

Feds: Garden City must remedy housing discrimination

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A federal court judge ordered the village of Garden City, N.Y., to change its housing practices in order to remedy years of intentional discrimination against non-whites.

Judge Arthur D. Spatt of the Eastern District of New York entered the final judgment in the discriminatory zoning case brought by the organization New York Communities for Change and affordable housing developer MHANY Management against the village of Garden City, located on Long Island.

Under the ruling, Garden City has to conduct annual in-person training for all elected officials and housing employees and enact a Fair Housing Resolution to assure equal opportunities when it comes to housing. Also, the village is required to hire an independent third party compliance officer and pay for all remedial measures.

The judgment comes on the heels of Spatt's late December decision, which stated that Garden City had violated the Fair Housing Act, the United States Constitution and other civil rights statutes when it enacted a zoning ordinance in 2004 in response to public pressure to keep minority households out of the village. The court found that the practice allowed Garden City to remain a white enclave surrounded by mostly minority towns.

Diane Goins, head of the Long Island chapter of New York Communities for Change, expressed satisfaction with the ruling.

"This is history and a long time coming," said Goins in a statement. "People need to see what Garden City has been doing for years and years. This is a great beginning, and I am excited by this tremendous victory for all people of color and low-income communities in Long Island. We are proud to have persevered after such a long fight and believe this victory will be the first of many so that more affordable housing is built in Garden City and Long Island.

"Communities of color are suffering because of the housing crisis and racism that still exists today," Goins said.

On top of the aforementioned results, the court ruled that if Nassau County—which owns the parcel of land at issue and was a defendant in the case up until two years ago—announces that it wants to sell the property within one year of judgment, Garden City has to re-zone the site to allow residential multi-family housing development.

It would be the first time Garden City would open its doors for affordable housing in the town's century-old history. It would also allow developers like MHANY Management to bid for the opportunity to develop affordable housing.

"This is an extremely important case that was brought to break down discriminatory barriers to affordable housing erected by Garden City and to ensure that housing that will promote residential desegregation becomes a reality," said co-counsel Joseph Rich, director of the Fair Housing Project at the Lawyers' Committee for Civil Rights Under Law, in a statement. "The court's December decision finding Garden City had intentionally discriminated in violation of the Fair Housing Act and this final order setting forth actions that must be taken by Garden City to remedy this discrimination are very important steps in achieving that goal."

Fred Brewington, of the Law Offices of Fred Brewington and co-counsel for the plaintiffs, agreed.

"This is a monumental development as we take steps to correct the discriminatory course on which Garden City has chosen to embark," said Brewington in a statement. "It is unfortunate that even in the face of such a strong factual finding, the village remains in denial. It is this attitude that has led Garden City into a situation that has cost them hundreds of thousands of dollars and will subject them to millions in the future. Now Garden City has the chance to end the madness and stop putting up barriers."