

The Subject is Housing Reparations

When trying to examine the problem that we're having in housing in the current year of 2021, we have to historically look back and try to figure out how to correct the wrongs of the past and make it equitable for current African Americans and the descendants of freedmen.

When thinking about the housing crisis that we have now specifically with covid has been brought to light. Although, those of us that are in blighted communities, and communities where there was disinvestment we have to think about three factors, and a troubling opinion.

Those factors being the eviction rate, credit history, incarceration rate, and the overall view of African Americans and housing. The first time I heard an owner and their management team address my mother as "you people". This put a very interesting light on the conversation and not meaning in any way shape or form to sound racist, we were living in a fourplex as the only African American family residing with Latin X neighbors.

My mother was always accused of something that she hadn't done; discarding furniture in the yard, owning more than one vehicle parked crisscross in the yard, among quite a few other things that she had no part in. It seemed as though we were always targeted with notices, and threats of eviction, for things that we had never done in our entire lifetime.

This brought to light something that I had seen a pattern of over the last 30 years but couldn't really put my finger on, until an extensive investigative report was done by one of the attorneys in the city of Los Angeles within the Right To Counsel Coalition. I became part of the steering committee. We're still fighting to codify the right to counsel, but it has actually been passed that for every tenant that receives an eviction notice, they have the right to have an attorney represent them in court, the struggle for continued funding is where we are currently.

When the right to counsel was formed, also known as RTC, it was a collaborative work of 10 law firms that represented tenants that were served with evictions, and 10 community-based organizations that assisted with educating tenants on renters rights. The organizations got together to inform what is now Stay Housed LA, (stayhousedla.org). This unique relationship uncovered something that was very disturbing, something that I had suspected but never seen put together in such an informative and constructive way. (Footnote: Joel Morena Esq., Eviction Report)

This information would have never come to light because of the level of attorney client privilege and confidentiality, but it was discovered because a lot of the individuals that received unlawful detainers were found to have received previous eviction filings on them from years past. The pattern has started to become apparent, and what was found was there is a system in place where landlords that owned multiple units would arbitrarily file evictions on all tenants within a building every 18 to 24 months. With these filings they would either scare, taunt, harass tenants, and or owners would cease all repairs while and even if the tenants left the filings would

continue. This would result 9 times out of 10 in the tenant getting an eviction through default put on their record, sometimes without their knowledge.

If major repairs were required on a unit due to water damage or some other major issue, it would result in a constructive eviction to the tenant. This was cheaper, because whatever went wrong it was always the tenants fault, even if there was habitability or maintenance issues. It's easier to get rid of the tenant, fix the problem without them being there, zero cost of temporary relocation, keep their deposit, possibly get a default judgment that the tenant has to pay later, for all of the renovations that were done, and then rent the apartment at a higher rate to the next person. Only to note, most apartment units had delayed maintenance for years, sometimes decades.

What was also discovered is that those that have been in the units the longest were always the targets because even though buildings might have been a rent stabilized unit the rents were so low at the tenant had been there 10, 15, or 20 years it was worth for the owner to evict them and increase the rent to a market rate after they departed. What this does is creates a systematic machine that destroys the reputation, credit, and ability to find housing for these individuals in the future.

What we have discovered is that these tactics were utilized in predominantly African-American neighborhoods and also with a high population of latin X, they would just add the threat of ICE to their harassment tactics. This creates a tremendous problem that adds to the factors that were mentioned previously.

- First being an eviction, "constructive" evictions are still evictions on record.
- Second this aspect, along with the court judgment affects the individual's credit rating, and the ability to obtain future housing.
- Third being if a person within a family has spent any time incarcerated, many leases have clauses where they cannot return home and sometimes visit their own family members irregardless to if it's a husband, wife or son and or daughter returning to their actual address.
- The overall negative views of African Americans and housing, and attitudes after years of disinvestment in rental units by owners, and the neighborhoods by the city and counties.

