

Westchester to spend \$50M on fair housing

BY GERALD MCKINSTRY • GMCKINST@LOHUD.COM • AUGUST 11, 2009

Westchester County must spend millions of dollars to build affordable housing and integrate mostly white communities in a historic civil rights settlement stemming from a federal desegregation lawsuit.

The landmark agreement that was announced yesterday dictates that Westchester spend more than \$50 million to build 750 units in the next seven years in parts of the county where there are few, if any, minorities.

The decision has national ramifications that could affect thousands of municipalities that accept federal housing funds, though Westchester is the first to reach an agreement

"The money will stay in Westchester so that minorities will have more opportunities to live in communities where they have been excluded," County Executive Andrew Spano said. "We have a good chance in making this happen."

Communities in Westchester that may have to build such housing - those where less than 3 percent of the population is black and 7 percent is Hispanic - are Ardsley, Bedford, Bronxville, Scarsdale, North Salem, North Castle, Pound Ridge and many more that will be determined by a complex formula that includes information from the 2010 census.

Access to public transportation will also play a key role in where units are built.

Although Spano called it a punitive lawsuit that never should have been filed and believed the county did nothing wrong, he said the settlement was in the best interest of taxpayers.

The risk of losing what is estimated to be in the ballpark of \$180 million was far too great, Spano said.

As part of the agreement, the county will pay \$21.6 million to the federal government, which would then return it to the county through the federal Department of Housing and Urban Development to build units.

Westchester will also set aside \$30 million to build affordable housing in the next seven years and pay \$8.4 million to the federal government ; \$2.5 million of that will go to pay the Anti-Discrimination Center of Metro New York's legal fees. That's the group that filed the lawsuit.

The group's executive director, Craig Gurian, said in a statement that the decision marks an opportunity for Westchester "to make a long-neglected promise" of becoming "one community with no exclusion."

The county must also fund a targeted marketing, education and outreach program.

The court appointed a monitor, attorney James E. Johnson, to ensure that the parties are reaching their goals.

The monitor will be given "great authority" in the matter, and the agreement addresses some of the complexities and obstacles such as local zoning ordinances that have been a roadblock in the past, said Ken Zimmerman, a senior adviser for HUD.

The settlement would likely deter future lawsuits as it sets forth the framework for complying with federal housing programs, he said.

Building affordable housing is a great step forward for the county and for minorities, though implementing the plan could be tricky if communities aren't on board, said Randolph McLaughlin, a civil rights attorney and law professor at Pace University.

"The county is going to be forced to make some very difficult decisions," McLaughlin said. "A lot of work needs to be done."

Nonetheless, he said, it was a victory for blacks and Hispanics in need of affordable places to live.

"It's good for everyone. It's good for the communities there and the municipalities," McLaughlin said. "It's a great leap forward for the county and the African-American and Hispanic communities."

The Anti-Discrimination Center filed the lawsuit three years ago, accusing Westchester of failing to provide affordable housing in its affluent suburbs and failing to reduce segregation in municipalities such as its larger cities, despite taking \$52 million in federal housing aid from 2000 through 2006 and doling it out to communities.