is expressed by one of the participants at the "Money for the Cities" workshop following reports of the various discussion groups.*

—ABLE photo

James Price assigned his special assistant Dirk Murphy to act as liaison to the Project and to facilitate Project contacts with pertinent program officials in the HUD Area office. This liaison was essential in establishing the Regional Applicant Pool and the Affirmative Marketing Monitoring programs and made it possible to resolve problems which threatened the success of these efforts, but the "liaison" did not create the close "joint venture" approach of NCDH's original perception of the Bay Area Project.

Reluctantly, NCDH must conclude, after five years of attempting to create the partnership, that it does not appear possible for a civil rights organization to "joint venture" with HUD officials to maximize enforcement of existing civil rights laws and regulations, with their mandate for affirmative action. Equal opportunity requirements, while important to many HUD officials, do not have a sufficiently high priority in all HUD programs and HUD Equal Opportunity staff is too small and overloaded to assure that they will have such priority. The thrust of a civil rights organization must, of necessity, be action-oriented and independent. The bureaucracy, perhaps also of necessity, moves too slowly to make a good partner in action.

### Minimum Breakthroughs on a Major Problem

The failure to establish a true "joint venture" between NCDH and HUD did not negate the Project's work. Despite the problems which arose during the period of the demonstration grant, the Project did have some significant successes. The Project: (1) established a network of communication among governmental and private resources by the series of community workshops it held in the region; (2) brought regional officials face to face with their minority constituents; (3) coordinated minority community recommendations to regional agencies such as the Metropolitan Transportation Commission, forcing the agency's serious consideration of minority proposals; (4) broke the barrier of silence in minority communities on regional issues by developing pertinent informational material, in easily understood language, on regional decision-making having direct effect on the lives of

inner city minorities and the poor; (5) developed testimony for use before a variety of state, local and regional groups which highlighted the need to address the special impact on minority communities of regional planning; (6) brought together multi-ethnic groups of citizens and officials to deal with the problems of impaction and segregation—suburban style and inner city style; and (7) helped to create new forms of interaction between citizens and officials as in the unique San Francisco Fair Housing Planning Committee.

In short, even without the full partnership between NCDH and HUD, believed to be the key to major gains, the existence of a funded, staffed, regionally-oriented, civil rights committed agency in the area proved a useful vehicle for change. As such, the Project created an initial model of innovative concepts and techniques which is adaptable for replication in other metropolitan areas of the nation.

### Regional Housing Now A Concern

While it would be a gross exaggeration to claim that the Project succeeded in making major breakthroughs in expanding housing and related opportunities for minority families," there is no question that NCDH activities during the five-year span of the Project stimulated change which should have major impact. Of great significance was the Project's role in escalating the pressure on the regional planning agency—ABAG—to give housing a high priority. The work of local fair housing groups and human rights agencies already concerned about the segregated patterns of housing, the failure of local communities to develop housing elements which included provisions for economically and racially balanced residential areas, and the seeming indifference of ABAG to the entire housing issue all gave additional push to the Project's pressure on the regional agency. Combined with HUD Area Director James Price's decision to make ABAG funding for 1973 conditional on "satisfactory progress toward completion of a regional housing plan", that pressure was a factor in ABAG's decision to form a Housing Task Force. Composed of geographically representative members, of various racial, ethnic and economic groups, the Task Force was charged with the

responsibility to assist in the development of the regional housing plan.

That group has produced a housing needs study and is in the process of completing a housing allocation model. The agency has also produced a regional study which calls for a balanced growth policy throughout the region. The Bay Area is a focal point for "no growth" movements which have seriously hampered efforts to adopt fair housing concepts, and the ABAG policy may have a moderating effect on the anti-growth movements.

NCDH's formal complaint of employment discrimination against ABAG resulted in another special condition attached to the contract between HUD and the regional agency which calls for ABAG's submission of a quarterly report to the HUD Area Office describing progress on its affirmative action program. In response to a letter from the NCDH Project Director, ABAG's new Executive Director, Revan Tranter, gave a January 1974 progress report on its program:

We have quite a way to go . . . I do want you to know, however, that we have covered some distance in the last few months. At our last count, women made up 33% of the professional staff and 53% of the total, while minority members comprised 19% and 34%. These figures may be nothing to boast about, but I suspect they are far ahead of all other regional agencies and most local governments. Since my arrival in mid-April, there have been ten promotions. Of these, three have gone to minority members, six to women and only two to white males. Of employees hired since that time 38% belong to minorities (for professionals—25%) and 52% are women (professionals—33%).

While the improvement in ABAG's hiring pattern under its new director is dramatic (over the one Black professional at the time of the NCDH complaint), it is still clear that as Mr. Tranter said, ABAG and other regional agencies have "quite a way to go".

### The Project as Stimulator and Innovator

This report has clearly documented the record of success of the Bay Area Demonstration Project in stimulating new programs and in enhancing on-going

activities in the area. Three projects are outstanding examples of models that could and should be replicated in other areas of the nation to hasten the achievement of equal opportunity in housing, employment and entrepreneurship for minorities.

### Regional Applicant Pool

Communities throughout the nation duplicate the Bay Area's pattern of minority central cities and white suburban communities. Few techniques have been developed which offer hope for changing those patterns. Central to open housing is access to information about residential opportunities throughout a region, so that minorities, frequently unaware of housing outside of central cities, and often dubious about the availability of such housing to racial minorities, can begin to have the *same* "shopping" opportunities as whites in the real estate market. The model developed by the Bay Area Demonstration Project, through the Regional Applicant Pool, suggests the feasibility of such a service—expanded to include non-subsidized housing—as a tool for improving the housing choice of minorities and low income persons.

### A-95 Review Process

The pilot program created by the Project and operated as a demonstration for the California FEPC shows great promise of being an effective instrument for including civil rights concerns in publicly-funded programs. There is ample evidence that, Title VI of the 1964 Civil Rights Act and Title VIII of the 1968 Civil Rights Act notwithstanding, few Federal agencies have taken imaginative steps to operate their programs in the context of a high civil rights priority, or to require that programs funded through them demonstrate civil rights commitment. Revised A-95 procedures offer a new opportunity to change this. The tool is not perfect, as this report has already indicated, but it has potential. The guidelines and procedures developed by the Project provide an excellent foundation for agencies and groups throughout the nation to make the tool useful.

## Regional Minority Coalitions

The Project has underscored the need for special regional vehicles to provide minorities with input into the metropolitan area agencies which have responsibility for planning for a region's growth and development. Unless affirmative action is taken, through funding and technical assistance, to create forums for identifying the special concerns of minorities and providing the technical assistance necessary to designing strategies and programs for addressing those concerns, minorities will continue to be on the fringes of regional planning. In the face of heightened interest in environmental protection and responses to the energy crisis, minority needs may well revert to a very low position on the totem pole of priorities. The "Regionalism and Minorities" workshop, as well as the other community workshops convened by NCDH during the Project's life, pinpointed the need for an ongoing forum in which minority concerns have top priority, and a model for such a forum has been developed for submission to funding sources. That model has applicability for other regions of the nation in which minority central cities are surrounded by white suburban communities with numerical majorities in regional agencies.

