

## PUBLICATIONS ON THE RIGHT TO HOUSING

*Compiled by Susan Lyons\**

### INTRODUCTION AND SCOPE

This annotated bibliography looks at three aspects of the right to housing in the United States: the right to shelter; the right to affordable housing; and the right of tenants to security of tenure and minimal standards of habitability. Not included in this article are the topics of housing discrimination and the current foreclosure and predatory lending crisis.

The coverage includes books, articles, case law, government reports, and selected websites of organizations that have a significant focus on housing rights, and in many cases have additional reports and publications on their websites. The books and articles are arranged alphabetically by author. The cases are arranged, first by topic, then by jurisdiction, and then chronologically within the jurisdiction. The government reports are arranged chronologically. Websites are arranged alphabetically.

### BOOKS

A RIGHT TO HOUSING: FOUNDATION FOR A NEW SOCIAL AGENDA (Rachel G. Bratt, Michael E. Stone & Chester Hartman eds., 2006). This collection of eighteen essays provides a comprehensive review of the case for a right to housing. The work covers issues of affordability, federal and state subsidies, rental housing, rural housing, community development organizations, the role of litigation, social policy recommendations, and the political and philosophical arguments for the right to housing. Collectively, these essays provide a detailed and comprehensive program to address the problems of inadequate housing and homelessness.

ROBERT W. BURCHELL, W. PATRICK BEATON & DAVID LISTOKIN, MOUNT LAUREL II: CHALLENGE AND DELIVERY OF LOW-COST HOUSING (1983). This academic study reviews the socioeconomic impact of the *Mount Laurel* decision on the housing market and land-use regulation.

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CENTRE ON HOUSING RIGHTS AND EVICTIONS (COHRE) & NATIONAL LAW CENTER ON HOMELESSNESS & POVERTY (NLCHP), *HOUSING RIGHTS FOR ALL: PROMOTING AND DEFENDING HOUSING RIGHTS IN THE UNITED STATES* (4th ed. 2009), *available at* <http://www.nlchp.org/content/pubs/2009HumanRightsForumManual1.pdf>. This resource manual on the right to housing was developed for a conference on the topic and is aimed at providing litigators and housing rights activists with a framework to support housing rights advocacy. It includes excerpts from international law documents, workshop exercises, a review of significant case law, and excerpts of articles on the right to housing.

MARIO M. CUOMO, *FOREST HILLS DIARY: THE CRISIS OF LOW INCOME HOUSING* (1974). This book is an account of the struggle to build affordable housing apartments in the middle class New York City neighborhood of Forest Hills in the borough of Queens.

MICHAEL N. DANIELSON, *THE POLITICS OF EXCLUSION* (1976). This book examines efforts to open the suburbs to greater economic and racial diversity. It begins with a review of the history of zoning laws, which for fifty years had been a means of enforcing social, racial, and economic separation. The author examines litigation to strike down exclusionary laws and the then-recent trend to use zoning to promote inclusion and diversity. The book concludes by examining the formidable political challenges to creating affordable housing in the suburbs and opening them to racial minorities.

NORMAN DORSEN, *PROJECT ON SOCIAL WELFARE LAW, HOUSING FOR THE POOR: RIGHTS AND REMEDIES* (1967). This early work is a collection of materials aimed at providing guidance to attorneys working in the field of tenants' rights.

FRAGILE RIGHTS WITHIN CITIES: GOVERNMENT, HOUSING, AND FAIRNESS (John Goering ed., 2006). This book reviews the state of fair housing protection in the United States in the first decade of the twenty-first century and argues that housing rights are integral to human rights.

CHARLES M. HAAR, *SUBURBS UNDER SIEGE: RACE, SPACE, AND AUDACIOUS JUDGES* (1996). This book is a detailed examination of the *Mount Laurel* case and doctrine. The author expresses the view that in the face of a political stalemate in matters of social reform, only the judiciary has the ability to act. While the mechanics of the *Mount Laurel* doctrine may be cumbersome, it is nevertheless effective.

CHARLES M. HAAR & DEMETRIUS S. IATRIDIS, *HOUSING THE POOR IN SUBURBIA: PUBLIC POLICY AT THE GRASS ROOTS* (1974). This book uses case studies of five suburbs of Boston to examine issues of exclusionary zoning and the difficulties of opening the suburbs to affordable housing.

BETH ELLEN HARRIS, *DEFENDING THE RIGHT TO A HOME: THE POWER OF ANTI-POVERTY LAWYERS* (2004). The author examines class action litigation brought by legal services lawyers on behalf of homeless families or families living in conditions of extreme destitution in the period of the 1970s through 1996, when the Legal Services Corporation was barred from initiating class action litigation.

AMERICA'S HOUSING CRISIS: WHAT IS TO BE DONE? (Chester Hartman ed., 1983). This collection of essays by six authors reflects the challenges to affordable housing in the 1980s: preservation of public housing units and other affordable housing, through organizing and mobilizing tenants and legal efforts. Other essays address proposals for a progressive housing policy, including the establishment of a right to decent housing.

AFFORDABLE HOUSING AND PUBLIC POLICY: STRATEGIES FOR METROPOLITAN CHICAGO (Lawrence P. Joseph ed., 1993). This book is a collection of nine articles on affordable housing, focused mainly on Chicago and Illinois.

DAVID L. KIRP, JOHN P. DWYER & LARRY A. ROSENTHAL, *OUR TOWN: RACE, HOUSING, AND THE SOUL OF SUBURBIA* (1995). This work presents the story of the *Mount Laurel* case as a human narrative. It looks at the historical development of Mount Laurel Township and the nearby City of Camden, and it examines the struggle for affordable housing in the suburbs from the perspective of a lead plaintiff, Ethel Robinson Lawrence, an African-American woman whose roots in Mount Laurel went back six generations.

MARY SULLIVAN MANN, *THE RIGHT TO HOUSING: CONSTITUTIONAL ISSUES AND REMEDIES IN EXCLUSIONARY ZONING* (1976). The author begins with a history of zoning and planning law. There is a chapter on the difficulties of challenging exclusionary ordinances and a review of the mixed record of the state courts in striking down exclusionary laws. The concluding chapter argues that legislation and judicial remedies can both be used to combat exclusionary zoning, but both strategies face significant political obstacles.

C. TYLER MULLIGAN & JAMES L. JOYCE, *INCLUSIONARY ZONING: A GUIDE TO ORDINANCES AND THE LAW* (2010), available at <http://www.sog.unc.edu/pubs/electronicversions/pdfs/inclzoningtoc.pdf>. This work seeks to provide local officials, planners, and other policy makers with a range of options as a guide for developing local policies for affordable housing and inclusionary zoning. The focus of the book is on municipalities in North Carolina.

AFTER MOUNT LAUREL: THE NEW SUBURBAN ZONING (Jerome G. Rose & Robert E. Rothman eds., 1977). This book is a detailed history and examination of the *Mount Laurel* case and its impact on housing and land-use law. Many of the essays in this book grew out of a symposium at Rutgers Law School.

MICHAEL E. STONE, *SHELTER POVERTY: NEW IDEAS ON HOUSING AFFORDABILITY* (1993). This book examines the struggles for affordable housing in the twentieth century in the United States and offers suggestions for possible remedies. Stone defines “shelter poverty” as the point where families need to cut into other essentials to pay for housing. By this measure a third of the country lives in shelter poverty. The solution requires a “revolutionary transformation of our economic and social institutions,” beginning with a right to housing.

#### ARTICLES

National Housing Law Project, *Expanding Housing Strategies: The Story of One Network of Advocates*, 27 CLEARINGHOUSE REV. 1134 (1994). This article examines the balance between litigation and policy advocacy and urges greater development of network building among housing attorney advocates and clients.

Case Comment, *Landlord-Tenant – Due Process – Tenant of Federally Subsidized Housing May Not be Evicted Upon Expiration of Lease Absent a Showing of Good Cause – Green v. Copperstone Limited Partnership*, 36 MD. L. REV. 255 (1976). This case comment examines a case in which the court held that a tenant could only be evicted for good cause. Expiration of the lease was not good cause.

Note, *Equal Protection Clause and Exclusionary Zoning After Valtierra and Dandridge*, 81 YALE L. J. 61 (1971). This note examines two U.S. Supreme Court cases that appear to uphold exclusionary laws but argues that these cases should be narrowly construed and that there are many constitutional rationales for overturning exclusionary zoning left unaffected by these decisions.

Note, *New Jersey Judiciary's Response to Exclusionary Zoning*, 25 RUTGERS L. REV. 172 (1970). This note examines *DeSimone v. Greater Englewood Housing Corp. No. 1*, 267 A.2d 31 (1970), a pre-*Mount Laurel* case where the New Jersey Supreme Court upheld a zoning variance permitting construction of multi-family housing.

Kristen David Adams, *Do We Need a Right to Housing*, 9 NEV. L. J. 275 (2009). This article examines the question of rights generally and concludes that housing rights are necessary, and it offers a model for framing housing rights.

Brian D. Alton, Note, *State Initiatives for Affordable Housing: Legislative and Judicial*, 3 HAMLIN J. PUB. L. 31 (1982). This Note examines the *Mount Laurel* decision and similar cases as well as statutory remedies to limit exclusionary zoning.

Anthony Wallach Beck, Comment, *Apartment for Rent: Adults Only; No Children Allowed*, 15 CAL. W. L. REV. 219 (1979). This article discusses the problems families with children have in finding affordable housing and examines whether existing California non-discrimination statutes can be applied to prohibit adult-only housing.

Susan Bennett, *Heartbreak Hotel: The Disharmonious Convergence of Welfare, Housing and Homelessness*, 1 MD. J. CONTEMP. LEGAL ISSUES 27 (1990). This article explores problems of welfare hotels and congregate shelters and argues that public funds used to support emergency housing would be better spent on construction of permanent housing.

Curtis J. Berger, *Beyond Homelessness: An Entitlement to Housing*, 45 U. MIAMI L. REV. 315 (1990-1991). This article discusses the human costs of homelessness and inadequate housing, offers proposals for addressing homelessness and shelter poverty, and argues that affordable housing is a fundamental human right.

Gary L. Blasi, *Litigation Strategies for Addressing Bureaucratic Disentitlement*, 16 N.Y.U. REV. L. & SOC. CHANGE 591 (1987-1988). This article examines a series of California cases that achieved benefits, including shelter, for indigent persons. The attorneys in the cases highlighted in this article chose to seek narrow, targeted relief to particularly egregious practices rather than broad relief or sweeping changes to the law.

David B. Bryson, *How the Clinton Administration and the 104th Congress Impaired Poor People's Rights to Housing*, 30 CLEARINGHOUSE REV. 1154 (1997). This article examines legislation passed in the 104th Congress that did away with substantive and procedural rights of public housing tenants and homeowners with FHA mortgages.

Ann M. Burkhart, *The Constitutional Underpinnings of Homelessness*, 40 HOUS. L. REV. 211 (2003). This author argues that the social climate at the time of the making of the Constitution was one of hostility toward the poor and those without property. This history accounts for the lack of a right to housing in the U.S. Constitution and the continuing struggle of the poor to secure adequate housing.

Michael M. Burns, *Class Struggle in the Suburbs: Exclusionary Zoning Against the Poor*, 2 HASTINGS CONST. L. Q. 179 (1975). This article explores economic segregation in housing facilitated by exclusionary zoning ordinances and looks at judicial efforts to prevent exclusionary zoning, including the *Mount Laurel* case.

Karl L. Cambronne, Comment, *Towards a Recognition of a Constitutional Right to Housing*, 42 UMKC L. REV. 362 (1974). This article argues that there is a constitutional basis for finding that housing is a fundamental right, based on the equal protection and due process provisions of the U.S. Constitution.

Corinne A. Carey, *No Second Chance: People with Criminal Records Denied Access to Public Housing*, 36 U. TOL. L. REV. 545 (2005). This article discusses policies that exclude those with criminal records are unreasonable and discriminatory, the author argues, and such policies exacerbate problems of homelessness and may violate international human rights standards.

Kenneth M. Chackes, *Sheltering the Homeless: Judicial Enforcement of Governmental Duties to the Poor*, 31 WASH. U. J. URB. & CONTEMP. L. 155 (1987). This article explores the opportunities and limits in using the courts to require government to provide shelter and other basic needs to its citizens.

Richard H. Chused, Saunders (*a.k.a.* Javins) v. First National Realty Corporation, 11 GEO. J. ON POVERTY L. & POL'Y 191 (2004). This article gives an account of the landmark case that found tenants had an implied warranty of habitability and gave tenants one of their

first useful defenses in combating substandard housing.