When it comes to housing and incarceration, there's no such thing as having paid your debt to society, so you can move on and move forward, it is a system that automatically upon release you have nowhere to reside to get back on your feet. The family may be forced to relocate, to become a whole unit again. And that is if they are able to afford it.

The situation becomes heartbreaking when we look at the statistics of African Americans that are incarcerated but no one examines the percentage of how many are doing time, took a deal to be released without a trial, and are actually not guilty. This is a gateway to homelessness.

That in itself, was only partially addressed in the social equity program for minor offenses like marijuana, but that is a different aspect of a reparation process.

Housing

When it comes to housing, and we look at the three factors, those three factors make you 100% Ineligible for affordable housing. We really need to examine how the most vulnerable, those that are in the most need, and those that reside in the low and the low low income bracket are subjugated to be removed and ineligible for the housing in which it seemed to have been designed. This aspect produces homelessness.

We look at the exploitative nature of how systematically someone with more resources coming from somewhere else can displace, and given priority over longtime Community residence within the same neighborhood. This aspect is gentrification.

We need to also give consideration to Housing as the key factor in stability and a component to having a healthy sustainable life. Everything else improves with a safe habitable place to live without the stresses of being displaced. **All of the determinants of health are tied into an individual's long term permanent sustainable housing.** The determinants of Health are listed as the following which should be free from racial overtones and biases:

- Income and social status.
- Social support networks.
 - Quality Healthcare hospitals and urgent care centers and treatment
- Education and literacy.
 - Equal facilities, materials and resources
- Employment/working conditions.
 - Benefits and pay
- Social environments.
 - Where there is plenty of Green Space locations for recreation, exercise and entertainment, along with cultural relationships
- Physical environments.
 - Basic amenities that are located within the community
- Personal health practices and coping skills.
 - Having a safe and secure place to rest one's head at night and rest without the fear of being accosted, or removed, And provide for one's personal hygiene on a regular basis.
- Healthy child development.
 - Parks and activities for youth
- Food security.
 - The absence of food deserts, plenty of supermarkets and local farmer's markets, with healthy and organic options

Housing Reparations

The solution would have to even the playing field in an equitable manner that's irrevocable and does not expire for African Americans. The solution of monetary or benefit should have a value that is quantitative. This value should not diminish if not used all at once, and the portion not used should have an increase by interest. It should have a consideration to the area in which the individual resides, whether it be a relocation due to economic factors or a place that the family had migrated to years earlier. There should be no limitation on the housing type, size, features, or yard.

Priority given to any purchase of a property that had a Racial Covenant upon its deed, An additional priority should be given after property is purchased or owned within a previously Red Lined District. We can start with acknowledging by a formal apology and formal teachings, in the laws and policies that California has partaken. And first we can start to heal past wrongs in this state pertaining to African American housing which may include but not limited to:

Burnings and massacres - Fully Compensated

Redlining - Priority

Eminent domain - Prohibited

Racial covenants - Expunged

Flooded towns - Compensation

Broken Windows - Expunged Records

CA Constitution Article 34 - Repealed

The injustices are overlapping when it comes to housing and the African Americans communities, and the ability to obtain and remain in their homes. The ultimate goal for African Americans is to obtain, remain and ultimately be left alone.

A wise and good Korean Friend of mine has always said, ***“Because they have always concentrated on keeping the African-American down and disenfranchised, in the last 30 years they’ve actually ignored the Asian population and we were able to thrive.”***

Zerita Jones,

Liberty Community Land Trust, Vice-Chairperson

Baldwin/Leimert/Crenshaw Local, LA Tenants Union

ACCE Action LA, Tenant Chapter Secretary

LA County Client Coalition, Inc., Secretary

End Homeless Now LA, Steering Committee

Concerned Community Members of Chesapeake Apts.,

a Tenant Association (425 units)

Right To Counsel, Steering Committee

Our Future LA, Steering Committee

Young Adults Academy of Los Angeles