The new programs designed and tested by NCDH during the period of the Bay Area Demonstration Project supplemented the activities undertaken to enhance ongoing programs. The report has addressed the special help given to fair housing groups in San Francisco (Parkmerced Residents Committed to Open Occupancy), Union City (Southern Alameda Spanish Speaking Organization), San Leandro (San Leandro Fair Housing Committee), Oakland (White Americans for Equal Rights-WAFER), and Palo Alto (Operation Sentinel). Technical assistance also went to local and regional officials with responsibility for initiating and supporting efforts to open housing opportunities. Project staff worked closely with such officials in developing affirmative action plans (Richmond, Hayward), analyzing legislative proposals (San Francisco, Berkeley, Santa Clara, Palo Alto) and testifying before legislative committees (State Legislature, San Francisco). Federal and state guidelines proposed as implementing measures for improving equal opportunity were evaluated by Project staff (State Housing Elements, Title

VI guidelines, A-95 procedures, etc.) and widely disseminated to local and regional groups. NCDH does not claim credit for the increased activity by minorities in regional issues, but the Project has provided a major service by stimulating interest in regionalism and aiding concerned groups in understanding the impact of regionalism on their lives.

## A Future Thrust

The final goal of the Project required the design of a "comprehensive, workable blueprint" for adaptation throughout the nation. In its original connotation, that goal was predicated on the Project's ability to bring into being an effective metropolitan authority strongly committed to equal opportunity and encompassing public as well as private groups. That concept may still be valid, but it is obvious, in retrospect, that the NCDH Bay Area Demonstration Project could not accomplish that result in the face of the problems cited throughout this report. Groundwork has been laid for such an instrument of regional planning and action, but if the progress made is not to be eroded, support must be given to citizen pressure groups concerned with opportunities for minorities and with balanced regional communities.

The NCDH Project has demonstrated that it is not feasible to place total faith in governmental agencies to move steadily and effectively towards these goals. "The squeaky wheel gets the grease" and geographically isolated racial minorities, unfunded civil rights and fair housing groups, harassed minority officials without technical assistance cannot be expected to carry the heavy burden of keeping governmental agencies—Federal, state, regional and local—"honest" on the issue of equality. Almost every public agency now pays lip service to citizen participation, but affirmative efforts are miniscule in assuring that such participation is meaningful. Citizens' groups must have access to independent expertise so that critical evaluation can be made of proposals placed before them. They must have skilled technicians who can help them initiate proposals for consideration and implementation by the agencies created to serve the needs of the "people". Without such assistance, citizens' participation is farcical.



The Bay Area Project, funded by a partial grant from HUD and supported with money and staff of a major *national* housing civil rights organization, made slow, and sometimes agonizing progress towards its goal. It is clear that local groups, working separately, relegated to volunteer support, and unfunded, cannot hope to reverse the pattern of segregation which has been cemented by the action *and inaction* of several decades of public and private power wielders.

Regionalism is now a fact. Just as minorities begin to take hold of power in local urban centers—Los Angeles, Detroit, Newark, Gary, Atlanta—the centers of power move outward and dissipate the gains made in recent years. Regional entities do not yet reflect the needs and concerns of minorities and low income persons; but it does little good for minorities to inveigh against regionalism. It is urgent that concerns of minorities and low income persons be given priority in regional enclaves.

It would be ideal if each regional agency were fully integrated—with staff and commissioners reflecting all racial, ethnic and economic groups—but such is not the case. An alternate mechanism is necessary to provide minority-sensitive technical assistance to minority local elected and appointed officials and minority organizations so that they can more effectively “broker” for their constituencies at the regional level. Minorities need a regular forum in which to develop strategies for affecting regional decision-making. The concept of a multi-ethnic regional consortium as outlined earlier in this report is a concept worthy of funding by appropriate government and/or private funding sources.

The vision of the Project, as originally conceived by NCDH, was the development of a major metropolitan authority, with the power to implement programs designed to determine the growth and life of a metropolitan area, and composed of a wide array of public and private groups, geographically, economically and racially representative. That unique regional authority was not achieved, but groundwork was laid which can project models for other regional areas to adopt. As an interim measure, and one which is clearly within the power of government to achieve, viable citizens’ participation groups must be formed to interact with existing regional bodies. Viability implies a staffed, funded mechanism. It is NCDH’s recommendation

that Federal agencies which already underwrite substantial portions of the budgets of regional agencies—in the San Francisco area, for example, BART receives funds from the Department of Transportation, as does the Metropolitan Transportation Commission; the Association of Bay Area Governments (ABAG) receives support from HUD and other Federal agencies—should include in their funding directives that continued Federal support is contingent on such regional agencies allocating a portion of their budgets for the support of staffed citizens’ participation mechanisms.

### On Balance—A Successful Five-Year Program

In spite of the problems encountered by the Project during its five years of operation, NCDH does feel that the commitment of time and resources by NCDH and HUD was justified. In funding the type of innovative program that the Bay Area Demonstration Project represents, funding agencies should recognize the value of long-term grants. Institutional changes are not made easily, and it is important to allow sufficient time to move the massive bureaucracies that control a region’s life. The information gained and the tools developed during the course of the Bay Area Demonstration Project—from the San Leandro survey to the A-95 Civil Rights Review Process—can be useful to other groups, as well as to NCDH and HUD, as they plan their strategies for the future. It is as important to know what does *not* work and why, as it is to know what has the potential for working and why. The Project has demonstrated both positives and negatives.

What emerges clearly is that the proponents of equal opportunity—in the public and private sectors—have not completed their task. They must be constantly alert to new and multi-faceted strategies that can be applied to redeeming the unfulfilled promises made more than 100 years ago in the 1867 Civil Rights Act, that Blacks have the *same* rights as whites to property, and 25 years ago in the 1949 Housing Act, to provide “a decent home and a suitable living environment for every American family.”

# Acknowledgements

---

The NCDH/HUD Bay Area Demonstration Project involved the interaction of many individuals and organizations. A special tribute is due the National Board of Directors of NCDH which was very supportive of the Project's work. In addition, we wish to acknowledge the contributions of:

## **NCDH National Staff and Officers:**

Richard Bellman, Robert Carter, Barbara Chirse, Ernest Erber, Margaret Fisher, Clarence Funnye, Aileen C. Hernandez, Edward Holmgren, Frank Horne, Ed Lukas, Sol Rabkin, Edward Rutledge, Eleanor Spikes, Rosalie Whelan, Jack Wood, Jr. and Arthur Wright.

## **Project Staff, Interns, Special Program Staff:**

Carol Allen, Barbara Anderson, Enos Baker, Vicki Bamman, Chrystal Campbell, John Chavez, Helen Crothers, Sharon Dobie, Jeffrey Ewing, Cherie Gaines, Rose Gibson, Judith Gough, Willia Gray, Del Green, Pamela Green, Marilyn Griffin, Julia Hare, Christine Hoover, Marcy Jacobs, Ellen Sue Jaffe, Anthony James, Vicki Kaleem, Patricia Kubicki, Carol Lopes, Benjamin Lusk, Josimine Magiafico, William J. Middleton, W. Allen Moton, Brenda McDaniels, Marilyn Nyborg, Ruth Passen, Nelson Phillips, Carolyn Poe, Leon Powers, Louis Preston, Liz Reynolds, Winifred Richardson, Lawence Roberts, Inman A. Rouce, Jonathan Rutledge, Dolly Sacks, Michael Scott, Michael Smith, Stephen Spikes, Homer Stephens, Oscar A. Sung, George Swanson, Rosemary Thomas, Arnold Townsend, Nancy Wong, Cecilia Wu, Esther Yuen, Ida Zodrow.

## **Evaluators:**

Robert B. Pitts, Wilfred T. Ussery.