Maria L. Ciampi, Note, *Building a House of Legal Rights: A Plea for the Homeless*, 59 ST. JOHN'S L. REV. 530 (1985). This note focuses on the denial of voting rights to the homeless because of their lack of a permanent address. This article suggests remedies to the problem and argues that if the homeless are fully enfranchised they will become a voting bloc for a statutory right to housing.

Robert C. Coates, *Legal Rights of Homeless Americans*, 24 U.S.F. L. REV. 297 (1990). This article, by a municipal court judge, provides a survey of case law on the rights of the homeless and discusses litigation strategies for attorneys advocating on behalf of the homeless.

John C. Connell, *A Right to Emergency Shelter for the Homeless Under the New Jersey Constitution*, 18 RUTGERS L. J. 765 (1987). This article examines whether there is a constitutional basis for the right to shelter in the New Jersey Constitution and reviews New Jersey cases that argue for a state constitutional right to shelter.

Wes Daniels, "Derelicts," *Recurring Misfortune, Economic Hard Times and Lifestyle Choices: Judicial Images of Homeless Litigants and Implications for Legal Advocates*, 45 BUFF. L. REV. 687 (1997). Advocates for the homeless often perpetuate negative stereotypes of the homeless in seeking to win judicial sympathy for their clients, which the author argues is ultimately detrimental to their clients' interests. This article examines how the judiciary views the homeless by analyzing the language used in court decisions concerning the homeless.

Connie de la Vega, *Using International Human Rights Law in Legal Services Cases*, 22 CLEARINGHOUSE REV. 1242 (1989). This article provides guidance for attorneys seeking to use international human rights law in state and federal court proceedings on behalf of low-income clients, including arguing for a right to housing that is grounded in international law.

Susan V. Demers, *The Failures of Litigation as a Tool for the Development of Social Welfare Policy*, 22 FORDHAM URB. L.J. 1009 (1995). The author argues that while litigation has had some notable successes in securing fundamental rights, including rights for the homeless, litigation is generally a poor tool for advancing social welfare. Litigation can stifle innovation and experimentation

necessary to advance social policy and undermine the role of the political branches of government.

Mark S. Dennison, Note, *Ex-Mental Patients Have Rights Too*, 6 N.Y.L. SCH. J. HUM. RTS. 135 (1988). This article examines a variety of rights that must be secured for ex-mental patients to succeed in the community, including an argument for a right to housing grounded in the Fourteenth Amendment.

Cheryl P. Derricotte, *Poverty and Property in the United States: A Primer on the Economic Impact of Housing Discrimination and the Importance of a U.S. Right to Housing*, 40 HOWARD L.J. 689 (1997). This article examines international legal instruments and the U.S. Constitution and federal housing statutes in support of a right to housing.

Robert Doughten, *Filling Everyone's Bowl: A Call to Affirm a Positive Right to Minimum Welfare Guarantees and Shelter in State Constitutions to Satisfy International Standards of Human Decency*, 39 GONZ. L. REV. 421 (2004). This article argues for positive rights to adequate welfare and shelter based on international human rights law and examines state cases that have advanced those rights.

George E. Edwards, *International Human Rights Law Violations Before, During, and After Hurricane Katrina: An International Law Framework for Analysis*, 31 T. MARSHALL L. REV. 353 (2006). This article argues that much of the suffering caused by Hurricane Katrina was the result of systematic violations of international human rights law, including the numerous international treaties to which the U.S. is a party. Violations to the right to adequate housing and freedom from discrimination in housing are discussed in this article.

Robert C. Ellickson, *The Untenable Case for an Unconditional Right to Shelter*, 15 HARV. J. L. & PUB. POL'Y 17 (1992). The author argues that the Constitution protects only "negative liberties" such as freedom from governmental intrusion. Positive rights, such as a right to shelter and other social welfare benefits make for poor social policy as they create disincentives to work.

Robert C. Ellickson, *A Right to Housing?*, 4 THE RESPONSIVE COMMUNITY 43 (1994). The author argues that advocates of housing rights fail to link rights to responsibilities. He believes only two positive rights are guaranteed in U.S. law: the right to education



through state constitutions and the right to self-ownership of one's labor through the Thirteenth Amendment. These rights promote responsibility and the welfare of the community, while housing rights and other welfare benefits do not.

Maria Foscarinis, *The Growth of a Movement for a Human Right to Housing in the United States*, 20 HARV. HUM. RTS. J. 35 (2007). This article describes the achievements and setbacks of the movement to secure a right to housing in the United States over the last twenty years. The author looks forward to the emergence of a national movement for housing rights and an understanding of the right to housing as one grounded in human rights law.

Maria Foscarinis, *Advocating for the Human Right to Housing: Notes from the United States, Realizing Domestic Social Justice Through International Human Rights: Part II*, 30 N.Y.U. REV. L. & SOC. CHANGE 447 (2006). This article provides an analysis of how the struggle to recognize a right to housing fits into the framework of international law, with a particular focus on a hearing before the Inter-American Commission on Human Rights in March of 2005.

Maria Foscarinis, *Homelessness and Human Rights: Towards an Integrated Strategy*, 19 ST. LOUIS U. PUB. L. REV. 327 (2000). Despite the victories of legal advocates on behalf of the poor and homeless, more is needed to secure a positive right to housing. The author believes it is possible that international human rights law can provide the necessary foundation for securing a right to housing.

Maria Foscarinis, *Federal Legislative and Litigative Strategies: An Overview*, 1 MD. J. CONTEMP. LEGAL ISSUES 9 (1990). After providing an overview of the nature of contemporary homelessness, the author examines current legislation and litigation and proposes avenues for future federal legislation.

Paula A. Franzese, *Mount Laurel III: The New Jersey Supreme Court's Judicious Retreat*, 18 SETON HALL L. REV. 30 (1988). This article reviews the history of the *Mount Laurel I* and *II* decisions, and the New Jersey Fair Housing Act. *Mount Laurel III* upheld the constitutionality of that Act. The author argues that the N.J. Supreme Court gladly transferred the obligation for *Mount Laurel* enforcement to the legislative and executive branches of government. Comprehensive legislative action required judicial prodding, but once the legislature acted, the court was happy to support the new legislative scheme for achieving affordable housing.

Craig M. Fullen, Note, *A Home Away from Home: An Analysis of a State's Duty to Provide Services to Nonresident Homeless*, 23 RUTGERS L.J. 117 (1991). This note examines the legal arguments that may be used to provide non-residents with the same state benefits to shelter as residents, and also legal arguments that may be used to deny them shelter.

Dave Furman & Mike McGurrin, *Hunger and Homelessness in America: A Survey of State Legislation*, 66 DENV. U. L. REV. 277 (1989). After providing an overview of the problems of homelessness, the authors review various federal and state statutes that address homelessness. They conclude the current patchwork of laws is inadequate and argue for better coordination of effort between federal, state and local governments.

Liam Garland, *Reflections on Housing Rights Center v. Krug*, 41 URB. LAW. 249 (2009). An examination of the *Krug* case, which dealt with housing discrimination against families with children. The results of the case highlight both the potential and limitations of housing testing as a means of enforcing fair housing law.

Mayra Gomez & Bret Thiele, *Housing Rights are Human Rights*, 32 HUM. RTS. 2 (2005). The authors argue that the current U.S. legal framework for assisting the homeless and providing shelter for the poor is woefully inadequate and that it is necessary to look to international human rights law to secure a right to adequate housing for all.

Charles W. Gould, *The Right to Housing Recovery After Natural Disasters*, 22 HARV. HUM. RTS. J. 169 (2009). The poor and marginalized have the greatest difficulty in recovering their housing in the wake of natural disasters. The author examines the aftermath of disasters such as the 2005 tsunami in the Indian Ocean and Hurricane Katrina. This article focuses on the Pinheiro Principles, (United Nations Principles on Housing and Property Restitution for Refugees and Displaced Persons (2005)) as a model for protecting housing rights in the wake of natural disasters.

Jonathan L. Hafetz, *Homeless Legal Advocacy: New Challenges and Directions for the Future*, 30 FORDHAM URB. L.J. 1215 (2003). The article reviews the rise in homelessness in the United States and the litigation to seek emergency shelter on behalf of the homeless in the 1980s and 1990s. The author argues that legal advocacy must move beyond basic shelter to a more holistic model of advocacy that considers how best to meet the non-legal needs of homeless clients

and employs the tools of critical legal theory.

Chester Hartman, *The Case for a Right to Housing*, 9 HOUSING POLICY DEBATE 223 (1998). The author argues that the United States has the resources to guarantee everyone a right to decent, affordable housing, especially when the costs of doing so are offset by the costs of failing to do so. This article looks at current housing rights as the basis for expansion to a fully fledged right to housing.

Chester Hartman, *Report on the Affordable Housing Colloquium Conference on Developing a Research Agenda to Move the Nation Towards a Right to Decent*, 27 SETON HALL L. REV. 1496a (1997). A very brief summary of the panel discussion.

Robert M. Hayes, *Litigating on Behalf of Shelter for the Poor*, 22 HARV. C.R.-C.L. L. REV. 79 (1987). A symposium address by the chief litigator of *Callahan v. Casey* on issues of homelessness, the role of litigators and the need for larger policy solutions.

Robert M. Hayes, *Homelessness & the Legal Profession*, 35 LOY. L. REV. 1 (1989). In a law school speech, Mr. Hayes discusses his work as a litigator on behalf of the Coalition for the Homeless and argues for long-term policy changes to reduce homelessness.

Robert M. Hayes, *Homelessness – Introduction*, 3 N.Y.L. SCH. J. HUM. RTS. 245 (1986). The author provides background for an issue of this journal devoted to analyzing homelessness.

Bradley R. Haywood, *Right to Shelter as a Fundamental Interest Under the New York State Constitution*, 34 COLUM. HUM. RTS. L. REV. 157 (2002). This note reviews the New York case of *Callahan v. Carey* and its underpinnings in New York state constitutional law. The author argues that the right to shelter should be seen as a fundamental right and cases involving governmental failure to provide adequate shelter should be subject to strict scrutiny.

Stanley S. Herr, *Helping the Homeless: An Introduction for Lawyers*, 1 MD. J. CONTEMP. LEGAL ISSUES 1 (1990). An introduction to an issue of the journal focusing on the role of lawyers in assisting the homeless.

Dennis D. Hirsch, *Making Shelter Work: Placing Conditions on an Employable Person's Right to Shelter*, 100 YALE L. J. 491 (1990). The author argues for limiting the right to shelter for able-bodied

homeless persons.

Robert C. Holmes, *A Black Perspective on Mount Laurel II: Toward a Black "Fair Share"*, 14 SETON HALL L. REV. 944 (1983-1984). This article argues that race as well as economic status is a necessary factor to be considered in fashioning a remedy to exclusionary zoning.

Mary Ellen Hombs, *Reversals of Fortune: America's Homeless Poor and their Advocates in the Nineties*, 49 GUILD PRAC. (Special Issue on Economic Rights) 111 (1992). This article states that there have been two approaches to ending homelessness: changing the institutions and changing individuals. Most efforts at ameliorating homelessness have focused on the latter approach, but the author argues that ending homelessness requires greater social and economic equity.

Mary Ellen Hombs et al., *Advocacy to End Homelessness: New Initiatives for Social Equity*, 27 CLEARINGHOUSE REV. 1143 (1994). This article describes how housing advocacy must move beyond emergency shelter and work to insure permanent housing and employment and/or adequate income to solve the problems of homelessness.

Susan R. Jones & Deborah Kenn, *An Annotated Bibliography of Affordable Housing and Community Economic Development Law*, 7 J. AFFORDABLE HOUS. & CMTY. DEV. L. 340 (1997-1998). This bibliography covers 129 journal articles on the two topics from 1990 to 1997.

Paula Elaine Kay, *Tale of Two Cities: A Comparative Analysis of the Causes and Legal Responses to Homelessness in New York City and London*, 15 BROOK. J. INT'L L. 465 (1989). This note compares how a right to shelter was established in New York City through litigation with London, where Parliament imposed a duty on local governments to provide shelter. The author finds both cities do an inadequate job in addressing homelessness as both neglect to address the lack of affordable housing.

Henry L. Kent-Smith, Note, *Council on Affordable Housing and the Mount Laurel Doctrine: Will the Council Succeed?*, 18 RUTGERS L.J. 929 (1987). This article examines the New Jersey Fair Housing Act which established the Council on Affordable Housing to oversee disputes on affordable housing. This note analyzes the history of

*Mount Laurel* litigation and expresses skepticism that the new Council will be able to enforce the *Mount Laurel* doctrine as effectively as the courts.

