

Section 8: Housing voucher recipients packed into minority neighborhoods

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Heidi Sweat never thought about leaving Yonkers.

The city was where she grew up and where her family lived; it was her comfort zone.

Mapping Section 8

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But when she heard from a friend about a program that helps families with Section 8 vouchers move to safer neighborhoods with better schools, she took the chance to get her son, now 13, away from the influence of the streets of Yonkers and give him and his 20-year-old sister the opportunity for a better education in Mamaroneck.

“I didn’t know there was better, and then when you see better, it’s like, ‘Oh,’ ” said Sweat, 39, who works in the finance department at Mount Vernon and Sound Shore hospitals.

Sweat’s family is one of nearly 15,000 in the Lower Hudson Valley with a Section 8 voucher, which lets her pay 30 percent of her income in rent and have the federal government pay the landlord the rest of the cost. She is one of the lucky ones who, through a small initiative in Westchester called the Enhanced Section 8 Outreach Program, has qualified for a more expensive apartment, giving her more choices of where to live.

But an analysis by The Journal News of data from the U.S. Department of Housing and Urban Development shows that the vast majority of voucher holders are squeezed into a limited number of mostly minority neighborhoods, where rental units at affordable prices are more easily found and where landlords are willing to take on the bureaucratic hassles that sometimes come with accepting vouchers. At the same time, large swaths of the region have few, if any, vouchers. Places like Brewster, the south side of Mount Vernon, southwest Yonkers and Peekskill have high percentages of voucher households. In Rockland, vouchers are concentrated in the Hasidic Jewish enclaves of New Square and Kaser.

Pound Ridge has one Section 8 housing unit while one small area at Mount Vernon’s southern end has 342 units, more than 19 percent of the area’s total housing. In that neighborhood, 99 percent of households are black or Hispanic. Eighty-seven percent of the 11,000 vouchers in Westchester are used in areas where more than half the population is African-American or Hispanic.

Many landlords refuse to accept Section 8, making it hard for voucher holders to find an apartment within the 120-day time limit for signing a lease, advocates and families with vouchers said. The scramble to find a place before they lose their voucher often comes after years waiting for a chance to put their name on an open waiting list and years more to get to the top of the list. The 9,000-name Westchester waiting list has been closed since September 2011.

“I think Section 8 tenants get a bad rap, that ‘We’re not going to rent to those tenants, they’re going to rip the place up,’ ” said Dennis Hanratty, executive director of Mount Vernon United Tenants, a tenant-advocacy group. On the

contrary, since they could lose their highly sought voucher, he said, they have a strong incentive to be responsible.

“I’ve seen people who would do anything for a Section 8,” Hanratty said.

Astorino veto

The Westchester Board of Legislators, at the urging of housing advocates, passed a law in 2010 to require landlords to accept vouchers and other sources of income such as veterans benefits, disability benefits and Social Security. Removing that barrier to lower-income renters was part of the settlement of a 2009 fair housing case between Westchester and the federal government that required the county to build 750 units of affordable housing in mostly white neighborhoods and to do other things to encourage less-discriminatory housing.

Rob Astorino, then the newly elected Republican county executive, vetoed the so-called source-of-income legislation. The federal government objected to the veto, saying it violated the settlement, and the two sides have been battling in court over whether the settlement’s language leaves enough wiggle room to allow the veto. A decision is expected in the coming weeks from the U.S. Court of Appeals in Manhattan, which heard arguments in December.

Astorino and other opponents of the source-of-income law argue it creates a disincentive for landlords to get into affordable housing and that it takes Section 8, a voluntary program full of bureaucratic headaches, and makes it mandatory. Astorino describes it as forcing landlords to go into business with the federal government.

“That’s where I draw the line,” he told a business group in January.

But housing advocates have long pushed for the law, saying allowing landlords to turn away Section 8 or other tenants using government income adds to the already difficult time they have finding housing and has a disproportionate impact on minorities and the disabled.

“For a landlord to say, ‘I won’t take that,’ really puts a burden on them,” said Marlene Zarfes, fair housing director at Westchester Residential Opportunities, a nonprofit that advocates for fair and affordable housing.

Westchester Residential Opportunities recently released a report looking at the continued incidence of housing discrimination in the areas of the county targeted in the housing settlement for new affordable apartments. The group sent white and black or white and Hispanic testers with similar financial and family profiles into real estate and leasing offices within a few days of each other to document whether the testers were treated differently. They found discriminatory treatment in 40 percent of tests: The minority tester was shown fewer or worse apartments, steered to minority neighborhoods or asked for a credit check when the white tester was not. Past tests have shown widespread discrimination against disabled people.