## **Consultants:**

John Denton, Hal Dunleavy, Antonio Jimenez, Richard McClain, Helena Richardson, Moira So, Carl Williams.

## **Panel of Minority Consultants:**

D'Army Bailey, John Brockman, Harold Brooks, Willie L. Brown, Jr., Emory Curtis, Noel Day, Joseph Debro, Ray Dones, Ernesto Galarza, Dave Johnson, Ben Martinez, Percival Menzies, Cruz Reynoso, Ramon Rodriguez, Kenneth Simmons, Virgus Streets, Elijah Turner, Wilfred T. Ussery, Royce H. Vaughn, Yori Wada.

## **Regional Advisory Council:**

Booker T. Anderson, Margaret Azevedo, John Badgley, D'Army Bailey, John Bee, Frank R. Carlton, George Cortez, Robert Covington, Ted Eden, Alfred C. Elgin, Don Goodman, C. Mack Hall, Jessie Jackson, Richard Jaffee, Louis Jordan, Dennis Keating, Leonard Leuschner, Frank Lockfeld, Ted Money, Alfredo Morales, Chester C. McGuire, Jr., Phil Nakamura, Harry Overstreet, Nicholas J. Randall, Edward Rice, Mary Rogers, Jessie Smallwood, Carol White.

### **Business and Labor Advisory Committee:**

Francis Barnes, William Chester, Russell Crowell, Jack Crowley, Donald Duffy, Darrell Eichhoff, Harold Ellis, Jeremy Ets-Hokin, Kirk Frederick, Stanley Hebert, Clive Knowles, Cyril Magnin, Percival Menzies, William Mobraaten, Charles McCarthy, Scott McGilvray, Brennan Newsom, James Stretch, Ken Taylor, John Tolan.

### **Workshop Panelists, Resource Persons:**

Booker Anderson, Henry Anthony, D'Army Bailey, Samuel Banks, Nathaniel Bates, Dale Bertsch, Jessie M. Bethel, Joseph Bort, Yvonne Brathwaite, Mark Briggs, Joe Brown, Clarence W. Burley, Jr., Arthur Caines, Pearl Carey, George Y. Chinn, Lawrence D. Dahms, E. Sam Davis, John Dearman, Barney Deasy, Donald De La Pena, Don Dillon, Henry Dishroom, Mervyn Dymally, Waide Egner, Amancio Ergina, Val Flores, Terry Francois, Jeanne Fox, Robert Gonzales, Bill Greene, Richard G. Hatcher, Lillian Harrison, Clarence Johnson, Florence V. Jackson, James Kenny, W. J. Kenny, J. Anthony Kline, Peter Labrie, Dean Macris, John J. Miller, Norman Mineta, Earl MacIntyre, Donald McCullum, Leon Ralph, Frank Reeves, Herbert Rhodes, Stephen E. Ross, Maria Salazar, Sig Sanchez, Arthur Scott, Gloria Silvera, Ira Simmons, Meade Telfair, Melvin Thompson, Wilfred T. Ussery, James Vann, Herbert White, Tom C. Whitney, Warren Widener, John Wilks, John B. Williams, Edith Witt.

### **Organizations and Agencies:**

Association of Bay Area Governments, Bay Area Fair Housing Coalition, Californians Against the Housing Moratorium, California Department of Housing and Community Development, California Fair Employment Practice Commission, Greater Vallejo Minority Coalition, Joint Center for Political Studies, Metropolitan Transportation Commission, Midpeninsula Citizens for Fair Housing, Operation Sentinel, Parkmerced Residents Committed to Open Occupancy, Region IX Federal Executive Board, San Francisco

Fair Housing Planning Committee, San Francisco Human Rights Commission, San Leandro Fair Housing Committee, Southern Alameda Spanish Speaking Organization, Stanford University Department of Communications, White Americans for Equal Rights.

### **Department of Housing and Urban Development Officials:**

#### **Central Office:**

William Bellezer, Lenora Brown, Howard Cayton, Wyndham Clarke, Lloyd Davis, Harold Finger, Elfrieda Hoeber, Samuel C. Jackson, Walter Lewis, George Nesbitt, Malcolm Peabody, Solomon Robinson, George Romney, Michael Schneider, Samuel Simmons, Ed Stromberg, Gloria E.A. Toote, Robert Weaver, Robert Wood.

#### **Regional Office:**

Robert Baida, Andrew Bell, Rosemary Duggan, Clifton Jeffers, Clarence Johnson, Robert Pitts, Marvin R. Smith.

#### **Area Office:**

Keith Axtell, Erwin Farley, Vera Johnson, Laybon Jones, Dirk Murphy, Weilan Potts, James Price, Mary Tustin.

# Appendices

---

## Appendix A

### Studies and Reports

*Study and Report on the Listing Practices of Real Estate Agents:* Work Unit 7 of the Consultant Report of John H. Denton to the National Committee Against Discrimination in Housing, Phase I. Describes the multiple listing practices of Bay Area real estate brokers. 23 pp. October 1969.

*Report on Practices of Real Estate Agents, Homebuilders, Mortgage Brokers, Lenders, Title Insurance Companies, Appraisers and Apartment House Owners:* Work Unit 8, Section A of the Consultant Report of John H. Denton to the National Committee Against Discrimination in Housing, Phase I. Describes the manner in which the real estate industry, in all its components, operates to perpetuate discrimination. 21 pp. October 1969.

*Report on Fair Housing Groups in Nine Bay Area Counties:* Section B, Work Unit 8 of the Consultant Report of John H. Denton to the National Committee Against Discrimination in Housing, Phase I. Analyzes fair housing groups in the Bay Area, describing their programs and problems. 10 pp. October 1969.

*Patterns and Practices of Housing Discrimination in San Leandro, California:* The report is based on a study by the NCDH/HUD Demonstration Project of residential patterns and practices in one of the country's most extreme examples of the racially-restricted "white" suburb. Study purpose: to lay the groundwork for development of a plan of action to reverse a similar trend toward racial exclusion in other suburban communities in the San Francisco Bay Area, and to open up San Leandro's housing market to the maximum extent possible. 17 pp. Published, May 1971.

*Bay Area Housing Needs: A Report and Recommendations to the San Francisco Federal Executive Board:* The report stems from a request by the Federal Executive Board Housing Subcommittee for specific information on Bay Area housing needs and problems. 10 pp. Published: November 1971.

*Patterns and Practices of Discrimination in Lending in Oakland, California:* This report is a research project into the patterns and practices of racial discrimination by savings and loan institutions in Oakland, California. 6 pp. Published: February 1972.

*Evaluation and Recommendations to the California Division of Fair Employment Practices Concerning a Proposal of the Bay Area Rapid Transit District to Establish a Connecting Express Bus Route to BART in Alameda and Contra Costa Counties:* A NCDH A-95 Civil Rights Impact Review Staff report pursuant to its agreement with the California Division of Fair Employment Practices. 8 pp. Appendices and Maps. Published: April 1973.

*Civil Rights and the A-95 Review Process:* A comprehensive evaluation and recommendations concerning the San Francisco Bay Area Civil Rights Review pilot project. The report is based on a year's work by Project staff, after a memorandum of agreement was signed with the California Fair Employment Practice Commission to implement Office of Management and Budget Circular A-95, as amended March 8, 1972. 50 pp. Appendices, Maps, Charts. Published: November 1973.

*A brochure on Civil Rights and the A-95 Review Process* was prepared for general distribution, available in English, Spanish and Chinese.