Rachel Kleinman, Comment, *Housing Gideon: The Right to Counsel in Eviction Cases*, 31 *FORDHAM URB. L. J.* 1507 (2004). This author first reviews the case for “civil *Gideon*” and then discusses why the right to counsel is particularly strong for those facing eviction.

Peter King, *Housing as a Freedom Right*, 18 *HOUSING STUDIES* 661 (2003). This author views housing as fundamental to human flourishing. It suggests that housing can be seen as a freedom right and is thus on a par with the right to property.

Christine Robitscher Ladd, Note, *A Right to Shelter for the Homeless in New York State*, 61 *N.Y.U. L. REV.* 272 (1986). This note argues that the right to shelter is guaranteed by Article XVII of the New York State Constitution which requires that the state provide for “the aid, care and support of the needy.”

James K. Langdon II & Mark A. Kass, *Homelessness in America: Looking for the Right to Shelter*, 19 *COLUM. J.L. & SOC. PROBS.* 305 (1985). This article examines progress in federal and state litigation and legislation toward a right to shelter. The New York case *Callahan v. Carey* is examined in some detail.

David Lawrence III, Note, *Checking Out of New York City's Welfare Hotels*, 16 *J. LEGIS.* 203 (1990). This note examines how New York City is moving beyond welfare hotels as a means of sheltering the homeless and makes recommendations for combating homelessness.

Olan B. Lowrey, *Exclusionary Zoning: Mount Laurel—Seminal or Tempest-in-a-Teapot*, 4 *W. NEW ENG. L. REV.* 541 (1982). This author reviews a number of criticisms of the *Mount Laurel* doctrine as a means for promoting affordable housing and argues that a legislative remedy would be more appropriate than judicial remedies.

Lauren M. Malatesta, Note, *Finding a Right to Shelter for Homeless Families*, 22 *SUFFOLK U. L. REV.* 719 (1988). This note traces the development of a right to shelter at the state level with a focus on Massachusetts.

Raymond B. Marcin, *Homelessness: A Commentary and a Bibliography*, 4 J. CONTEMP. HEALTH L. & POL'Y 203 (1988). This bibliography covers literature from the mid-1980s.

S. Lynn Martinez, *An American Vision: The Right to Shelter*, 12 IN PUB. INT. 1 (1992). This article provides a history of homelessness beginning with medieval England, a review of current state litigation to win a right to shelter, and ends with a review of litigation in California to secure a right to shelter.

Donna Mascari, *Homeless Families: Do They Have a Right to Integrity?*, 35 UCLA L. REV. 159 (1987). The author argues that the right of a family to remain intact is a fundamental right and shelter is necessary to secure this right. Emergency shelters do not adequately provide for families and transitional housing and affordable permanent housing are needed to respect the integrity of homeless families.

Albert Mathews, Comment, *The Right to Housing*, 6 BLACK L. J. 247 (1978-1980). In arguing for finding a constitutionally based right to housing the author criticizes the Supreme Court's decision in *Lindsey v. Normet* and reviews state cases that support housing rights.

Robert W. McAndrew, Comment, *Exclusionary Zoning: The Mount Laurel Doctrine and the Implications of the Madison Township Case*, 8 SETON HALL L. REV. 460 (1977). This comment discusses judicial approaches to stopping exclusionary zoning in New Jersey.

Neil V. McKittrick, *The Homeless: Judicial Intervention on Behalf of a Politically Powerless Group*, 16 FORDHAM URB. L.J. 389 (1987-1988). This article reviews recent decisions on sheltering the homeless and advocates for federal legislation as a long-term solution to securing a right to shelter.

Jeffrey A. Meyer, *Establishing a Right to Shelter: Lessons From Connecticut*, 11 U. BRIDGEPORT L. REV. 1 (1990). This article examines the rise of homeless families in Connecticut and argues that building more shelters is a poor response to the problem. The author advocates rent subsidies and eviction intervention programs as more cost-effective responses to the problem of homelessness.

Gerald S. Meisel, *Guidelines for the Practitioner: The Impact of Mount Laurel II on New Jersey Zoning and Planning Procedure and Practice*, 14 SETON HALL L. REV. 955 (1984). This article explores the impact of *Mount Laurel II* on New Jersey zoning and land use law and offers guidance for attorneys undertaking *Mount Laurel* litigation.

Frank I. Michelman, *The Advent of a Right to Housing: A Current Appraisal*, 5 HARV. C.R.-C.L. L. REV. 207 (1970). This early article sketches out legal and philosophical arguments in support of a right to housing and explores the scope of such a right.

Geoffrey Mort, Note, *Establishing a Right to Shelter for the Homeless*, 50 BROOK. L. REV. 939 (1984). This note examines strategies of legal advocacy on behalf of the homeless, with particular attention to cases in New York City and Washington, D.C.

James I. O'Hern, Note, *Aid to Families with Dependent Children and Emergency Assistance: New Jersey's Aid to Homeless Families*, 13 SETON HALL LEGIS. J. 181 (1990). This note argues that providing for the needs of homeless families is properly the responsibility of the executive and legislative branches of government but if they fail to provide adequate shelter and long term housing solutions to homeless families the judicial branch may intervene with detailed and intrusive remedies. The author recommends a legislative solution that will place the responsibility for assisting homeless families with one state agency.

Laura M. Padilla, *Reflections on Inclusionary Housing and a Renewed Look at its Viability*, 23 HOFSTRA L. REV. 539 (1995). This article examines inclusionary housing programs with a focus on California. Arguments both in favor and critical of inclusionary housing are explored. The author concludes that such programs are legally valid if carefully drafted.

Giulia Paglione, *Domestic Violence and Housing Rights: A Reinterpretation of the Right to Housing*, 28 HUM. RTS. Q. 120 (2006). The author argues that international human rights instruments supporting a right to housing do not adequately address the special needs of women facing domestic violence and offers some possible solutions.

Deborah L. Parker, *Right to Shelter for the Homeless: The Use of Decision Analysis in Fashioning a Remedy*, 81 GEO. L.J. 829 (1993). This note suggests a procedural approach whereby courts ruling for a right to shelter can offer agencies guidance on how that right should be implemented and enforced. Specifically, the author recommends “multiattribute utility analysis,” a management decision tool used in business.

John M. Payne, *Fairly Sharing Affordable Housing Obligations: The Mount Laurel Matrix*, 22 W. NEW ENG. L. REV. 365 (2001). After offering a history of the *Mount Laurel* litigation, Professor Payne offers a plan to provide for more effective implementation of the goals of affordable housing in the future. The matrix sketches how the public sector, both state and local, and the private sector can all contribute to the goal of ensuring fair and affordable housing.

John M. Payne, *Reconstructing the Constitutional Theory of Mount Laurel II*, 3 WASH. U. J.L. & POL'Y 555 (2000). After examining the constitutional arguments contained in the *Mount Laurel II* decision, Professor Payne suggests how the constitutional principles of *Mount Laurel II* could be expanded to encompass not just a right to affordable housing but a right to shelter as well.

John M. Payne, *Exclusionary Zoning and the “Chester Doctrine”*, 20 REAL EST. L.J. 366 (1992). An examination of the case, *Britton v. Town of Chester*, that did not fully embrace New Jersey’s *Mount Laurel* doctrine. The author says it nevertheless plotted “a middle course that promises better results than the do-little approaches of other states such as New York and Pennsylvania.”

John M. Payne, *Housing Impact Fees*, 20 REAL EST. L.J. 75 (1991). This article examines the New Jersey case of *Holmdel Builders Ass’n v. Holmdel* which upheld the constitutionality of impact fees for lower-income housing.

John M. Payne, *A Federal Remedy for Exclusionary Zoning*, 17 REAL EST. L.J. 261 (1989). An examination of the Second Circuit case, *Huntington Branch, NAACP v. Town of Huntington*, which examined the applicability of Title VIII, the Fair Housing Act of 1986, to claims of municipal discrimination against low income housing.

John M. Payne, *A Rent Control Skirmish in the Battle for Private Property Rights*, 17 REAL EST. L.J. 158 (1988). A review of the U.S. Supreme Court case of *Pennell v. City of San Jose*, where the Court



declined to find a rent control ordinance unconstitutional.

John M. Payne, *Beyond Mount Laurel*, 16 REAL EST. L.J. 349 (1987). This article examines two New York cases that were setbacks for affordable housing advocates and where the courts declined to extend the *Mount Laurel* doctrine to New York.

John M. Payne, *Rethinking Fair Share: The Judicial Enforcement of Affordable Housing Policies*, 16 REAL EST. L.J. 20 (1987). This article reviews some of the difficulties that have arisen in judicial enforcement of the *Mount Laurel* doctrine and proposes changes to the fair share mechanism that could make *Mount Laurel* cases easier to enforce and the doctrine more attractive to other states.

John M. Payne, *Mount Laurel Goes National*, 15 REAL EST. L.J. 62 (1986). An examination of cases from New Hampshire and New York that applied a *Mount Laurel* analysis to affordable housing issues.

John M. Payne, *Housing Rights and Remedies: A "Legislative" History of Mount Laurel II*, 14 SETON HALL L. REV. 889 (1984). This article provides a summary of the *Mount Laurel I* case and the litigation that resulted from that decision as a background to a thorough description and analysis of the *Mount Laurel II* decision that examines the briefs, oral arguments and facts of the six cases consolidated into *Mount Laurel II*.

Michael L. Perlin, *Competency, Deinstitutionalization, and Homelessness: A Story of Marginalization*, 28 HOUS. L. REV. 63 (1991). The author argues that myths about homelessness, especially the myth that all homeless persons are mentally ill, distort public policy toward the homeless. By seeing homelessness as rooted in pathology, the public ignores the social and economic conditions that are the true causes of homelessness.

Ana Petrovic, Note, *The Elderly Facing Gentrification: Neglect, Invisibility, Entrapment, and Loss*, 15 ELDER L. J. 533 (2007). This note examines the pressures gentrification places on elderly residents and their ability to hold onto affordable housing. The author recommends special attention to the housing needs of elders and argues for a constitutionally based right to housing.

Inez Smith Reid, *Law, Politics and the Homeless*, 89 W. VA. L. REV. 115 (1986). This article examines efforts to secure a right to shelter in Washington, D.C.

Florence Wagman Roisman, *Lawyer as Abolitionist: Ending Homelessness and Poverty in our Time*, 19 ST. LOUIS U. PUB. L. REV. 237 (2000). The author compares the movement to end homelessness to the abolition movement to end slavery and the civil rights movement that ended segregation. The solutions to end homelessness are no more radical than those used to end slavery and segregation. Lawyers have a special competence and therefore a special obligation to assist in the struggle to eradicate homelessness.

Florence Wagman Roisman, *Establishing a Right to Housing: A General Guide*, 25 CLEARINGHOUSE REV. 203 (1991). This article reviews the many successful litigation efforts around the country that advance the goal of establishing a right to housing as a guide for housing rights advocates.

Florence Wagman Roisman, *Right to Public Housing*, 39 GEO. WASH. L. REV. 691 (1971). The federal government plays a critical role in the provision of housing to the poor, from providing subsidies to funding construction of new units, but often fails in its responsibility. The author suggests several strategies for litigation to secure adequate public housing.

Jerome G. Rose, *New Additions to the Lexicon of Exclusionary Zoning Litigation*, 14 SETON HALL L. REV. 851 (1984). The author argues that the *Mount Laurel* litigation has broken new ground in judicial activism and that the court has encroached on the legislative and executive branches of government. The "lexicon" consists of new concepts and terminology that have been added to the field of land use and planning law by the litigation.

Norma Rotunno, *State Constitutional Social Welfare Provisions and the Right to Housing*, 1 HOFSTRA L. & POL'Y SYMP. 111 (1996). This note argues that the social welfare provisions found in many state constitutions are the best starting point for finding the basis for a right to housing.

J. Peter Sabonis, *Maryland Needs a Right to Shelter*, 1 MD. J. CONTEMP. LEGAL ISSUES 97 (1990). This article reviews the inadequacy of Maryland's current response to homelessness and discusses how, through litigation or legislation, the right to shelter

can be made mandatory in Maryland.

Barbara Sard, Florence Roisman & Chester Hartman, *Homeless: Dialogue on Welfare and Housing Strategies*, 23 CLEARINGHOUSE REV. 104 (1989). This edited transcript of a panel discussion on homelessness at the 1988 NLADA conference touches on issues of lack of affordable housing, the decreasing purchasing power of the minimum wage, housing subsidy programs and legal approaches to addressing homelessness.

