

Urban Renewal and the Displacement of Communities ^[1]

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Sarah Theusen

When you first came here, some of your early work was picking up on work that had been done by your colleagues here, helping victims displaced by urban renewal. Is that right?

Ted Fillette

Yeah, that was the first big case that I was assigned, shortly after I arrived.

Sarah Theusen

This was the *Margaret Green Harris v. HUD* case?

Ted Fillette

That's right, in federal district court, one of Judge McMillan's cases.

Sarah Theusen

Could you tell me a little bit about Margaret Green Harris?

Ted Fillette

Well, this was a lady who had lived in the community of Greenville, which was an African-American neighborhood just north of the downtown area, who had lived in a house that the city considered dilapidated and wanted to demolish it as part of the urban renewal program. The problem for her was that the city did not offer her an adequate replacement house that was affordable to her. The basis of the lawsuit was to challenge the displacement of people in the urban renewal neighborhoods, who were not offered a suitable alternative home that was affordable to them. That was the fundamental legal principle involved.

The suit was negotiated to a settlement in 1972, the year before I arrived, with fairly broad language about how the city would, from that point forward, not displace people that were in the urban renewal neighborhoods, without providing them the "suitable relocation housing;" that's what the phrase was. By the time I arrived, that lady had already gone somewhere else. But the lawsuit was aimed at the whole class of people that were similarly situated in other neighborhoods subject to urban renewal or what was then called community development, which was the same thing. It was essentially demolishing dilapidated housing without necessarily any other plan to replace it or substitute it, either in that neighborhood or anywhere else. It was essentially a demolition of poor people's housing is what that was.

Sarah Theusen

What was the eventual upshot of your work with that case?

Ted Fillette

Well, what happened was some of the other residents of neighborhoods that were in the path of the community development work started to come to our office and complain that they were getting notices to leave, but weren't getting any offers of alternative housing that was either in good shape or affordable to them. What we determined was that the federal law that was tied to the funding, that supported this program for the city, required that if they were going to remove people from their home, they had to provide suitable alternative housing that was affordable. So there was a formula to determine what was affordable for a family. Essentially, it was they would not have to pay more than twenty-five percent of their net family income for rent and utilities. And as a practical matter, most of the people that were in these neighborhoods lived on disability or welfare or minimum-wage jobs and it was virtually impossible for most of them to pay market-rate rent for houses that were decent, safe, and sanitary. So at that time, in the early 70s, to be able to rent a

house that had any kind of good heating equipment, a furnace of any kind, would cost about three hundred dollars a month. But most of these people could not afford to pay that much rent plus utilities. The city was not finding places for them and paying the difference.

What we did was bring another motion in that case in the federal court before Judge McMillan and combined it with a new suit that my former employer had at that time, George Daly. The caption of his case was Kannon v. HUD and the City of Charlotte. That was a commercial lease in the first ward neighborhood, but there were also residential complainants in that suit too. So we combined those together and had a trial in front of the judge and showed the judge that the city was still not providing adequate relocation housing for residents or adequate relocation assistance for businesses. The judge ordered the city to stop displacing people. That then resulted in a new court order that was enforceable by contempt of court. So we then spent the next two years monitoring the performance of the city under that new order, to see whether or not they were actually offering suitable housing and/or financial assistance for people to find suitable housing.

Sarah Theusen

Just to clarify a couple of details, the new order came down in '74?

Ted Fillette

Yes.

Sarah Theusen

This new order applied, whether the city was using urban renewal funds or community block grants...is that correct?

Ted Fillette

That's right. It was any federal funds that resulted in demolition, because the urban renewal programs were essentially phasing out. They were almost finished. But there was a whole new set of funds that came from the Housing and Community Development Act of 1974, that was sending millions of dollars to cities like Charlotte to demolish deteriorated neighborhoods and do other things that were considered to be good for the total community.

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