*Evaluation and Recommendations to the California Division of Fair Employment Practices Concerning Projects in the City of Vallejo Receiving Federal Funds:* A report by NCDH Civil Rights Impact Review Staff, pursuant to its agreement with the California Division of Fair Employment Practices. 23 pp. Appendices and Maps. Published: September 1973.

*Regionalism and Minorities: Report of an Action Workshop:* The report on the one-day workshop, convened by NCDH and a group of minority officials, outlines the discussions of strategies for increasing the impact of minority communities on regional decision-making. 50 pp., including Appendices. Published: November 1973.

*Transportation and Housing: Report of a Community Workshop:* Basic information on the linkage between transportation and housing and the functions of various transportation agencies in the Bay Area. 10 pp. Appendices. Published: April 1973.

*Regional Housing Opportunities (In Federally-Subsidized Rental Units) in the San Francisco Bay Area:* Report on the creation and functioning of the Regional Applicant Pool, to demonstrate the impact of a centralized information service as a tool for open housing. 25 pp. Appendices. Published: November 1973.

### Directories

*Elected/Appointed Minority Officials Directory (San Francisco Bay Area):* Initial compilation of elected and appointed minority officials with housing responsibilities in the San Francisco Bay Area. Listing includes county, city, agency or office, name of officials, title, address and telephone number. 11 pp. Published: February 1973.

*Elected/Appointed Minority Officials Directory (San Francisco Bay Area):* Up-dated directory of local minority officials with housing responsibilities in the San Francisco Bay Area. Listing includes county, city, agency or office, name of official, title, address and telephone number. 14 pp. Published: September 1973.

*Directory of Housing Related Organizations and Agencies (San Francisco Bay Area):* A resource compilation of housing related organizations and agencies, this directory lists, according to county, organization, address, telephone number, and contact person. Organization purpose, staff and geographic scope are also included. 20 pp. Published: January 1973.

*Directory of Housing Related Organizations and Agencies (San Francisco Bay Area):* Up-dated compilation of housing related organizations and agencies, this directory includes the same information contained in the first such directory. 23 pp. Published: October 1973.

*Bay Area Regional and Inter-County Agencies:* A single page listing of regional and inter-county agencies all of which have impact on programs in the San Francisco Bay Area affecting open housing for minorities. The directory gives agency name, address, telephone number and contact person. Published: October 1973.

*Media Directory, 1973:* A listing of metropolitan dailies in the San Francisco Bay Area, national news services and newspapers, Bay Area newspapers, radio and television stations, ethnic newspapers—Asian, Black and Chicano/Latino—with a special section, "Getting the Most Out of Public Relations". 26 pp. Published: October 1973.

*Guide to Low and Moderate Cost Housing in the San Francisco Bay Area:* Directory compiled during the operation of the Regional Applicant Pool program of the Demonstration Project. The guide includes more than 100 housing developments with more than 13,000 housing units. Especially helpful to persons interested in low and moderate rentals and to minority group members. 19 pp. Published: November 1973.

## Fact Sheets

*Vallejo:* Information contained in the fact sheet includes demographic and political data, lists projects receiving or seeking Federal funds, pinpoints financial resources in the city and records regional agencies with impact on the city's programs. A 1970 census tract map of Vallejo and vicinity with accompanying data provide information on the ratios of minorities and the locations as of 1970. Published: October 1973.

*Regional Applicant Pool (RAP):* Defines, in succinct form RAP's functions, objectives, areas of coverage, and how it may be utilized by applicants seeking housing. Published: October 1973.

*Western Addition Cable Car Project:* This information sheet gives background on a proposed extension of the California Cable Car Line, suggests routes which would be beneficial to Japanese-American and Black communities and pinpoints funding sources. Published: October 1973.

*Affirmative Fair Housing Marketing:* The fact sheet includes a definition of Affirmative Fair Housing Marketing, regulations and requirements of applicants for Federal funding under the program, how marketing regulations are enforced and problems of implementation. 2 pp. Published: October 1973.

*A Review of "Affirmative Marketing" of Housing:* A condensed report of the experiences of Demonstration Project staff monitoring approved affirmative marketing plans. Results of 18 site visits selected for review showed violations by 17 of one or more of guidelines issued by HUD to builders. 2 pp. Published: October 1973.

*Oakland City Center Project:* Information pertinent to a proposed major metropolitan retail, office, hotel and public center in downtown Oakland. Materials included in the fact sheet contain demographic and political data, background on the proposed project, financial resources and regional agencies with impact on Oakland's future. Published: October 1973.

*Revenue Sharing:* Concise information on the program of General Revenue Sharing in which the Federal government rebates a share of Federal individual income tax collections to state, county and city governments. Published: November 1972.

*Monitoring Revenue Sharing:* A checklist for citizen activists who are concerned about the utilization of revenue sharing funds. Published: November 1972.

*A-95 Review:* Background on the A-95 Review Process and its amendment providing an opportunity for the consideration of civil rights impact/implications in reviews of project applications for Federal assistance. Published: November 1972.

*Annual Arrangements:* Discussion of the Annual Arrangement process by which the U.S. Department of Housing and Urban Development (HUD) negotiates directly with a city or county through its chief executive officer, to provide funding for a coordinated program of housing and community development. Published: November 1972.

Copies of studies, reports and fact sheets issued during the Demonstration Project may be obtained by writing the National Committee Against Discrimination in Housing, Inc., 1425 H Street, N.W., Washington, D.C. 20005.

## Appendix B

### Appendix B

#### MANAGER'S MONTHLY REPORT

NCDH/HUD CALIFORNIA D-8 PROJECT-REGIONAL APPLICANT POOL

PROJECT NAME: _____	PLEASE RETURN WITHIN TEN DAYS TO:
PROJECT NUMBER _____	THE RAP PROJECT
LOCATION _____	680 Beach Street, Suite 346
COUNTY _____	San Francisco, CA 94109
MANAGER'S NAME _____	Telephone: (415) 441-5222
ADDRESS: _____	236 HOUSING PROJECT FOR THE ELDERLY?
PHONE _____	Yes _____ No _____
DOES PROJECT HAVE AN AFFIRMATIVE MARKETING PLAN?	TENANT INCOME LIMITS USED IN PROJECT
YES _____ NO _____	135% of Public Housing Only _____
If yes, please attach a copy (one time only).	135% of Public Housing and 90% of 221(d)(3) _____
MOVE-IN CASH REQUIREMENTS: \$ _____	90% of 221(d)(3) _____
Specify amounts for deposits, security, cleaning, etc.	