Eila Savela, *Homelessness and the Affordable Housing Shortage: What Is to Be Done?*, 9 LAW & INEQ. 279 (1991). After a discussion of the various causes of homelessness, the author examines various solutions from rent control to housing subsidies and urban homesteading and concludes only the federal government has sufficient power and resources to adequately address the problem.

Andrew Scherer, *Gideon's Shelter: The Need to Recognize a Right to Counsel for Indigent Defendants in Eviction Proceedings*, 23 HARV. C.R.-C.L. L. REV. 557 (1988). This article explores potential statutory bases for the appointment of counsel in eviction cases and suggests how to best implement a right to counsel law.

James M. Scott III, *Development in State Constitutional Law: 1995, Positive Rights – Right to Subsistence Under the Connecticut Constitution*, 27 RUTGERS L.J. 970 (1996). Two Connecticut cases are examined, including *Hilton v. City of New Haven*, 661 A.2d 973 (Conn. 1995), that concerned the right to shelter.

Kevin P. Sherburne, *The Judiciary and the Ad Hoc Development of a Legal Right to Shelter*, 12 HARV. J.L. & PUB. POL'Y 193 (1989). This comment reviews litigation efforts to establish a right to shelter and concludes that it is beyond the proper scope of the judiciary to fashion a legal right to shelter.

Patricia Siebert, *Homeless People: Establishing Rights to Shelter*, 4 LAW & INEQ. 393 (1986). Legal advocates for a right to shelter employ many legal theories but the author concludes that all theories embrace the basic proposition that all people are entitled to the basic needs of human existence, including shelter.

Louis J. Sirico, Jr., *Homelessness: An Introduction and Bibliography*, 36 VILL. L. REV. 1019 (1991). An introduction to a symposium on homelessness with a bibliography that covers the

period from 1985 to 1991.

Ronald C. Slye, *Community Institution Building: A Response to the Limits of Litigation in Addressing the Problem of Homelessness*, 36 VILL. L. REV. 1035 (1991). While acknowledging the value of litigation in achieving short-term successes in addressing homelessness, the author argues that long-term solutions require institutional responses directed by community agencies.

Frank I. Smizik & Michael E. Stone, *Single Parent Families and a Right to Housing*, 45 GUILD PRAC. 74 (1988). This article argues for grounding the right to housing in state constitutional law.

Julie M. Solinski, *Affordable Housing Law in New York, New Jersey, and Connecticut: Lessons for Other States*, 8 J. AFFORDABLE HOUS. & CMTY. DEV. L. 36 (1998). This article analyzes case law and statutes on affordable housing in the three states. The author concludes that New Jersey has the most effective and rational scheme for promoting affordable housing and Connecticut's statute has also effectively promoted the construction of affordable housing. New York, with relatively weak decisional law and statutes, lags behind. The author suggests New Jersey and Connecticut should serve as models for other states seeking to promote affordable housing.

Sally S. Spector, *Finding a Federal Forum: Using the Stewart B. McKinney Homeless Assistance Act to Circumvent Federal Abstention Doctrines*, 6 LAW & INEQ. 273 (1988). This article explores how lawyers can use the McKinney Act to adjudicate issues of homelessness in a federal forum.

Ed Stafman, Note, *Housing for the Elderly: Constitutional Limitations and our Obligations*, 5 FLA. ST. U. L. REV. 423 (1977). This note argues that restrictive covenants that are used to establish retirement communities provide affordable housing for elders and in most cases such covenants should be sustained against constitutional attack. The author examines several New Jersey cases in support of this argument.

Janet Ellen Stearns, *Voluntary Bonds: The Impact of Habitat II on U.S. Housing Policy*, 16 ST. LOUIS U. PUB. L. REV. 419 (1997). This article examines the second United Nations conference on Human Settlements, or Habitat II and discusses its implications on U.S. housing policy.

Marc I. Steinberg, *Adequate Housing for all: Myth or Reality?*, 37 U. PITT. L. REV. 63 (1975). The author argues that access to affordable housing should be a fundamental constitutional right, based largely on the Equal Protection Clause of the Fourteenth Amendment.

Sara H. Strauss & Andrew E. Tomback, *Homelessness: Halting the Race to the Bottom*, 3 YALE L. & POL'Y REV. 551 (1985). This comment argues that state and local responses to homelessness are inadequate and federal legislation is needed to provide a comprehensive solution. The authors offer suggestions for federal action, including a uniform minimum standard of care for the provision of shelter.

Donald P. Tuttle, Eugene B. Jacobs, & Gerette Hosticka, *The Plight of the Homeless*, 18 URB. LAW. 925 (1986). This article surveys the problems faced by the homeless and state responses to the problems, which the authors find inadequate. This article calls for a comprehensive federal response that will address not only the need for emergency shelter but long term affordable housing.

Stanley C. Van Ness, *On the Public Advocate's Involvement in Mount Laurel*, 14 SETON HALL L. REV. 832 (1984). After providing a brief history of the New Jersey courts' response to exclusionary zoning, including *Mount Laurel I* and *II*, the author, a former New Jersey Public Advocate, discusses the political consequences of *Mount Laurel* advocacy by the Department of the Public Advocate.

Gretchen Walsh, Note, *The Necessity for Shelter: States Must Prohibit Discrimination Against Children in Housing*, 15 FORDHAM URB. L.J. 481 (1986-1987). This note describes the problems of housing discrimination against children and offers a number of possible legal remedies, including state action, equal protection and due process claims under the Fourteenth Amendment and private action under the Fair Housing Act. The author recommends amending and strengthening state law to provide a private right of action for families and enforcement through state housing commissions.

James Welcome, *Shocking the Conscience of the Court: The Case for a Right to Emergency Shelter for Families with Children in Connecticut*, 8 QUINNIPIAC HEALTH L. J. 1 (2004). This article examines two Connecticut cases that set back the rights of the homeless, *Hilton v. City of New Haven* and *Moore v. Ganim*. The

author suggests grounds for challenging the ruling in *Hilton*, and examines the case law in several states that have found a right to shelter.

Frances E. Werner, *Homelessness: A Litigation Roundup*, 18 CLEARINGHOUSE REV. 1255 (1985). This article provides an overview of homelessness litigation in the 1970s and early 1980s.

John H. Whitfield, *A Guide to Finding a Right to Shelter for the Homeless*, 9 MISS. C. L. REV. 295 (1989). After a brief historical overview of homelessness, the author recommends that advocates seeking to find a right to shelter concentrate their research in three areas: federal statutes, state constitutional provisions, and state statutes. International legal arguments are also considered.

Katherine Barrett Wiik, *Justice for America's Homeless Children: Cultivating a Child's Right to Shelter in the United States*, 35 WM. MITCHELL L. REV. 875 (2009). The author argues that housing needs and homelessness should be reframed as a human rights issue and grounds her arguments in international law, political theory, and the social sciences. While an argument for the right to housing generally, the author focuses on the particular needs of children.

Rob Wilcox, *Housing in Post-Katrina New Orleans: Legal Rights and Recourses for Displaced African-American Residents*, 2 NW. J. L. & SOC. POL'Y 105 (2007). This comment argues that any plans for rebuilding that disproportionately exclude or negatively impact African-Americans are a violation of the Fair Housing Act.

Lois G. Williams et al., *The District of Columbia's Response to Homelessness: Depending on the Kindness of Strangers*, 2 D. C. L. REV. 47 (1993). This article traces the history of the District's response to homelessness from 1980 through the early 1990s. It examines the passage of a referendum creating a right to shelter, its repeal, and efforts to secure a right to shelter through litigation.

David Woodward, *Homelessness: A Legal Activist Analysis of Judicial and Street Strategies*, 3 N.Y.L. SCH. J. HUM. RTS. 251 (1986). In addition to describing a number of legal theories that can be used to advance the rights of homeless persons through litigation, this author also advocates community based pressure, including street theater, protests, coalition building, referendums, and administrative and legislative lobbying.

R. George Wright, *Homelessness and the Missing Constitutional Dimension of Fraternity*, 46 U. LOUISVILLE L. REV. 437 (2008). The author argues that fraternity and solidarity, or their absence, are central to what is missing from the legal analysis of the right to housing.

Leonard A. Zax & Bruce J. Casino, *Sources of Legal Rights for the Homeless*, 1 J. AFFORDABLE HOUS. & CMTY. DEV. L. 12 (1991). The authors identify numerous sources of law to support legal rights for the homeless, including the U.S. Constitution, social welfare law, administrative law, housing law, state constitutions, and state and local statutes and regulations.

Jay M. Zitter, *Validity, Construction, and Application of Inclusionary Zoning Ordinances and Programs*, 22 A.L.R. 6th 295 (2007). This ALR annotation explores the mixed fate of laws aimed at promoting affordable housing through inclusionary mandates. While some states like New Jersey have strong inclusionary laws, based on *Mount Laurel II* and subsequent legislation that codified the *Mount Laurel* doctrine, other states have found such laws unconstitutional violations of the Due Process and Taking Clauses.

#### CASE LAW

##### *Right to Shelter*

###### Federal

*Koster v. Webb*, 598 F. Supp. 1134 (E.D.N.Y. 1983). Two homeless families brought an action against Nassau County, New York under 42 U.S.C. § 1983 for the county's failure to provide them with emergency shelter. The county moved to dismiss for failure to state a claim upon which relief could be granted. The court held that the families had a valid claim under § 1983 and also had valid state claims.

###### Connecticut

*Moore v. Ganim*, 660 A.2d 742 (Conn. 1995). This case explicitly rejected a state constitutional right to housing, holding that (1) the open courts provision of the Connecticut Constitution did not incorporate a governmental obligation to provide minimum subsistence to indigent citizens, (2) neither the preamble to the Connecticut Constitution nor a provision preserving unenumerated rights imposed on government affirmative constitutional obligation to provide minimum subsistence to the poor, and (3) a statute terminating general assistance benefits after nine months did not

violate the Connecticut Constitution.

*Hilton v. City of New Haven*, 661 A.2d 973 (Conn. 1995). While finding that New Haven was not in compliance with a state statute, the court again rejected a claim to a state constitutional right to shelter for the indigent.

#### New Jersey

*L.T. v. New Jersey Dep't of Human Servs., Div. of Family Dev.*, 633 A.2d 964 (N.J. 1993). The case involved the state's one year limit on temporary rental assistance. The court stated that their task was *not* to determine if the homeless had a constitutional right to shelter in New Jersey, but only what the legislature intended in passing a general assistance statute. The court held that the legislature did not intend the time limits to cause the very persons the law was designed to aid to become homeless. It ordered the continuation of rental assistance "for individuals facing homelessness to the extent of available appropriations." The decision, while a victory for those facing homelessness, did not establish a right to housing or shelter.

*Maticka v. Atlantic City*, 524 A.2d 416 (N.J. Super. Ct. App. Div. 1987). The court struck down onerous requirements imposed on families to obtain emergency shelter as arbitrary and unreasonable.

*Rodgers v. Gibson*, 528 A.2d 43 (N.J. Super. Ct. App. Div. 1987). The court expanded its decision in *Maticka* to include single homeless persons and stayed the limit on how long persons could receive such limit but would not rule that time limits were invalid.

*St. John's Evangelical Lutheran Church v. City of Hoboken*, 479 A.2d 935 (N.J. Super. Ct. Law Div. 1983). A church successfully sought an injunction against the city which wanted to close the church's homeless shelter based on zoning regulations. The court held the operation of the shelter was protected by the First Amendment's right to free exercise of religion and that the harm that would be caused by closing the shelter outweighed any inconvenience to the city.

#### New York

*Callahan v. Carey*, No. 79-42582 (N.Y. Sup. Ct., Dec. 5, 1979). This landmark class action case for the rights of the homeless was brought by the Coalition for the Homeless and argued by its pro bono counsel, Robert Hayes. The unpublished trial level decision affirmed the obligation of the state to provide shelter for homeless men in New York. This is the first of many in a long line of cases brought in New



York City to secure the right of homeless persons to shelter. The court grounded its decision in Article XVII, Section 1, of the New York State Constitution, which provides that “[t]he aid, care and support of the needy are public concerns and shall be provided by the state and by such of its subdivisions, and in such manner and by such means, as the legislature may from time to time determine.” This initial case granted plaintiffs a preliminary injunction. The parties entered into a consent decree in 1981. The text of the unpublished consent decree is available online at: [http://coalhome.3cdn.net/98ddd439f5e1c43409\\_6gm6bnxa2.pdf](http://coalhome.3cdn.net/98ddd439f5e1c43409_6gm6bnxa2.pdf).

*Eldredge v. Koch*, 459 N.Y.S.2d 960 (N.Y. Sup. Ct. 1983), *rev’d*, 98 A.D.2d 675, 744 (N.Y. App. Div. 1983). This case secured the right to shelter for homeless women.

