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BLACK EYE

Lawsuits, settlements spotlight
Long Island's racial real-estate divide

By DAVID WINZELBERG

A landmark court ruling and a recent settlement in another longstanding lawsuit are stark reminders that housing discrimination still festers on Long Island.

Since African Americans were restricted from buying homes in Levittown — America's first suburb — in the late 1940s, planned segregation has been the rule rather than the exception in many area

neighborhoods.

Fair-housing advocates say it's been the region's dirty little secret for decades: racial steering by some real estate brokers and exclusionary zoning by certain municipalities, successfully denying minorities the full range of housing opportunities afforded everyone else.

See HOUSING, 55A

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From 1A

Federal District Court Judge Arthur Spatt ruled Dec. 6 that the Village of Garden City violated the U.S. Fair Housing Act and other civil rights laws by enacting a discriminatory zoning ordinance in 2004 to keep minority households out of the predominantly white community.

Garden City had been considering a zoning proposal in 2004 that would have cleared the way for developing affordable housing on a site owned by Nassau County. But after residents opposed the plan, the village rejected the proposal and instead approved lower-density zoning that facilitated market-rate, single-family homes and townhouses.

Spatt ruled that “discrimination played a determinative role” in the village’s zoning actions, and that minorities in Nassau “bore the brunt of the negative impacts.”

As a result, the court ordered Garden City to come up with a plan to remedy the lasting effects of its housing discrimination and prohibit it in the future.

Despite the ruling, Hempstead attorney Fred Brewington — co-counsel for the Long Island Chapter of New York Communities for Change, which brought the suit against Garden City — said discriminatory zoning and similar policies will continue to be an issue on Long Island for years to come. But the Garden City decision “provides a wakeup call to everyone who’s interested in trying to make sure that everyone is treated fairly,” Brewington added.

Garden City plans to appeal the decision, which is one of several recent developments highlighting Long Island’s racial home-ownership divide.

Last month, the U.S. Department of Housing and Urban Development announced it would settle its 23-year-old housing discrimination lawsuit against the Village of Island Park. The suit alleged that Island Park “perpetuated segregation” and “discriminated against African Americans by denying them the opportunity to purchase single-family housing” in the village.

Just three African-American families currently own single-family homes in Island Park, according to the government’s consent decree issued Nov. 8.

After unsuccessfully appealing a 2009 court decision and a \$5.4 million judgment against it in the case, the village and HUD have agreed to settle the lawsuit for a reduced amount. The deal requires Island Park to fork over \$1.96 million — \$568,000 to the federal government and the rest to fund remedies mandated by the agreement, including hiring a fair-housing administrator, implementing an education and training program and reaching out to African Americans to make them aware of single-family home ownership opportunities within the village.

If at least 17 single-family homes aren’t owned by African-American families in Island Park within two years, the court can impose further sanctions, including forcing the village to finance affordable-housing projects.

In Huntington, meanwhile, the Town Board is considering a settlement in a



FRED BREWINGTON: Old attitudes behind housing discrimination.

2011 housing discrimination case filed by the local NAACP chapter and the Fair Housing in Huntington Committee. The suit alleges a proposed affordable housing development in Melville discriminates against minorities and families because it calls for the sale of one-bedroom units.

The Huntington dispute dates back to 2002, when NAACP and the committee first sued over the exclusion of minorities and families with children from the Greens at Half Hollow condo development in Dix Hills.

When the Huntington Planning Board approved an affordable-housing project with 117 one-bedroom residences on Ruland Road in 2010, the plaintiffs sued again, seeking more multi-bedroom homes for lower-income families.

The deal on the table now calls for 117 rental units at the Ruland Road site, including 77 one-bedroom, 34 two-bedroom and 6 three-bedroom apartments. But the town is now discussing making some of the units for-sale instead of rental.

“Family housing is absolutely needed,” said Elaine Gross, executive director of Syosset-based Erase Racism. “There’s a greater need in African American and Latino families based on numbers from those populations who rent and who purchase a home.”

In addition to exclusionary zoning by municipalities, Gross said racial discrimination by individual landlords is still a problem on Long Island. Erase Racism and the New York City-based Fair Housing Justice Center sued the landlord of a Mineola apartment building in August

for refusing to rent residences to African Americans.

The suit against Port Washington-based landlord LLR Realty alleges that three white testers were offered apartments while three African American testers were told the same units had a waiting list or weren’t available. Gross claims the African American testers were also quoted higher rents for the same apartments.

Principals of LLR Realty couldn’t be reached for comment.

Local fair-housing advocates say the feds seems to have stepped up the pace of their campaign to root out discrimination when it comes to renting or buying Long Island real estate, which is why some of these protracted lawsuits are finally getting resolved — though not quickly enough, according to Gross.

“There’s an increased appreciation within the current administration that the federal government has a responsibility to address this issue and take action,” she said. “We’re not pleased that things aren’t moving faster.”

Brewington blames “protectionists” and old attitudes for the continued perpetration of discriminatory housing practices here, which is why the feds are often needed to intercede on the local level.

“There’s always the hope that we can change people’s hearts,” Brewington said. “But at least we can change their actions.”

Winzelberg can be reached at david.winzelberg@libn.com.