#### OCCUPANCY DATA BY RACIAL CATEGORY AND HOUSEHOLD

TOTAL HOUSING UNITS IN PROJECT / /	AMERICAN SPANISH						
	TOTAL	WHITE	BLACK	INDIAN	AMERICAN	ORIENTAL	OTHER
*Occupied end of previous Mo.							
*Vacated during Month							
*Move-ins during Month							
BY HOUSEHOLDS FOR WHICH SUBSIDY IS PAID							
*Rent Supplement Only							
*Rent Supplement and 236 Subsidy							
*236 Subsidy Only							
*Section 23c Leased Housing Subsidy Only							
SENIOR CITIZENS BY HOUSEHOLD							

#### DATA BY UNIT SIZE

TOTAL VACANT UNITS / /	RENT SUPP. UNITS VACANT / /
VACANCY INFORMATION	
Number of Bedrooms in Units	
	0 1 2 3 4 5
Vacant Units	
Basic Rent	
Market Rent	
Employment Location of Individual Tenants by Area:	
San Francisco _____	San Jose _____ Berkeley _____
Oakland _____	Richmond _____ Other, specify _____
Services included in Monthly Rent:	
Gas _____	
Electricity _____	
Heat _____	
Laundry Facil. _____	
Rugs _____	
Range _____	
Refrig. _____	
Drapes _____	
Other _____	
Date _____	INTERN ASSIGNED TO PROJECT (RAP USE ONLY)
Manager's Signature _____	Specify: _____

## Appendix C - p1

TENANT QUESTIONNAIRE

Date:

Interviewer:

[illegible]

- Housing \_\_\_\_\_ Redev. \_\_\_\_\_  
Agency \_\_\_\_\_ Friend \_\_\_\_\_ Other \_\_\_\_\_
1. How did you find out about this project? Auth. \_\_\_\_\_
2. Vacancy waiting period? 1 mo. \_\_\_\_\_ 2 mo. \_\_\_\_\_ 3 mo. \_\_\_\_\_ 4 or more mos. \_\_\_\_\_
3. Were you placed on a waiting list? Yes \_\_\_\_\_ No \_\_\_\_\_
4. Move-in cash requirements? Rent \_\_\_\_\_ Security \_\_\_\_\_ Cleaning \_\_\_\_\_ Total \_\_\_\_\_ None \_\_\_\_\_
5. Do units remain vacant for long periods? Yes \_\_\_\_\_ No \_\_\_\_\_ Don't Know \_\_\_\_\_ If yes, why \_\_\_\_\_
6. Would you prefer to live in another city/county? Yes \_\_\_\_\_ No \_\_\_\_\_ Specify \_\_\_\_\_
7. If you work outside the home,  
a. In what city/county do you work? \_\_\_\_\_  
b. Do you commute: 1-10 mi. \_\_\_\_\_ 10-20 mi. \_\_\_\_\_ 20-30 mi. \_\_\_\_\_ Other(specify) \_\_\_\_\_  
c. Would you prefer to live in the city/county where you work? Yes \_\_\_\_\_ No \_\_\_\_\_
8. Type of transportation used? Bus \_\_\_\_\_ Car \_\_\_\_\_ BART \_\_\_\_\_ Other(specify) \_\_\_\_\_

### GENERAL CONDITION OF PROJECT

9. Refuse Service? Exc.      Good      Fair      Poor
10. Are common/public areas kept clean? Exc.      Good      Fair      Poor
11. Building security? Exc.      Good      Fair      Poor

#### AMENITIES

12. Location of shopping facilities? Exc. \_\_\_ Good \_\_\_ Fair \_\_\_ Poor \_\_\_
13. Location of medical facilities? Exc. \_\_\_ Good \_\_\_ Fair \_\_\_ Poor \_\_\_
14. Location of schools? Exc. \_\_\_ Good \_\_\_ Fair \_\_\_ Poor \_\_\_
15. Adequate play areas/supervision of children? Exc. \_\_\_ Good \_\_\_ Fair \_\_\_ Poor \_\_\_
16. Daytime transportation services? Exc. \_\_\_ Good \_\_\_ Fair \_\_\_ Poor \_\_\_
17. Night transportation services? Exc. \_\_\_ Good \_\_\_ Fair \_\_\_ Poor \_\_\_
18. Are there additional amenities you would like provided? Yes No Specify \_\_\_\_\_

## MANAGEMENT

19. Counselling and referrals service? Yes \_\_\_ No \_\_\_ Don't know \_\_\_
20. Manager's attitude towards fair housing? Exc. \_\_\_ Good \_\_\_ Fair \_\_\_ Poor \_\_\_
21. Does tenant organization exist? Yes \_\_\_ No \_\_\_ Do you participate? Yes \_\_\_ No \_\_\_
22. Name of tenant organization contact \_\_\_\_\_
23. Management response to tenant organization. Exc. \_\_\_ Good \_\_\_ Fair \_\_\_ Poor \_\_\_
24. Tenant organization meeting date \_\_\_\_\_

## HOUSING SATISFACTION

25. Major complaint/ grievance \_\_\_\_\_
26. Best feature (s) of project \_\_\_\_\_

FOR INTERVIEWER'S USE ONLY

Appendix C - p2

GENERAL COMMENTS:

FOLLOW-UP REQUIRED:

55

Affirmative Fair Housing Marketing Plans

Appendix D

CHECKLIST OF DEFICIENCIES IN  
AFFIRMATIVE MARKETING PLAN

DATE: \_\_\_\_\_

NAME OF DEVELOPMENT: \_\_\_\_\_

LOCATION: \_\_\_\_\_

NAME OF DEVELOPER/SPONSOR: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

NAME OF MONITOR: \_\_\_\_\_

1. Direction of Marketing Activity

- ( ) The specific minority or majority group(s) not likely to apply are not identified.
- ( ) Anticipated occupancy results due to special outreach efforts are not included.

2. Marketing Program

- a. NEWSPAPERS
  - ( ) Name of newspaper(s) are not shown.
  - ( ) No statement as to whether newspaper reaches minority, majority, or both in circulation.
  - ( ) Description and size of newspaper advertisements are not indicated.
  - ( ) Frequency of advertisements is not stated.
- b. RADIO AND TELEVISION
  - ( ) No statement as to whether minority or majority audiences, or both, are reached.
  - ( ) Frequency and time of advertising not shown.
- c. BROCHURES AND SIGNS
  - ( ) No description of brochures furnished. (Contents must include equal housing opportunity logo.)
  - ( ) Description of sign for display on site is not furnished.
- d. COMMUNITY CONTACTS
  - ( ) Names of groups or organizations as well as their racial/ethnic identification are not indicated.
  - ( ) Copies of letters to be sent to community contacts are not enclosed.

3. Staffing

- ( ) Racial composition of sales/rental staff not indicated.
- ( ) Copy of company's nondiscriminatory hiring policy not enclosed.
- ( ) No statistics furnished for experience in marketing successfully to racially and ethnically varied populations.
- ( ) Inadequate description of fair housing laws training given to employees.
- ( ) No copy enclosed of instruction given to employees regarding compliance with fair housing laws.

4. Other Deficiencies Please describe: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. ( ) No deficiencies found after reviewing plan.

6. Comments: \_\_\_\_\_

\_\_\_\_\_



## Appendix E

Affirmative Fair Housing Marketing Plans

Appendix E - p1

### CHECKLIST FORM FOR INTERVIEWING

DATE: \_\_\_\_\_

NAME OF MONITOR: \_\_\_\_\_

#### Section I Visit with Developer and/or Sales or Rental Staff

NAME OF DEVELOPMENT: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

NAME OF DEVELOPER: \_\_\_\_\_

ADDRESS OF DEVELOPER: \_\_\_\_\_

PHONE NUMBER: \_\_\_\_\_ AREA CODE: \_\_\_\_\_

#### A. REVIEW AND CHECK AGAINST THE MARKETING PLAN

1. What is the developer's special outreach group? \_\_\_\_\_
2. What are the anticipated results of occupancy for the outreach groups? \_\_\_\_\_
3. How did the developer determine the outreach group and the percentage of anticipated results? \_\_\_\_\_
4. List any statistical or demographic data that aided the developer in determining outreach group and anticipated results of occupancy by this group. \_\_\_\_\_
5. Is the developer complying with the plan? Yes \_\_\_\_\_ No \_\_\_\_\_
6. If not, describe what has not been done. \_\_\_\_\_

#### B. OCCUPANCY REPORTS

Developers are required to file monthly racial occupancy reports. These reports should either be available in the developer's office or at HUD EO office. Note the following information:

1. Have any reports been filed for this Development? Yes \_\_\_\_\_ No \_\_\_\_\_  
If yes, how many occupants are:  
ASIAN BLACK CHICANO NATIVE AMERICAN WHITE OTHER  
\_\_\_\_\_

#### C. TRAINING SALES & RENTAL STAFF

1. Interview the developer or where another company is responsible for sales or rental, a representative of that company to determine the number of minority people presently employed and in what capacity.  
ASIAN BLACK CHICANO NATIVE AMERICAN WHITE OTHER  
\_\_\_\_\_
2. Interview sales, rental and other employees to determine if they have received the following:
  - a. Written instruction on the fair housing laws. Yes \_\_\_\_\_ No \_\_\_\_\_  
If yes, the instructions should be attached to this form.
  - b. Training sessions for all employees on:
    - 1) Implementation of the fair housing laws. Yes \_\_\_\_\_ No \_\_\_\_\_  
If yes, describe: \_\_\_\_\_
    - 2) Implementation of the affirmative fair housing marketing plan. Yes \_\_\_\_\_ No \_\_\_\_\_

#### D. ADVERTISING

If possible, attach to this form all advertisements for this development and mark the name of the newspaper and the date of the advertisement in the margin of each.

Appendix E - p2

1. Does the developer's plan include newspaper advertising? Yes \_\_\_\_\_ No \_\_\_\_\_  
If yes, did advertisements appear in newspapers designated in plan? Yes \_\_\_\_\_ No \_\_\_\_\_  
Did developer advertise as frequently as plan required? Yes \_\_\_\_\_ No \_\_\_\_\_
2. Check the developer's advertisements for the following information (additional information may be gotten from the real estate sections of the newspapers):
  - a. Does the developer's advertising use the HUD logo? Yes \_\_\_\_\_ No \_\_\_\_\_
  - b. Is the slogan used without the logo? Yes \_\_\_\_\_ No \_\_\_\_\_
  - c. Are other logos used in the advertisement? Yes \_\_\_\_\_ No \_\_\_\_\_
  - d. Is the HUD logo the only logo used? Yes \_\_\_\_\_ No \_\_\_\_\_  
If yes, is the HUD logo conspicuously placed? Yes \_\_\_\_\_ No \_\_\_\_\_
  - e. Are human models used (drawings, photographs, or other graphic techniques) used in the advertisements (brochures)? Yes \_\_\_\_\_ No \_\_\_\_\_
  - f. If models are used, do they reasonably represent both minorities and non-minorities? Yes \_\_\_\_\_ No \_\_\_\_\_

#### Section II Visit with Community Groups and Organizations

Developers must attempt to contact community groups and organizations representative of that segment of the population for which the plan requires special outreach efforts.

A. NAME OF COMMUNITY GROUP AND/OR ORGANIZATION: \_\_\_\_\_

B. ADDRESS: \_\_\_\_\_

C. CONTACT PERSON: \_\_\_\_\_

PHONE NUMBER: \_\_\_\_\_

D. DATE OF INTERVIEW: \_\_\_\_\_

(Each community group and/or organization along with individuals named in the plan must be listed. Contact must be made with them and information noted as to whether or not contact was made, the nature of the contact, the actions taken, and the results, if any, of the action.)

#### E. CONTACTS

1. Did the developer actually contact the community group and/or organizations listed in the plan? Yes \_\_\_\_\_ No \_\_\_\_\_
2. How was this contact made? \_\_\_\_\_
3. How often was this contact made? \_\_\_\_\_
4. What actions have been taken as a result of this contact? \_\_\_\_\_
5. What are the results of this contact? \_\_\_\_\_

#### Section III Observations on Interviews

In the interviews with sponsor/developers and community organizations and/or groups, what was the attitude toward affirmative marketing plan? Did any persons interviewed believe the plan was effective? Note any other opinions that might have been expressed during the interview.

# Appendix F

## Affirmative Fair Housing Marketing Plans

## Appendix F p1

### CHECKLIST FORM FOR SITE VISITS

DATE: \_\_\_\_\_

NAME OF DEVELOPMENT: \_\_\_\_\_

LOCATION OR ADDRESS OF DEVELOPMENT: \_\_\_\_\_

NAME OF DEVELOPER: \_\_\_\_\_

ADDRESS OF DEVELOPER: \_\_\_\_\_

TYPE OF DEVELOPMENT: Single Family Detached \_\_\_ Townhouse \_\_\_ Condominium

\_\_\_ Cooperative \_\_\_ Apartment \_\_\_

NAME OF MONITOR: \_\_\_\_\_

#### A. BILLBOARDS AND SIGNS

- Are there signs or billboards which advertise the development? Yes \_\_\_ No \_\_\_  
How many? \_\_\_
- Do any of them use the Equal Housing Opportunity logo, statement or slogan? Circle appropriate one. Yes \_\_\_ No \_\_\_  
Is it readily seen?
- Are human models used (drawing, photographs, or other graphic techniques)? If yes, circle which is used Yes \_\_\_ No \_\_\_
- If models are used, do they reasonably represent various racial and ethnic groups? Yes \_\_\_ No \_\_\_

ASIAN	BLACK	CHICANO	NATIVE AMERICAN	WHITE	OTHER	
_____	_____	_____	_____	_____	_____	(male)
_____	_____	_____	_____	_____	_____	(female)

#### B. REQUIRED CONSTRUCTION SITE SIGN

- Was there a sign on the construction site as required by regulations? Yes \_\_\_ No \_\_\_
- Was it in a conspicuous position? Yes \_\_\_ No \_\_\_
- Did it display the HUD approved Equal Opportunity logo, slogan, or statement? Circle appropriate one. Yes \_\_\_ No \_\_\_

#### C. PROMOTIONAL MATERIALS IN SALES/RENTAL OFFICE OR MODEL HOME

Obtain copies of brochures and other promotional material and attach to this form.

- Are there any pictures, signs, posters (other than HUD poster with logo) in the sales/rental office or models homes which advertise the development? Yes \_\_\_ No \_\_\_  
How many? \_\_\_
- Do any of them use the Equal Housing Opportunity logo, statement or slogan? Yes \_\_\_ No \_\_\_
- Are human models used in these advertisements? (drawings, photographs, or other graphic techniques)? If yes, circle which is used. Yes \_\_\_ No \_\_\_
- If models are used, indicate representation by race, ethnic origin, sex and whites and other minorities? Yes \_\_\_ No \_\_\_

ASIAN	BLACK	CHICANO	NATIVE AMERICAN	WHITE	OTHER	
_____	_____	_____	_____	_____	_____	Male
_____	_____	_____	_____	_____	_____	Female

## Affirmative Fair Housing Marketing Plans

## Appendix F - p2

- Do the brochures and other promotional materials contain the Equal Housing Opportunity logo, slogan or statement? If yes, circle which is used. Yes \_\_\_ No \_\_\_

#### D. REQUIRED HUD APPROVED FAIR HOUSING POSTER AND AFFIRMATIVE MARKETING PLAN

- Was Poster displayed in the sales office? Yes \_\_\_ No \_\_\_
- Was it in a conspicuous location? Yes \_\_\_ No \_\_\_
- Was the Fair Housing Poster displayed conspicuously in all model homes? Yes \_\_\_ No \_\_\_
- Ask for the Affirmative Marketing Plan. Was it made available to you? Yes \_\_\_ No \_\_\_
- Was it the same as the copy you have received? Yes \_\_\_ No \_\_\_

#### E. SALES OR RENTAL STAFFS

- What is the composition of the sales/rental staff?