*McCain v. Koch*, 484 N.Y.S.2d 985 (N.Y. Sup. Ct. 1984), *aff’d as modified*, 502 N.Y.S.2d 720 (N.Y. App. Div. 1986), *rev’d in part*, 70 N.Y.2d 62 (1987). This case established the right of families to emergency shelter. There are a long line of subsequent cases as future New York City mayoral administrations disputed the city’s obligation to provide families with shelter. This case may have been settled by a consent decree on a related case in 2008. The unpublished consent decree is available online at: [http://coalhome.3cdn.net/0dbdf1d35dc105791e\\_f2m6bkh9z.pdf](http://coalhome.3cdn.net/0dbdf1d35dc105791e_f2m6bkh9z.pdf).

#### West Virginia

*Hodge v. Ginsberg*, 303 S.E.2d 245 (W.Va. 1983). The court held that the state’s “Incapacitated Persons” statute applied to the homeless and the statute requirement required the state to provide adult protective services which included shelter and sustenance.

#### *Affordable Housing*

#### California

*Home Builders Ass’n of Northern California v. City of Napa*, 108 Cal. Rptr. 2d 60 (Cal. Dist. Ct. App. 2001). The court upheld a city ordinance that imposed on residential developers a requirement that ten percent of all newly constructed units be affordable. The court also held that the ordinance met the test of substantially advancing a legitimate state interest. Creating affordable housing for low and moderate income families is a legitimate state interest, and the ordinance would advance that interest.

#### Colorado

*Town of Telluride v. Lot Thirty-Four Venture, L.L.C.*, 3 P.3d 30

(Colo. 2000). The court struck down an ordinance requiring affordable housing mitigation for new developments. The court held that the town's affordable housing mitigation ordinance constituted "rent control," within the meaning of the state statute prohibiting municipalities from enacting rent control for private residential property, and the ordinance conflicted with the state statute, which addressed a matter of mixed local and statewide concern, and thus, the ordinance was invalid.

#### Connecticut

*Hochberg v. Zoning Comm'n of Washington*, 589 A.2d 889 (Conn. 1991). A landowner applied to the zoning commission for a special permit to construct condominiums on his land. The permit was granted with the requirement that fifteen percent of the units be set aside with price caps to make them affordable. Landowners from across the highway filed suit to block construction. The court found that the zoning commission lacked the authority to impose conditions for affordable housing in the permit and therefore struck down the permit.

#### Massachusetts

*Middlesex & Boston St. Ry. Co. v. Bd. of Aldermen of Newton*, 359 N.E.2d 1279 (1977). The court held that a condition on a construction permit requiring the developer to lease several apartments to the housing agency at reduced rates was invalid.

*Zoning Bd. of Appeals of Wellesley v. Ardmore Apartments Ltd. P'ship*, 767 N.E.2d 584 (2002). The court upheld a permit condition that required the owner and builder to set aside a number of apartments at reduced rates to provide affordable housing. The owner was granted an exemption to build multi-family apartments in a single family zone; the condition was a part of the agreement wherein the owner must continue to provide the affordable units as long as it is out of compliance with the zoning regulations.

#### New Hampshire

*Britton v. Town of Chester*, 595 A.2d 492 (N.H. 1991). The New Hampshire Supreme Court struck down an exclusionary zoning provision that limited construction to large lots.

#### New Jersey

*S. Burlington Cnty. NAACP v. Mt. Laurel Twp. (Mount Laurel I)*, 336 A.2d 713 (N.J. 1975). The first *Mount Laurel* case struck down an exclusionary zoning provision that required minimum lot and house sizes. These requirements prevented the building of smaller

affordable units. The decision, by Justice Frederick Hall, found that zoning requirements that made it physically or economically impossible to provide low and moderate income housing violated the New Jersey State Constitution. The case set forth the basics of the *Mount Laurel* doctrine but many questions as to how it was to be implemented remained unresolved by this decision.

S. Burlington Cnty. NAACP v. Mt. Laurel Twp. (*Mount Laurel II*), 456 A.2d 390 (N.J. 1983). In *Mount Laurel II*, the court consolidated six related cases involving dozens of parties that reached the New Jersey Supreme Court in 1978. The cases were not set for argument until October of 1980 when the court heard an unprecedented three days of oral argument. It took the court over two years to render a unanimous decision that strongly affirmed the *Mount Laurel* doctrine. The decision created a fair share formula to measure each municipality's obligation to provide affordable housing and created a "builder's remedy" that allowed developers to challenge municipalities when they failed in that obligation. *Mount Laurel II* moved beyond prohibiting exclusionary zoning to requiring inclusionary zoning. The Court designated a special panel of three judges to hear cases arising from disputes between builders and municipalities. In 1985, the New Jersey Legislature adopted the Fair Housing Act (N.J. Stat. Ann. 52:27D-320) that established an administrative agency, the Council on Affordable Housing (COAH) to rule on disputes between builders and municipalities.

Hills Dev. Co. v. Bernards Twp. (*Mount Laurel III*), 510 A.2d 621 (N.J. 1986). In this case involving a review of the constitutionality of the New Jersey Fair Housing Act, the court upheld and "vindicate[d]" the Act and appeared to welcome a statutory mechanism for enforcement of disputes arising out of the *Mount Laurel* doctrine. The plaintiffs in this case were concerned that the new administrative remedy would be an inadequate and involve considerable delay and opposed transferring cases from the courts to the new Council on Affordable Housing created by the Act. The Court rejected this argument and stated that the plaintiffs must allow sufficient time for the Council to be established and begin its work.

#### New York

Berenson v. Town of New Castle, 341 N.E.2d 236 (N.Y. 1975). The N.Y. Court of Appeals developed a two part test to evaluate exclusionary zoning provisions. The first part looks at whether the town has provided a balanced and well-ordered plan for the community and the second part asks whether the town has considered the needs of the region as well as the town in excluding

affordable or multi-unit housing.

#### North Carolina

*Piney Mountain Neighborhood Ass'n v. Town of Chapel Hill*, 304 S.E.2d 251 (N.C. 1983). The court rejected a challenge by residents to a special use permit for construction of a multi-family apartment building with subsidized affordable units.

#### Rhode Island

*Curran v. Church Cmty. Hous. Corp.*, 672 A.2d 453 (R.I. 1996). The court rejected a challenge to the town's granting of a special use zoning permit to construct affordable multi-family housing for senior citizens.

#### Virginia

*Bd. of Supervisors of Fairfax Cnty. v. DeGroff Enter., Inc.*, 198 S.E.2d 600 (Va. 1973). The court struck down an inclusionary zoning provision requiring caps on rent and sales prices of fifteen percent of units in a development. The court found that the provision was "socio-economic" zoning not in keeping with free market principles and was an unconstitutional taking of land.

#### Wisconsin

*Apartment Ass'n of S. Cent. Wis., Inc. v. City of Madison*, 722 N.W.2d 614 (Wis. Ct. App. 2006). The court struck down the City's inclusionary zoning ordinance, finding that it was preempted by state statute.

### *Rights of Tenants and Protection against Eviction*

#### Federal

*Lindsey v. Normet*, 405 U.S. 56 (1972). This Oregon case found that a summary eviction law did not violate due process. The case is most notable for stating that, "We are unable to perceive in [the Constitution] any constitutional guarantee of access to dwellings of a particular quality, or any recognition of the right of a tenant to occupy the real property of his landlord beyond the term of his lease without the payment of rent or otherwise contrary to the terms of the relevant agreement." This case is often cited for the proposition that there is no constitutional right to housing. Housing advocates argue

that is an overly broad interpretation and say the court failed to find a constitutional right to housing *of a particular quality*, and there is still a case to be made for a constitutional right to housing.

*Javins v. First Nat'l Realty Corp.*, 428 F.2d 1071 (D.C. Cir. 1970). Landmark case in finding that tenants could plead a defense of breach of an implied warranty of habitability as a defense in eviction cases for non-payment of rent. The court held that the housing regulations of the District of Columbia were an implied condition of all leases. Where landlords violated these standards, tenants were entitled to raise this as a defense and the breach may offset some or all of the tenant's obligation to pay back rent.

*Robinson v. Diamond Hous. Corp.*, 463 F.2d 853 (D.C. Cir. 1972). The court held that where the D.C. City Council had permitted withholding of rent as a private enforcement mechanism where there were substantial sanitary code violations, the landlord could not engage in retaliatory eviction against a tenant who withheld rent.

*Thorpe v. Hous. Auth. of Durham*, 393 U.S. 268 (1969). This case held that a tenant of a federally assisted housing project could not be evicted prior to notification of the reasons for the eviction and without opportunity to reply to those reasons, where such procedure was provided for in the Department of Housing and Urban Development circular issued after eviction proceedings had been initiated, but while tenant was still residing in the project.

#### Illinois

*Jack Spring, Inc. v. Little*, 280 N.E.2d 208 (Ill. 1972). In addition to finding that tenants had an implied warranty of habitability the court also struck down a requirement of posting a bond to appeal in an eviction action. The court held the bond requirement violated state and federal constitutional rights to due process and equal protection.

*Rosewood Corp. v. Fisher*, 263 N.E.2d 833 (Ill. 1970). Where vendors sought possession of real estate sold to contract purchasers by action of forcible entry and detainer on ground of breach of contract, purchasers could plead equitable defenses and be given equitable relief if it was established that contracts were unconscionable or in violation of civil rights.

## Massachusetts

Boston Hous. Auth. v. Hemingway, 293 N.E.2d 831 (Mass. 1973). Relying on the *Javins* case, the court found an implied warranty of habitability in all apartment leases, whether written or oral.

## New Jersey

Reste Realty Corp. v. Cooper, 251 A.2d 268 (N.J. 1969). In this commercial real estate case, the tenant was flooded out of office space and vacated the premises before the end of the lease. The landlord sued for back rent. The Court held that the tenant was constructively evicted and not liable for back rent and that there was a breach of the implied warranty of habitability.

Marini v. Ireland, 265 A.2d 526 (N.J. 1970). Decided at roughly the same time as *Javins*, this is one of the first cases finding an implied warranty of habitability. The court states that equitable as well as legal defenses are available to tenants. Tenants may repair damaged premises and deduct the cost from their rent and the tenant has a choice of repairing the damage or moving out. The court also notes that the decision may increase the amount of landlord-tenant litigation.

Academy Spires, Inc. v. Brown, 268 A.2d 556 (N.J. 1970). This case expands the rule in *Marini* and says tenant is entitled to offset the rent even if they have not effected repairs to the property. In this case the tenant lived in a 400 unit apartment complex and some defects, such as lack of heat, were building-wide. The court finds it is not practical to require tenants to fix system-wide problems, so an offset of rent is a reasonable alternative to compensate for damages.

Trentacost v. Brussel, 412 A.2d 436 (N.J. 1980). In a case where a tenant is mugged in the apartment hallway, the court, quoting *Marini*, says the implied warranty of habitability extends to all "facilities vital to the use of the premises for residential purposes," and this includes locks on the front door. The landlord is responsible for basic security of the premises under the implied warranty.

## New York

Amanuensis, Ltd. v. Brown, 318 N.Y.S.2d 11 (N.Y. Civ. Ct. 1971). One of the first New York cases to apply the *Javins* view of the implied warranty of habitability.

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*Park West Mgmt. Corp. v. Mitchell*, 391 N.E.2d 1288 (N.Y. 1979). Where sanitary violations occurred as a result of a strike by the building's maintenance staff, the court found landlord was in breach of the warranty of habitability and tenants were entitled to a ten percent reduction in rent.

*Dep't of Hous. Pres. and Dev. of N.Y.C. v. Sartor*, 109 A.D.2d 665 (N.Y. App. Div. 1985). In this eviction action, tenant alleged breach of warranty of habitability, both against the City, which owned the premises and its' administrator, who managed the building. The court found the breach did apply to both the city and the administrator and the decision was a victory for the many tenants living in the building owned by the City of New York.

#### Pennsylvania

*Pugh v. Holmes*, 405 A.2d 897 (Pa. 1979). The court abolished the doctrine of caveat emptor as it applied to residential leases and adopted a doctrine of implied warranty of habitability. The court says that a lease is more than a conveyance; it is a contract and all contract remedies should be available to tenants.

#### U.S. GOVERNMENT PUBLICATIONS – ARRANGED IN CHRONOLOGICAL ORDER

PRESIDENT'S HOMES COMM'N, REPORTS OF THE PRESIDENT'S HOMES COMMISSION S. DOC. NO. 60-644 (1909). Reports "on improvement of existing houses and elimination of insanitary and alley houses, on social betterment, and on building regulation, together with resolutions and recommendations adopted by the commission." Focus is on housing in the District of Columbia.