Lisa Tarricone of Westchester Independent Living Center, an advocacy and service organization for people with disabilities, said source-of-income legislation would remove one of the many impediments for disabled people, who often rely on Social Security income or other benefits to find housing. Without requiring landlords to accept rental income that comes from government assistance, the disabled sometimes are stuck in nursing homes for lack of other options.

“It provides essential stability for someone,” Tarricone said. “It provides a safe home.”

Narrower options

Many jurisdictions have enacted laws banning discrimination based on source of income, including New York City, Nassau County, Connecticut and Vermont. It passed in 2010 in New York state but then-Gov. David Paterson vetoed the legislation. Gov. Andrew Cuomo put it on his agenda in his State of the State address in January.

Westchester families can qualify for Section 8, one of the major programs that would fall under the source-of-income legislation, if their income is below \$46,900 for a family of three. Landlords who accept vouchers must have their apartments inspected and deal with other program requirements.

Mayra Gonzalez was on the Section 8 waiting list for six or seven years before getting her voucher last year.

“It came right on time because things were really tough, because I really couldn’t afford where I was living,” she said. But it was difficult to find a place. Gonzalez visited about 100 buildings last year before finding an apartment in the fall. Sometimes she got strung along, told by someone on the phone that Section 8 was OK and then, when she reached the management level, being turned away.

“I had to settle for something in a neighborhood I would not normally settle in,” said Gonzalez, who eventually moved to Mount Vernon’s south side.

Hanratty, who has pushed the source-of-income law for years, said one purpose of the Section 8 program was to give low-income families wider options on where to live, but instead it’s having the effect of concentrating voucher holders in certain areas.

Fatima Garba was one of those who was able to take advantage of the Enhanced Section 8 Outreach Program to move from Yonkers to a three-family house in Pelham. She had settled in Yonkers in 2005 because it seemed like the only place she could get an apartment. Many landlords, including some in Tarrytown where she grew up, wouldn’t rent to her when they found out she had Section 8.

But when her daughter, Khalia, now 13, got into a fight in school, Garba didn’t want to stay in the city. Khalia had been in Catholic school but when Garba started working part time so she could pursue a nursing degree, she had to put her in public school. Under the outreach program, the result of a 1991 lawsuit, Garba was given a higher rent subsidy and help to find an apartment. Now, in Pelham, her daughter is doing much better.

“The most important for me is the school district,” said Garba, 30, who also has a 5-month-old son, Yussef.

Opposition to law

The building industry has opposed a source-of-income law in Westchester from the start, saying in legal papers it would entangle landlords in a “smothering blanket of federal and state regulations.”

Ken Nilsen, who owns several buildings in Yonkers, said as a larger landlord, with about 50 Section 8 tenants, he’s set up to deal with the government program. But, he said, for small landlords it’s very difficult to get started.

“Not everyone is prepared to deal with the bureaucracy of Section 8,” he said, and if the county required landlords to accept vouchers it could lead to lawsuits from tenants turned down for other reasons. “We’re small-business people. We’re trying to make a living.”

Astorino has fought the federal government’s pressure to move on source-of-income legislation since taking office. After the veto in June 2010, the dispute worked its way through the federal courts, and in May, District Judge Denise Cote ordered Astorino to request that the Board of Legislators reintroduce the legislation and to sign it. With an appeal under way, the administration delayed until the Justice Department in August threatened to seek a contempt order against the county. Then Astorino sent a letter to the board asking them to work on the legislation but not promising to sign it.

“Our position is the county executive has complied with the legislation as it was articulated in the settlement,” said Ned McCormack, a spokesman for Astorino.

Craig Gurian of the Anti-Discrimination Center, which brought the potentially \$150 million lawsuit against the county that led to the settlement, said Astorino is violating the court order.

The county executive “thumbed his nose” at the judge’s order, Gurian said, “and what has the government done? Nothing.”

Since then, nothing has happened in the county to move the bill forward. Ken Jenkins, the Democratic chairman of

the Board of Legislators and candidate for county executive, has insisted that Astorino send down legislation he can support. Meanwhile, everyone's waiting for the Court of Appeals decision.

For Sweat, the Section 8 program has let her family have a different life in Mamaroneck.

"On my own I wouldn't be able to afford living there and give my kids an opportunity to get a good education," the single mom said.

Sweat's daughter, Asia, now attends Hunter College, and her son, Robert, who took awhile to adjust to his new home, can walk home from school safely. In Yonkers, he might have gotten caught up in a competition for who could be the baddest kid, she said.

"Where he is now," she said, "it's more like who's the smartest."