ASIAN	BLACK	CHICANO	NATIVE AMERICAN	WHITE	OTHER
-------	-------	---------	-----------------	-------	-------

Male \_\_\_\_\_

- Was the sales/rental staff generally receptive and pleasant? Describe: Yes \_\_\_ No \_\_\_

Female \_\_\_\_\_

#### F. WHAT WAS THE TOTAL NUMBER OF PEOPLE YOU SAW LOOKING AT THE MODEL HOMES?

ASIAN	BLACK	CHICANO	NATIVE AMERICAN	WHITE	OTHER
-------	-------	---------	-----------------	-------	-------

Male \_\_\_\_\_

Female \_\_\_\_\_

## Appendix G

Appendix G - p1

### CIVIL RIGHTS IMPACT QUESTIONNAIRE

APPLICANT/SPONSOR	PLEASE RETURN QUESTIONNAIRE TO: The FEPC A-95 Project 680 Beach Street, Suite #346 San Francisco, Ca. 94109 Tel: (415) 441-3600
PROJECT NAME	
PROJECT LOCATION	

SCH. NUMBER:

● NOTE: THE TERM "MINORITY" REFERS TO ASIANS, BLACKS, CHICANOS AND NATIVE AMERICANS

#### I. DESCRIPTION OF THE PROPOSED PROJECT OR ACTIVITY

- Type of project (i.e. park, housing, sewer, road, training program, crime reduction, health services, etc.)
- Purpose of project (i.e. decrease criminal activities, preserve open space, replace a sewer plant, provide housing for the elderly, etc.)
- General size or scale (i.e. 22 miles of new road, 417 housing units, 68 acres for a park development, 15 new police officers, etc.)
- Total cost level (i.e. \$9,600 project, \$37 million program, etc.)
- Geographical boundaries affected (model cities area, hospital district, 3-block neighborhood area, etc.) Please attach a map.

#### II. HISTORY OF APPLICANT/SPONSOR'S PAST INVOLVEMENT WITH MINORITIES

- What experience, through past projects or activities, does the sponsor have in developing programs for minority groups? What type of activity was it?
- When did this involvement take place and for how long?
- Has the sponsor been the subject of an investigation by any agency charged with enforcing civil rights laws (e.g. Fair Employment Practice Commission, Equal Employment Opportunity Commission, Equal Opportunity Division of the Department of Housing and Urban Development and the Office of Federal Contract Compliance)? If so, what were the results?

Appendix G - p2

#### III. DATA ON MINORITY POPULATION

A. Will the project or proposed activity affect any minorities?

B. What is the racial composition in the area of the proposed project (e.g. in the model cities area, the census tracts, the district, etc.)?

	ASIAN	BLACK	CHICANO	NATIVE AMER.	WHITE	OTHER
Number	_____	_____	_____	_____	_____	_____
% Tot. Pop.	_____	_____	_____	_____	_____	_____

#### IV. CIVIL RIGHTS IMPACT OF THE PROPOSED PROJECT OR ACTIVITY

A. Will the project create any land use changes (i.e. a change from residential to commercial land use due to urban renewal or a new freeway) in or near areas where minorities reside? If so, what kind?

B. How many new job positions will the project create during the planning phase or construction phase (i.e. during the planning of a program or construction of a facility)? What measures will be taken to ensure that minorities and women fill some of these new positions?

C. How many new job positions will the project create after the planning phase or construction phase, as part of the project's permanent staff (i.e. as permanent staff of a program or facility)? What measures will be taken to ensure that minorities and women fill some of these new positions?

D. Will the project impair or deny the mobility/accessibility of minority communities to 1) employment, 2) education, 3) shopping, & 4) recreation?

E. Will the project displace current minority residents? If so, how many? What efforts are being made to relocate these minorities?

F. What measures will be taken to ensure that minorities benefit from the proposed project or activity?

## V. AFFIRMATIVE ACTION

A. What is the current composition of the sponsor's staff?

	ASIAN	BLACK	CHICANO	NATIVE AMER.	WHITE	OTHER
Male	_____	_____	_____	_____	_____	_____
Female	_____	_____	_____	_____	_____	_____

B. What is the sponsor's written nondiscrimination hiring policy -- both in its internal organization and in its projects?

C. Do you have an approved affirmative marketing plan? Who approved it and when? (If so, please attach a copy of it.)

## VI. MINORITY COMMUNITY PARTICIPATION

A. Are minorities currently residing in or near the area-to-be-affected aware of the proposed project?

B. Have minorities been involved in the planning of the proposed project?

C. Are minorities in support of the proposed project?

## VII. NAMES OF MINORITY INDIVIDUALS AND ORGANIZATIONS WHO HAVE BEEN CONTACTED AND/OR WHO HAVE ENDORSED THE PROJECT

A. Name of Person

B. Name of Organization

DATED: \_\_\_\_\_

SIGNED BY: \_\_\_\_\_

## Appendix H

### Appendix H - Pg. 1

#### RESOLUTION ESTABLISHING THE FAIR HOUSING PLANNING COMMITTEE

FOURTH DRAFT as amended in Board 11/14/72

FILE NO. 347-71

RESOLUTION NO. 724-72

ESTABLISHING A FAIR HOUSING PLANNING COMMITTEE COMPOSED OF 34 MEMBERS SELECTED FROM VARIOUS GEOGRAPHIC, ETHNIC, NEIGHBORHOOD, BUSINESS GROUPS AND PUBLIC AGENCIES TO EXPLORE THE DEVELOPMENT OF A COMPREHENSIVE PLAN FOR RACIAL INTEGRATION IN RESIDENTIAL NEIGHBORHOODS IN THE CITY AND COUNTY OF SAN FRANCISCO AND PRESCRIBING ACTIONS TO BE TAKEN.

WHEREAS, The United States Housing Act of 1949 set the goals of "a decent home and a suitable living environment for every American family"; and

WHEREAS, Title VIII of the United States Civil Rights Act of 1968, the California Fair Housing Law of 1963, and the 1968 decision of the United States Supreme Court in Jones v Mayer, combined to establish a national and state mandate for open occupancy in housing; and

WHEREAS, Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color or national origin under any program or activity receiving Federal financial assistance; and

WHEREAS, Executive Order 11063, issued November 20, 1962, requires all Federal agencies and departments to take all action necessary and appropriate to prevent discrimination because of race, color, creed or national origin in the sale or rental of residential property and related facilities owned or operated by the Federal government or provided with Federal financial assistance; and

WHEREAS, It is the policy of the City and County of San Francisco to afford to all persons equal opportunity in housing and other aspects of life; and

WHEREAS, Residential patterns in the City and County of San Francisco are increasingly segregated along racial, ethnic and economic lines; and

WHEREAS, Racial imbalance in residential communities is perpetuated by the limited choices of housing available in other areas of the City and County of San Francisco to persons of low and moderate income and to persons unlawfully discriminated against because of race, color, religion or national origin; and

WHEREAS, Federal housing policies require a feasible method for the rehousing of individuals and families displaced from urban renewal areas (the great majority of whom are racial and ethnic minorities and persons of low income); and

WHEREAS, The City and County of San Francisco has an obligation to develop methods for providing equal access to housing for all its residents in all areas of the city and to analyze and correct policies which result in segregated residential patterns; and