PRESIDENT'S CONFERENCE ON HOME BLDG. AND HOME OWNERSHIP, INCOME, AND TYPES OF DWELLINGS (John M. Gries et al. eds., 1931), *available* at <http://www.archive.org/details/homeownershipinc00presrich>. This report recommends a system of Home Loan Discount Banks to alleviate pressure on banks and prevent a repetition of the mortgage industry's collapse in the face of economic difficulty and promote home ownership. The report identifies weaknesses and inadequacies of housing and home financing in the United States.

HOUS. SPEC. COMM. ON POSTWAR ECON. POLICY AND PLANNING, H.R. REP. NO. 79-852 (Comm. Print 1945). This report recommends expansion of FHA insurance programs and federal assistance to

housing construction programs.

SUBCOMM. ON HOUS. AND URBAN REDEVELOPMENT OF THE SPEC. COMM. ON POSTWAR ECON. POLICY AND PLANNING, 79th Cong. (Comm. Print 1945). This report recommends federal support for housing construction to meet postwar needs. Estimates need for new dwellings at 1.2 million over the next ten years.

HOUS. AND HOME FIN. AGENCY, SUDOC NO. HH 1.2:Z7, COMPARATIVE DIGEST OF MUNICIPAL AND COUNTY ZONING ENABLING STATUTES (1952). This report examines zoning statutes in the forty-eight states and U.S. territories.

THE PRESIDENT'S ADVISORY COMM. ON GOV'T HOUS. POLICIES AND PROGRAMS, A REPORT TO THE PRESIDENT OF THE UNITED STATES, (1953). This report recommends federal assistance to communities to assist with slum clearance.

HOUS. AND HOME FIN. AGENCY, SUDOC NO. HH 1.2: W84, WOMEN'S CONGRESS ON HOUSING 82 (1956). Report of a congress of 103 delegates from around the country organized to give the agency "the benefit of their knowledge and experience for the improvement of modern houses from the homemaker's point of view."

UNITED STATES COMM'N ON CIVIL RIGHTS, SUDOC NO. CR1.1:959, REPORT OF THE UNITED STATES COMMISSION ON CIVIL RIGHTS (1959). Part four of this report addresses housing needs of African-Americans and problems of segregation and discrimination.

PRESIDENT'S COMM'N ON NAT'L GOALS, REPORT OF THE PRESIDENT'S COMMISSION ON NATIONAL GOALS (1960). This report recommends greater housing opportunities for minority families outside the central city and an adequate supply of suitable housing for low and middle income families within central city areas.

U.S. COMM'N ON CIVIL RIGHTS, SUDOC NO. CR1.1:961, COMMISSION ON CIVIL RIGHTS REPORT: HOUSING, BOOK FOUR (1961). Book Four of this five part report focuses on housing discrimination and examines various federal housing programs, urban renewal programs, and discrimination in mortgage lending.

U.S. HOUS. AND HOME FIN. AGENCY, SUDOC NO. HH1.2:N73, OUR NONWHITE POPULATION AND ITS HOUSING: THE CHANGES BETWEEN 1950 AND 1960 (1963). THIS statistical report examines housing and



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demographic data for nonwhite Americans.

PRESIDENT'S COUNCIL ON AGING, SUDOC NO. PR35.8:AG 4/R29, REPORT TO THE PRESIDENT (1963). This report examines housing needs of older Americans and makes recommendation for deferral of repayment of home rehabilitation loans in urban renewal areas and mortgage insurance for nursing home construction.

U.S. HOUS. AND HOME FIN. AGENCY, SUDOC NO. HH1.2:Eq2, EQUAL OPPORTUNITY IN HOUSING: A SERIES OF CASE STUDIES (1964). This report examines efforts in urban and suburban developments to achieve racially integrated communities.

PRESIDENT'S NAT'L ADVISORY COMM'N ON RURAL POVERTY, SUDOC NO. PR36.8:R88/P39, THE PEOPLE LEFT BEHIND (1967). This report offers detailed recommendations on mitigating rural poverty. Chapter nine addresses rural housing conditions, including Native American tribal housing and housing for migrant laborers.

PRESIDENT'S NAT'L ADVISORY COMM'N ON RURAL POVERTY, SUDOC NO. PR36.8:R88/R88/967, HEARINGS BEFORE THE NATIONAL ADVISORY COMMISSION ON RURAL POVERTY, TUCSON, ARIZONA (1967).

PRESIDENT'S NAT'L ADVISORY COMM'N ON RURAL POVERTY, SUDOC NO. PR36.8:R88/R88/967-2, HEARINGS BEFORE THE NATIONAL ADVISORY COMMISSION ON RURAL POVERTY, MEMPHIS, TENNESSEE (1967).

PRESIDENT'S NAT'L ADVISORY COMM'N ON RURAL POVERTY, SUDOC NO. PR36.8:R88/R88/967-3, HEARINGS BEFORE THE NATIONAL ADVISORY COMMISSION ON RURAL POVERTY, WASHINGTON, D.C. (1967).

PRESIDENT'S NAT'L ADVISORY PANEL ON INS. IN RIOT-AFFECTED AREAS, SUDOC NO. PR36.8:C49/IN7, MEETING THE INSURANCE CRISIS OF OUR CITIES (1968). This advisory panel complemented the work of the Kerner Commission and recommended that all states institute plans to provide all property owners with access to insurance coverage.

PRESIDENT'S NAT'L ADVISORY PANEL ON INS. IN RIOT-AFFECTED AREAS, SUDOC NO. PR36.8:C49/IN7, HEARINGS (1967). The witnesses include mainly insurance company executives and government officials.

STATE OF NEW JERSEY, GOVERNOR'S SELECT COMM'N ON CIVIL DISORDER (LILLEY COMM'N), LC NO. HN79.N33 A54, REPORT FOR ACTION (1968). The Lilley Commission examined the civil disorders in Newark and several other New Jersey cities that occurred in July of 1967. In addition to the report, the library also holds seven volumes of hearing transcripts that contain the most extensive and contemporaneous accounts of eyewitnesses and civic and political leaders to the Newark civil disorders.

U.S. NAT'L ADVISORY COMM'N ON CIVIL DISORDERS (KERNER COMM'N), SUDOC NO. PR36.8:C49/R29, REPORT OF THE NATIONAL ADVISORY COMMISSION ON CIVIL DISORDERS (1968). In July of 1967 civil disorders occurred in many major American cities, including Newark, Atlanta, Tampa and Detroit. At the end of July, President Johnson appointed a commission, headed by Governor Otto Kerner of Illinois, to investigate the incidents and make recommendations for reform. Housing is discussed in several chapters of this report. Chapter six describes the migration of African-Americans from the South to northern cities. Chapters seven and eight describe the conditions in the urban ghetto, including substandard housing. Chapter seventeen, Recommendations for National Action, discusses housing as one of four major areas where reform is needed.

NAT'L ADVISORY COMM'N ON CIVIL DISORDERS (KERNER COMM'N), SUDOC NO. PR36.8:C49/ST 9, SUPPLEMENTAL STUDIES (1968). Reports on detailed surveys done by Commission staff and professional pollsters on attitudes of race in fifteen major American cities. Over 5000 people were interviewed for the survey.

PRESIDENT'S COMM. ON URBAN HOUS. (KAISER REPORT), SUDOC NO. PR36.8.UR1/D 35, A DECENT HOME (1968).

PRESIDENT'S COMM. ON URBAN HOUS. (KAISER REPORT), SUDOC NO. PR36.8.UR1/T22/v.1, TECHNICAL STUDIES VOL. I, HOUSING NEEDS AND FEDERAL HOUSING PROGRAMS.

PRESIDENT'S COMM. ON URBAN HOUS. (KAISER REPORT), SUDOC NO. PR36.8.UR1/T22/v.2, TECHNICAL STUDIES VOL. II, HOUSING COSTS, PRODUCTION EFFICIENCY, FINANCE, MANPOWER, LAND.

NAT'L COMM'N ON URBAN PROBLEMS (DOUGLAS REPORT), 91ST CONG., 1ST SESSION, H.R. DOC. NO. 91-34 BUILDING THE AMERICAN CITY (1968). This final report of the Commission, based on nineteen

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research studies (listed below) and hearings held in twenty cities with over 350 witnesses. This report addresses federal housing programs, building codes, housing finance and taxation, and ways to reduce housing costs.

DICK NETZER, NAT'L COMM'N ON URBAN PROBLEMS (DOUGLAS REPORT), SUDOC NO. PR36.8;UR1/2/R31-1, RESEARCH REP. NO. 1, IMPACT OF THE PROPERTY TAX (1968).

NAT'L COMM'N ON URBAN PROBLEMS (DOUGLAS REPORT), SUDOC NO. PR36.8;UR1/2/R31-2, RESEARCH REP. NO. 2, PROBLEMS OF ZONING AND LAND-USE REGULATION (1968).

PATRICIA L. HODGE, NAT'L COMM'N ON URBAN PROBLEMS (DOUGLAS REPORT), SUDOC NO. PR36.8;UR1/2/R31-3, RESEARCH REP. NO. 3, THE CHALLENGE OF AMERICA'S METROPOLITAN POPULATION: OUTLOOK, 1960 TO 1985(1968).

WALTER SMART, WALTER RYBECK & HOWARD E. SAUMAN, NAT'L COMM'N ON URBAN PROBLEMS (DOUGLAS REPORT), SUDOC NO. PR36.8;UR1/2/R31-4, RESEARCH REP. NO. 4, THE LARGE POOR FAMILY – A HOUSING GAP (1968).

PATRICIA L. HODGE & PHILIP M. HAUSER, NAT'L COMM'N ON URBAN PROBLEMS (DOUGLAS REPORT), SUDOC NO. PR36.8;UR1/2/R31-5, RESEARCH REP. NO. 5, FEDERAL INCOME TAX IN RELATION TO HOUSING (1968).

ALLEN D. MANVEY, NAT'L COMM'N ON URBAN PROBLEMS (DOUGLAS REPORT), SUDOC NO. PR36.8;UR1/2/R31-6, RESEARCH REP. NO. 6, LOCAL LAND AND BUILDING REGULATION (1968).

NATHANIEL KEITH, NAT'L COMM'N ON URBAN PROBLEMS (DOUGLAS REPORT), SUDOC NO. PR36.8;UR1/2/R31-7, RESEARCH REP. NO. 7, HOUSING AMERICA'S LOW AND MODERATE INCOME FAMILIES (1968).

GEORGE SCHERMER ASSOCIATES, NAT'L COMM'N ON URBAN PROBLEMS (DOUGLAS REPORT), SUDOC NO. PR36.8;UR1/2/R31-8, RESEARCH REP. NO. 8, MORE THAN SHELTER: SOCIAL NEEDS IN LOW AND MODERATE INCOME HOUSING (1968).

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ALLEN D. WANVEL, NAT'L COMM'N ON URBAN PROBLEMS (DOUGLAS REPORT), SUDOC NO. PR36.8;UR1/2/R31-9, RESEARCH REP. NO. 9, HOUSING CONDITIONS IN URBAN POVERTY AREAS (1968).

FRANK S. KRISTOFF, NAT'L COMM'N ON URBAN PROBLEMS (DOUGLAS REPORT), SUDOC NO. PR36.8;UR1/2/R31-10, RESEARCH REP. NO. 10, URBAN HOUSING NEEDS THROUGH THE 1980'S: AN ANALYSIS AND PROJECTION (1968).

RAYMOND & MAY ASSOCIATES, NAT'L COMM'N ON URBAN PROBLEMS (DOUGLAS REPORT), SUDOC NO. PR36.8;UR1/2/R31-11, RESEARCH REP. NO. 11, ZONING CONTROVERSIES IN THE SUBURBS: THREE CASE STUDIES (1968).

ALLEN D. MANVEL, NAT'L COMM'N ON URBAN PROBLEMS (DOUGLAS REPORT), SUDOC NO. PR36.8;UR1/2/R31-12, RESEARCH REP. NO. 12, THREE LAND RESEARCH STUDIES (1968).

GRACE MILGRAM, NAT'L COMM'N ON URBAN PROBLEMS (DOUGLAS REPORT), SUDOC NO. PR36.8;UR1/2/R31-13, RESEARCH REP. NO. 13, U.S. LAND PRICES, DIRECTIONS AND DYNAMICS (1968).

FRANK P. GRAD, NAT'L COMM'N ON URBAN PROBLEMS (DOUGLAS REPORT), SUDOC NO. PR36.8;UR1/2/R31-14, RESEARCH REP. NO. 14, LEGAL REMEDIES FOR HOUSING CODE VIOLATIONS (1968).