### Appendix H - Pg. 2

WHEREAS, The elimination of segregated housing patterns will help to resolve the racial imbalance of the public schools and to encourage programs designed to achieve educational excellence in all schools without the continued utilization of presently necessary, but less desirable programs to correct such racial imbalance; and

WHEREAS, The achievement of integrated residential areas in all sections of the City and County will require the joint efforts of public agencies and private organizations and individuals; now, therefore, be it

RESOLVED, That this Board of Supervisors of the City and County of San Francisco establish a Fair Housing Planning Committee consisting of 34 members to develop a comprehensive plan for the racial, ethnic and economic integration of residential neighborhoods in the City and County; and, be it

FURTHER RESOLVED, That the Committee can be expanded to a maximum of 39 members if a bona fide organization with a demonstrated interest in housing within a neighborhood not now represented on the Committee petitions for involvement and follows the designated nominating procedure; and, be it

FURTHER RESOLVED, That the Committee shall consist of citizens of San Francisco who have demonstrated a commitment to open occupancy in housing, or who are willing to work toward this commitment, residents of urban renewal areas affected by efforts to change segregated patterns of housing and agencies, and departments of the City and County whose activities have direct influence on and are affected by the housing patterns in San Francisco and the Committee shall be composed of one representative from each of the following:

1. Western Addition Project Area Committee (WAPAC)
2. Bayview Hunters Point Joint Housing Committee
3. Mission Coalition
4. Chinatown Coalition for Better Housing
5. Yerba Buena Tenants and Owners in Opposition to Renewal (TOOR)
6. Planning Association for the Richmond (PAR)
7. Sunset-Parkside Education and Action Committee (SPEAK)
8. Inner Sunset Action Committee
9. Haight-Ashbury Neighborhood Council
10. Oceanview-Merced Heights-Ingleside Committee (OMI)
11. League of United Latin American Citizens (LULAC)
12. National Association for the Advancement of Colored People (NAACP)
13. Filipino-American Council of San Francisco
14. Bay Area Urban League
15. Chinese for Affirmative Action (CAA)
16. American Indian Center
17. Japanese Americans Citizens League (JACL)
18. San Francisco Fair Housing Coalition
19. San Francisco Public Housing Tenants Association
20. Arriba Juntos
21. Council for Civic Unity (CCU)
22. San Francisco Planning and Urban Renewal Association (SPUR)
23. Senior Citizens Centers
24. San Francisco Real Estate Board
25. Mission Model City

26. Bayview-Hunters Point Model City
27. Housing Authority of the City and County
28. Redevelopment Agency of the City and County
29. City Planning Commission
30. Board of Education of the City and County
31. Deputy for Development, Office of the Mayor
32. Social Services Commission
33. Bureau of Building Inspection, Department of Public Works
34. Human Rights Commission of the City and County

and, be it

FURTHER RESOLVED, That each organization (exclusive of City and County agencies) shall forward to the Mayor the names of three persons as its nominees to the Committee and the Mayor shall select one of the three from each organization as official members of the Committee; provided, however, that in the event any non-departmental member of the Committee absents himself from three consecutive meetings of the Committee, the organization he represents shall be entitled to no further representation on the Committee. City and County agencies and departments shall name a high ranking official to the committee; and, be it

FURTHER RESOLVED, That this Committee shall undertake actions such as are necessary for the purpose of preparing a city-wide plan for integration of housing which recognizes existing commitments to rehouse persons displaced by urban renewal and other public action, as well as the social, political and economic factors relevant to a comprehensive plan of action to be submitted to the Board of Supervisors of the City and County of San Francisco for consideration and approval; and, be it

FURTHER RESOLVED, That the Mayor shall designate a member of the Fair Housing Planning Committee to convene the Committee and the Committee shall thereafter select its own presiding officer and meet within one month after adoption of this resolution and present its recommendations for action to the Board of Supervisors and the Mayor within six months of the Committee's first meeting; and, be it

FURTHER RESOLVED, That the Board of Supervisors and the Mayor will cooperate with the Committee in seeking funds necessary to the Committee's operation from private sources, if such funds are not available from the City and County.

Adopted -- Board of Supervisors, San Francisco November 13, 1972

Ayes: Supervisors Barbagelata, Boas, Feinstein, Francois, Gonzales, Kopp, Mendelsohn, Molinari, Pelosi, Tamaras, vonBeroldingen

I hereby certify that the forgoing resolution was adopted by the Board of Supervisors of the City and County of San Francisco.

/s/ Robert J. Dolan, Clerk

November 27, 1972

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limitations as set forth in Section 2.302 of the Charter, becomes effective without his signature in accordance with the provisions of said Section 2.302 of the Charter.

/s/ Robert J. Dolan, Clerk

File 347-71

## Appendix I

### Appendix I

#### SAN FRANCISCO FAIR HOUSING PLANNING COMMITTEE

#### Checklist of Recommendations Officially Adopted For the Racial, Ethnic and Economic Integration of San Francisco's Neighborhoods

##### I Neighborhood Measures To Preserve and Expand Housing Opportunities

1. ESTABLISH A REHABILITATION ASSISTANCE PROGRAM (RAP) WHICH INCLUDES SAFEGUARDS FOR RESIDENTS
2. IMPROVE RESIDENTIAL INSURANCE POLICIES AND PRACTICES
3. SUPPORT REZONING TO PRESERVE AND EXPAND NEIGHBORHOOD INTEGRATION AND HOUSING OPPORTUNITIES
4. REDEFINE RESIDENTIAL ZONING CLASSIFICATIONS FOR THE SAME PURPOSE
5. SUPPORT COOPERATIVE AND CONDOMINIUM OWNERSHIP BY LOW AND MODERATE INCOME NEIGHBORHOOD RESIDENTS

##### II Citywide Measures to Expand Housing Opportunities

6. CONDUCT AN ANNUAL APARTMENT HOUSING INFORMATION SURVEY ON RACIAL AND ETHNIC OCCUPANCY
7. INCLUDE CIVIL RIGHTS IMPACT IN ENVIRONMENTAL IMPACT REPORTS
8. REQUIRE A CIVIL RIGHTS REVIEW OF CITY PLANS AND ACTIONS
9. ESTABLISH A DEVELOPMENT INCENTIVES PROGRAM FOR A PORTION OF LOW AND MODERATE INCOME UNITS IN LARGE RESIDENTIAL DEVELOPMENTS.
10. INVESTIGATE THE USE OF MOBILE HOMES FOR OWNERSHIP
11. ESTABLISH A LAND BANK WITH PRIORITY OF SUITABLE PUBLIC LAND FOR LOW AND MODERATE INCOME HOUSING
12. MAKE APPOINTMENTS TO THE CITY PLANNING COMMISSION REFLECTIVE OF THE CITY'S HOUSING NEEDS

##### III More Equitable Tenant-Landlord Relations

13. IMPROVE STATE TENANT-LANDLORD LAW; DON'T ESTABLISH A SPECIAL HOUSING COURT UNTIL THIS IS DONE.
14. ELIMINATE HOUSING DISCRIMINATION AGAINST CHILDREN
15. COMPENSATE TENANTS DISPLACED BY PRIVATE SECTOR DEMOLITIONS
16. ESTABLISH A RENT GRIEVANCE BOARD TO ARBITRATE COMPLAINTS OF EXCESSIVE RENT INCREASES.

728.1 : 325 (7946) N17

National Committee Against Dis-  
crimination in Housing.

Home free? new vistas in  
regional housing.

DATE	ISSUED TO
12/1/76	MCA

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
LIBRARY BOOK CARD