FRED P. BOSSELMAN, NAT'L COMM'N ON URBAN PROBLEMS (DOUGLAS REPORT), SUDOC NO. PR36.8;UR1/2/R31-15, RESEARCH REP. NO. 15, ALTERNATIVES TO URBAN SPRAWL: LEGAL GUIDELINES FOR GOVERNMENTAL ACTION (1968).

ELSIE EAVES, NAT'L COMM'N ON URBAN PROBLEMS (DOUGLAS REPORT), SUDOC NO. PR36.8;UR1/2/R31-16, RESEARCH REP. NO. 16, HOW THE MANY COSTS OF HOUSING FIT TOGETHER (1969).

NAT'L COMM'N ON URBAN PROBLEMS (DOUGLAS REPORT), SUDOC NO. PR36.8;UR1/2/R31-17, RESEARCH REP. NO. 17, NEW APPROACHES TO HOUSING CODE ADMINISTRATION (1968).

NAT'L COMM'N ON URBAN PROBLEMS (DOUGLAS REPORT), SUDOC NO. PR36.8;UR1/2/R31-18, RESEARCH REP. NO. 18, FRAGMENTATION IN LAND-USE PLANNING AND CONTROL (1968).

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NAT'L COMM'N ON URBAN PROBLEMS (DOUGLAS REPORT), SUDOC NO. PR36.8;UR1/2/R31-19, RESEARCH REP. NO. 19, HOUSING CODE STANDARDS, THREE CRITICAL STUDIES (1968).

HEARINGS BEFORE THE NAT'L COMM'N ON URBAN PROBLEMS (DOUGLAS REPORT), SUDOC NO. PR36.8;UR1/2/H35/v.1, BALTIMORE, NEW HAVEN, BOSTON, PITTSBURGH, VOL. 1 (1967).

HEARINGS BEFORE THE NAT'L COMM'N ON URBAN PROBLEMS (DOUGLAS REPORT), SUDOC NO. PR36.8;UR1/2/H35/v.2, LOS ANGELES, SAN FRANCISCO VOL. 2 (1967).

HEARINGS BEFORE THE NAT'L COMM'N ON URBAN PROBLEMS (DOUGLAS REPORT), SUDOC NO. PR36.8;UR1/2/H35/v.3, DENVER, ATLANTA, HOUSTON, DALLAS, MIAMI VOL. 3 (1967).

HEARINGS BEFORE THE NAT'L COMM'N ON URBAN PROBLEMS (DOUGLAS REPORT), SUDOC NO. PR36.8;UR1/2/H35/v.4, NEW YORK CITY, PHILADELPHIA VOL. 4 (1967).

HEARINGS BEFORE THE NAT'L COMM'N ON URBAN PROBLEMS (DOUGLAS REPORT), SUDOC NO. PR36.8;UR1/2/H35/v.5, DETROIT, EAST ST. LOUIS, ST. LOUIS, WASHINGTON, D.C. VOL. 5 (1967).

REPORT OF THE COMM'N ON MORTG. INTEREST RATES, SUDOC NO. Y3.M84:1/969, at 141 (1969). This report makes specific recommendations to Congress and the Administration, including abolishing the statutory ceiling of six percent interest on FHA and VA loans, encouraging the use of mortgage backed securities, and increasing direct federal support of financing of low and moderate income housing.

U.S. DEP'T OF HOUS. AND URBAN DEV., MORTG. CREDIT RISK ANALYSIS AND SERVICING OF DELINQUENT MORTGS. (1972). This report provides advice for lenders.

U.S. DEP'T OF HOUS. AND URBAN DEV., SUDOC NO. HH1.2:T19, STUDY ON TAX CONSIDERATIONS IN MULTI-FAMILY HOUSING INVESTMENTS (1972). This study examines real estate investments in six cities and the role of tax considerations in making investments.

U.S. DEP'T OF HOUS. AND URBAN DEV., SUDOC NO. HH1.2:R22, A STUDY OF THE EFFECTS OF REAL ESTATE PROPERTY TAX INCENTIVE PROGRAMS UPON PROPERTY REHABILITATION AND NEW CONSTRUCTION (1972). This study examines the use of property tax incentives in nine cities.

U.S. DEP'T OF HOUS. AND URBAN DEV., SUDOC NO. HH1.2:T19/2, A STUDY OF PROPERTY TAXES AND URBAN BLIGHT (1973). Study of property tax burdens in the central city of nine U.S. cities. This study argues that property owners fear of reassessment causes them to avoid improvements and upgrades to their properties, thus leading to urban blight.

U.S. DEP'T OF HOUS. AND URBAN DEV., SUDOC NO. HH1.2:H53, THE HIGHLAND HEIGHTS EXPERIMENT: A FINAL REPORT (1973). Report on a "barrier free" apartment complex for elderly and disabled adults designed as an alternative to institutional care.

U.S. DEP'T OF HOUS. AND URBAN DEV., SUDOC NO. HH1.2:W84/3, WOMEN & HOUSING: A REPORT ON SEX DISCRIMINATION IN FIVE AMERICAN CITIES (1975). This study found that women suffer discrimination in housing marketing, lending, services, and in access to rental property.

U.S. DEP'T OF HOUS. AND URBAN DEV., SUDOC NO. HH1.2:M84/970-74, THE SUPPLY OF MORTGAGE CREDIT, 1970-1974 (1975). This study provides detailed analysis of mortgage lending in a five-year period.

U.S. DEP'T OF HOUS. AND URBAN DEV., SUDOC NO. HH1.2:EL2/6/FINAL, PROPERTY TAX RELIEF PROGRAMS FOR THE ELDERLY: FINAL REPORT (1975). This report provides a summary of programs to guide state policy formulation of property tax relief options and makes recommendations for possible federal action.

U.S. DEP'T OF HOUS. AND URBAN DEV., SUDOC NO. HH1.6/3:AF2/V.1, AFFIRMATIVE FAIR HOUSING MARKETING TECHNIQUES: FINAL PROJECT REPORT, VOL. 1 (1976). Report on new HUD requirements that require developers to market to minority buyers.

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U.S. DEP'T OF HOUS. AND URBAN DEV., SUDOC NO. HH1.6/3:AF2/V.2, DEVELOPERS GUIDE TO THE DESIGN AND IMPLEMENTATION OF AFFIRMATIVE FAIR HOUSING MARKETING PLANS VOL. 2 (1976).

U.S. DEP'T OF HOUS. AND URBAN DEV., SUDOC NO. HH1.6/3:AF2/V.3, HUD GUIDE TO EVALUATING AFFIRMATIVE FAIR HOUSING MARKETING PLANS VOL. 31 (1976).

U.S. DEP'T OF HOUS. AND URBAN DEV., NATIONAL HOUSING POLICY REVIEW, HOUSING IN THE SEVENTIES: WORKING PAPERS VOL. 1 & 2 (1976). This series contains scores of scholarly papers on a wide variety of issues related to housing.

U.S. DEP'T OF HOUS. AND URBAN DEV., SUDOC NO. HH1.2:W84/4, WOMEN IN THE MORTGAGE MARKET (1976). This study uses actuarial methods to estimate incomes and creditworthiness of women borrowers.

U.S. DEP'T OF HOUS. AND URBAN DEV., SUDOC NO. HH1.2:EL 2/7/FINAL, EVALUATION OF THE EFFECTIVENESS OF CONGREGATE HOUSING FOR THE ELDERLY (1976). This report surveys the types of congregate housing options for the elderly, examines the needs met by such housing and examines the financing options.

ROBERTO BRAMBILLA & GIANNI LONGO, U.S. DEP'T OF HOUS. AND URBAN DEV., SUDOC NO. HH1.65:3, BANNING THE CAR DOWNTOWN: SELECTED AMERICAN CITIES (1976). This report examines pedestrian malls in downtown retail areas.

URBAN SYSTEMS RESEARCH & ENGINEERING, INC., U.S. DEP'T OF HOUS. AND URBAN DEV., THE BARRIERS TO EQUAL OPPORTUNITY IN RURAL HOUSING MARKETS (1977). This report examines racial discrimination and segregation in rural communities.

ENERGY RESEARCH AND DEV. ADMINISTRATION, SUDOC NO. HH1.2:SO4/8/977, SOLAR ACCESS AND LAND USE: STATE OF THE LAW (1977). This report examines existing law and argues for changes to protect property owners' access to sunlight.

U.S. DEP'T OF HOUS. AND URBAN DEV., SUDOC HH1.2:R24/6, REDLINING AND DISINVESTMENT AS A DISCRIMINATORY PRACTICE IN RESIDENTIAL MORTGAGE LOANS (1977). This report examines the practice of disinvestment in inner-city communities and makes

recommendations for change.

U.S. DEP'T OF HOUS. AND URBAN DEV., SUDOC NO. HH1.2:UR1/17/V.1, THE URBAN HOMESTEADING CATALOGUE VOL. 1 (1977). This report provides guidance for local governments to develop urban homesteading programs based on HUD's experience with twenty-three demonstration projects around the country. The first volume covers administration, financing and legal issues.

U.S. DEP'T OF HOUS. AND URBAN DEV., SUDOC NO. HH1.2:UR1/17/V.2, THE URBAN HOMESTEADING CATALOGUE Vol. 2 (1977). This second volume addresses the selection of neighborhoods and properties suitable for urban homesteading and the attraction and selection of homesteaders.

U.S. DEP'T OF HOUS. AND URBAN DEV., SUDOC NO. HH1.2:UR1/17/V.3, THE URBAN HOMESTEADING CATALOGUE Vol. 3 (1977). This final volume provides background and history and urban homesteading programs and descriptions of existing programs.

U.S. TASK FORCE ON HOUS. COSTS, U.S. DEP'T OF HOUS. AND URBAN DEV., SUDOC NO. HH1.2:H81/58, FINAL REPORT OF THE TASK FORCE ON HOUSING COSTS (1978). This report provides recommendations to stabilize housing costs.

U.S. DEP'T OF HOUS. AND URBAN DEV., SUDOC NO. HH1.6/3:AI7/V1-3, AIR QUALITY CONSIDERATIONS IN RESIDENTIAL PLANNING (1978). This report was written to assist HUD grantees in mitigating sources of air pollution in new and remodeled construction. Volume 1 is an overview; Volume 2 a detailed manual and Volume 3 provides scientific support and documentation.

U.S. DEP'T OF HOUS. AND URBAN DEV., SUDOC NO. HH1.2:L95/6, PROBLEMS AFFECTING LOW-RENT PUBLIC HOUSING PROJECTS (1979). Field study to determine the number of projects in "troubled condition."

DAVID L. BIRCH ET AL., U.S. DEP'T OF HOUS. AND URBAN DEV., SUDOC NO. HH1.2:H31/11, THE BEHAVIORAL FOUNDATIONS OF NEIGHBORHOOD CHANGE (1979). This report describes a behavioral model for explaining and predicting neighborhood change.

FRANKLIN RESEARCH CTR., SUDOC NO. HH1.2:P26/4, THE FIRST PASSIVE SOLAR HOME AWARDS (1979). Reports on the award-winning



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designs and includes drawings of blueprints.

ANN B. SCHNARF, U.S. DEP'T OF HOUS. AND URBAN DEV., SUDOC NO. HH1.2:M71/7, *HOUSEHOLD MOBILITY IN URBAN HOMESTEADING NEIGHBORHOODS: IMPLICATIONS FOR DISPLACEMENT* (1979). This report examines whether urban homesteading programs contribute to gentrification of urban neighborhoods. This report concludes that homeowners are not displaced by these programs but renters may face some displacement.

U.S. DEP'T OF HOUS. AND URBAN DEV., SUDOC HH1.2: EN 8/4, *ACCESS TO THE BUILT ENVIRONMENT: A REVIEW OF THE LITERATURE* (1979). This report examines the literature on making buildings and landscapes more accessible to those with disabilities.

DEBORAH J. CHOLLET, U.S. DEP'T OF HOUS. AND URBAN DEV., SUDOC HH1.2: EN 82/2, *A COST-BENEFIT ANALYSIS OF ACCESSIBILITY* (1979). Based on nine case studies, mostly of public buildings.

RONALD E. WIENK, U.S. DEP'T OF HOUS. AND URBAN DEV., SUDOC NO. HH1.2:D63/9, *MEASURING RACIAL DISCRIMINATION IN AMERICAN HOUSING MARKETS* (1979). This report is based on the experience of 600 auditors, 300 white and 300 black, in 40 cities around the country. This report found "definitive evidence that blacks are discriminated against in the sale and rental of housing."

U.S. DEP'T OF HOUS. AND URBAN DEV., SUDOC NO. HH1.2:SE 2/3, *REDUCING THE DEVELOPMENT COSTS OF HOUSING: ACTIONS FOR STATE AND LOCAL GOVERNMENTS* (1979). Proceedings of a conference held in Washington, D.C. from February 25 through 27, 1979.

U.S. DEP'T OF HOUS. AND URBAN DEV., HH1.2:N31/15, *NEIGHBORHOODS: A SELF-HELP SAMPLER* (1979). This report examines neighborhood improvement efforts undertaken by community based organization in the areas of housing, economic development, the arts and social services.

PRESIDENT'S COMM'N FOR A NAT'L AGENDA FOR THE EIGHTIES, SUDOC NO. PR39.8:AG3/UR1, *URBAN AMERICA IN THE EIGHTIES: PERSPECTIVES AND PROSPECTS* (1980). Report of one of nine panels of the President's Commission, focusing on federal policies relating to urban issues.

ROBERT SCHAFFER, U.S. DEP'T OF HOUS. AND URBAN DEV., SUDOC NO. HH1.2:L86/4, EQUAL CREDIT OPPORTUNITY: ACCESSIBILITY TO MORTGAGE FUNDS BY WOMEN AND BY MINORITIES (1980). This report examines discrimination in mortgage lending using data from California and New York where state regulations required lenders to keep detailed demographic information on loan applicants.

U.S. DEP'T OF HOUS. AND URBAN DEV., SUDOC NO. HH1.2:C75/8, THE CONVERSION OF RENTAL HOUSING TO CONDOMINIUMS AND COOPERATIVES: A NATIONAL STUDY OF SCOPE, CAUSES AND IMPACTS (1980). This study is described in the forward as a "landmark national study of the extent and impacts of condominium and cooperative conversions."

U.S. DEP'T OF HOUS. AND URBAN DEV., SUDOC NO. HH1.75:980, THE PRESIDENT'S NATIONAL URBAN POLICY REPORT (1980). This report examines trends over the past decade and the government's response. Reports on population shifts to the south and southwest and from cities to suburbs.

JANE G. GREENE, U.S. DEP'T OF HOUS. AND URBAN DEV., SUDOC NO. HH1.2:R29/9, HOW RESTRICTIVE RENTAL PRACTICES AFFECT FAMILIES WITH CHILDREN (1980). This report examines the negative impacts of exclusionary rental practices.

CHARLES R. WARREN, U.S. DEP'T OF HOUS. AND URBAN DEV., SUDOC NO. HH1.2:ST 2/4, THE STATES AND URBAN STRATEGIES: A COMPARATIVE ANALYSIS (1980). An examination of the role of state governments in urban policy and various strategies undertaken by state governments.

PRESIDENT'S COMM'N ON HOUS. (MCKENNA COMM'N), SUDOC NO. PR 40.8:H81/H81, THE REPORT OF THE PRESIDENT'S COMMISSION ON HOUSING (1982). The overview states that the Commission began with the belief that "the genius of the market economy, freed of the distortions forced by government housing policies and regulations . . . can provide for housing far better than Federal programs." It recommends elimination of many federal, state and local regulations that affect housing construction and development.

U.S. DEP'T OF HOUS. AND URBAN DEV., SUDOC NO. HH1.73:981, EVALUATION OF THE URBAN HOMESTEADING DEMONSTRATION PROGRAM: FINAL REPORT (1981). This report evaluates a HUD program begun in 1975 and concludes that homesteading can create

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value and help restore the vitality of inner-city neighborhoods.

U.S. DEP'T OF HOUS. AND URBAN DEV., SUDOC NO. HH1.6/3:AF 2/2, *AFFORDABLE HOUSING: A SELECTED RESOURCE GUIDE* (1985). Bibliography on affordable housing. Entries include both government and non-government publications.

U.S. COMM'N ON CIVIL RIGHTS, SUDOC NO. CR1.10:90, *AN ANNOTATED BIBLIOGRAPHY ON SELECTED FAIR HOUSING ISSUES* (1986). Entries include both government and non-government publications.

U.S. DEP'T OF HOUS. AND URBAN DEV., SUDOC NO. HH1.6/3:R3/5/V1, *AFFORDABLE HOUSING: CHALLENGE AND RESPONSE VOL. 1, RESIDENTIAL LAND DEVELOPMENT: A GUIDE FOR LOCAL GOVERNMENT AND DEVELOPERS* (1987). Reports on twenty-four demonstration projects around the country. This report recommends that local governments consider rezoning to allow Planned Unit Developments (PUDs) to encourage development of affordable housing.

U.S. DEP'T OF HOUS. AND URBAN DEV., SUDOC NO. HH1.6/3:R3/5/, *AFFORDABLE HOUSING: CHALLENGE AND RESPONSE, VOL 2, AFFORDABLE RESIDENTIAL CONSTRUCTION: A GUIDE FOR HOME BUILDERS* (1987). Guidance for builders on affordable residential design.

U.S. DEP'T OF HOUS. AND URBAN DEV., SUDOC NO. HH1.6/3:AD1, *ADAPTABLE HOUSING: A TECHNICAL MANUAL FOR IMPLEMENTING ADAPTABLE DWELLING UNIT SPECIFICATIONS* (1987). This technical manual describes design standards for making housing accessible to those with physical disabilities.

U.S. DEP'T OF HOUS. AND URBAN DEV., SUDOC NO. HH1.2:D62/7, *NEW DIRECTIONS IN HOUSING AND URBAN POLICY: 1981-1989* (1989). A review of HUD programs in the 1980s.

ADVISORY COMM'N ON REGULATORY BARRIERS TO AFFORDABLE HOUS., SUDOC NO. HH1.2:AF2/7, *"NOT IN MY BACKYARD" REMOVING BARRIERS TO AFFORDABLE HOUSING* (1991). This commission, chaired by former N.J. governor Thomas Kean, concludes that government regulation in the areas of permitting, zoning and environmental regulation pose significant barriers to the construction of affordable housing. This commission recommends regulatory reform.

U.S. DEP'T OF HOUS. AND URBAN DEV., SUDOC NO. HH1.6/3:AF2/3, AFFORDABLE HOUSING: DEVELOPMENT GUIDELINES FOR STATE AND LOCAL GOVERNMENT (1992). Building on the report *Not in My Backyard*, this publication offers model guidelines and ordinances for residential construction and development.

U.S. DEP'T OF HOUS. AND URBAN DEV., SUDOC NO. HH1.2:R26/15, REMOVAL OF REGULATORY BARRIERS TO AFFORDABLE HOUSING ACT OF 1992: LEGISLATION AND SECTION-BY-SECTION ANALYSIS (1992). This report highlights the efforts of states and local government that have decreased or streamlined regulations concerning residential construction.

BIPARTISAN MILLENNIAL HOUS. COMM'N, REPORT OF THE BIPARTIAN MILLENNIAL HOUSING COMMISSION (2002), *available at* <http://govinfo.library.unt.edu/mhc/MHCReport.pdf>. Additional Commission materials available at: <http://govinfo.library.unt.edu/mhc>. This Commission's stated vision is to "produce and preserve more sustainable affordable housing in healthy communities to help American families progress up the ladder of economic opportunity." To that end it examines past efforts of federal support of housing and makes recommendations for new policies in the areas of tax, finance, federal subsidies, and regulation.

ROBERT F. COTTERMAN, U.S. DEP'T OF HOUS. AND URBAN DEV., ANALYSIS OF FHA SINGLE-FAMILY DEFAULT AND LOSS RATES (2004), *available at*, <http://www.huduser.org/port21/publications/affhsg/FHASingleFamily.html>. This report examines data from the 1990s and attempts to rank which factors are most predictive of future default and loss.

U.S. DEP'T OF HOUS. AND URBAN DEV., "WHY NOT IN OUR COMMUNITY?" REMOVING BARRIERS TO AFFORDABLE HOUSING (2005), *available at*, <http://www.huduser.org/Publications/pdf/wnioc.pdf>. This is an update to the earlier report, *Not in My backyard*. This report describes recent trends in regulatory barriers to affordable housing, reviews recent efforts by states and local communities to reduce these barriers, and details actions taken by HUD to eliminate regulatory barriers.

U.S. DEP'T OF HOUS. AND URBAN DEV., REVITALIZING FORECLOSED PROPERTIES WITH LAND BANKS (2009) *available at*, <http://www.huduser.org/Publications/PDF/landbanks.pdf>. This report examines the concept of land banking and discusses barriers and solutions to the

successful implementation of land banks as a method for revitalizing areas with many foreclosed properties.

U.S. GOV'T ACCOUNTABILITY OFFICE, SUDOC NO. GA 1.13:GAO-10-17, DISASTER ASSISTANCE: FEDERAL ASSISTANCE FOR PERMANENT HOUSING PRIMARILY BENEFITED HOMEOWNERS; OPPORTUNITIES EXIST TO BETTER TARGET RENTAL HOUSING NEEDS (2010), *available at* <http://purl.access.gpo.gov/GPO/LPS121946>. This report discusses problems in distributing federal aid in the wake of Hurricane Katrina and documents how the majority of federal housing aid given to Gulf area residents benefited homeowners over renters. Lack of affordable housing post-Katrina and suggestions for improved federal relief efforts in the future are also discussed.

U.S. DEP'T OF HOUS. AND URBAN DEV., SUDOC NO. HH 14.2:H 75, COSTS ASSOCIATED WITH FIRST-TIME HOMELESSNESS FOR FAMILIES AND INDIVIDUALS (2010), *available at* <http://purl.access.gpo.gov/GPO/LPS122217>.

#### WEBSITES

COALITION FOR THE HOMELESS, <http://www.coalitionforthehomeless.org>. This New York based legal advocacy organization offers a documents library on their website with links to cases and reports.

HOUS. ASSISTANCE COUNCIL, <http://www.ruralhome.org>. This council supports local organizations that build affordable housing in rural areas. The website contains links to factsheets and some conference materials.

NAT'L ALLIANCE OF HUD TENANTS, <http://www.saveourhomes.org/>. This organization is a membership organization of tenant groups living in privately owned HUD assisted multi-family housing. The organization's website provides links to brochures and factsheets on tenants' rights.

NAT'L ASS'N FOR THE EDUCATION OF HOMELESS CHILDREN AND YOUTH, <http://www.naehcy.org>. This website provides links to reports and its newsletter, *The Beam*.

NAT'L COALITION FOR HOMELESS VETERANS, <http://www.nchv.org>. This organization advocates for the rights of homeless veterans and their website provides links to brochures and fact sheets and the organization's monthly newsletter with an archive going back to

2004.

NAT'L COALITION FOR THE HOMELESS, <http://www.nationalhomeless.org>. This national Washington, D.C. based organization grew out of the work of the New York Coalition for the Homeless. The organizations website offers factsheets, manuals, reports and an archive of its newsletter going back to 2005.

NAT'L CONSUMER LAW CENTER, <http://www.nclc.org>. The focus of this organization is fair credit, but its website includes reports on how the foreclosure crisis is affecting housing for both owners and tenants.

NAT'L HOUS. CONFERENCE, <http://www.nhc.org>. Along with its affiliate, the Center for Housing Policy, this group engages in policy and advocacy work and offers publications on its website, from brief fact sheets to articles and studies on a wide range of topics related to affordable housing.

NAT'L HOUS. INSTITUTE, <http://www.nhi.org>. This Institute is a housing research and advocacy organization. A major effort of the Institute is the publication of *Shelterforce* magazine, available at <http://www.shelterforce.org>. This Institute also publishes a blog called *Rooflines* with timely updates on housing news at <http://www.rooflines.org>.

NAT'L HOUS. LAW PROJECT, <http://www.nhlp.org>. This California based legal advocacy center was established in 1968. The website provides reports and other publications on homelessness, public housing, tenants' rights, and the rights of homeowners in the foreclosure crisis.

NAT'L LAW CENTER ON HOMELESSNESS AND POVERTY, <http://www.nlchp.org>. This Center produces a newsletter, *In Just Times*, that is available on their website. The Center's website also provides reports on housing and homelessness available on the Web.

NAT'L LOW INCOME HOUS. COALITION, <http://www.nlihc.org>. This Coalition is "dedicated solely to achieving socially just public policy that assures people with the lowest incomes in the United States have affordable and decent homes." Its website features a number of reports and profiles of renters and rental housing for all U.S. congressional districts.

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NAT'L POLICY AND ADVOCACY COUNCIL ON HOMELESSNESS,  
<http://www.npach.org>. This group focuses on research, education, and  
advocacy. The website contains links to fact sheets and an archive on  
past reports is under construction.