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***CHICAGO  
PUBLIC HOUSING SPECIAL***

**THE FIGHT TO STAY AT  
CABRINI-GREEN**

*by* EMILY MAGNUSEN

**F**or many, the Cabrini-Green public housing development represented a dangerous battlefield where drugs were plentiful and gangs ruled. For some, however, Cabrini-Green was home.<sup>1</sup> A home that Cabrini tenants fought to stay in, despite the largest, most ambitious redevelopment effort of public housing in the United States: the Plan for Transformation.<sup>2</sup>

In implementing the Plan for Transformation, Chicago officials sought to raze Chicago's unpopular housing projects and replace them with mixed income

housing units.<sup>3</sup> However, the project has proved difficult and left Cabrini tenants to deal with several issues, including the lack of affordable housing, inadequate replacement services, and unwelcoming new environments. Thus, many tenants have fought the Plan for Transformation by filing lawsuits and refusing to leave the project.

#### THE PLAN FOR TRANSFORMATION

The Plan for Transformation is a term well known to many in Chicago. The Plan seeks to demolish Chicago's infamous housing projects and replace those projects with mixed income housing.<sup>4</sup> Its goal is to build quality public housing units that can be integrated into the communities in which they are located.<sup>5</sup> Those who promote the Plan describe it as an effort that "aims to build and strengthen communities."<sup>6</sup> Its opponents see it as a signal that the community has lost interest in advocating for the poor.<sup>7</sup>

As the Plan for Transformation took effect in 2000, tenants of the doomed housing projects were told they would be relocated.<sup>8</sup> The Chicago Housing Authority (CHA) entered into a Relocation Rights Contract with residents that promised to help displaced families move into more racially and economically integrated neighborhoods.<sup>9</sup> However, due to the extensive demolition and lack of newly constructed housing, as many as 4,851 CHA residents were forced to relocate involuntarily from their units into the private market between 1995 and 2005.<sup>10</sup>

In 2002, Verna Berryman was one of the first people to vacate Cabrini-Green as part of the Plan for Transformation.<sup>11</sup> Berryman soon found out that, even with a housing voucher, her housing options had not improved upon leaving Cabrini.<sup>12</sup> In fact, Berryman moved three times before she found a place where she felt secure.<sup>13</sup> After finally finding an apartment that was safe, Berryman stated, "You move out into what's supposed to be a better world, and there's nothing but drama and hassle."<sup>14</sup>

#### PROBLEMS WITH MIXED INCOME HOUSING

Every year, the CHA has a waiting list that thousands of families join in hopes of finding a place to live.<sup>15</sup> In 2010, 40,000 registrants were added to its wait

list.<sup>16</sup> As an attempt to help residents relocate, the CHA offers mobility counseling to relocating families and encourages them to move to integrated “opportunity areas.”<sup>17</sup> Yet, the programs are not universally available and people must seek them out.<sup>18</sup>

For tenants leaving Cabrini-Green, there are many hurdles to moving into one of the promised mixed income housing units. The CHA’s initial idea was to have poor residents move into mixed income areas so that the more affluent residents could provide economic vitality and act as role models.<sup>19</sup> In 1996, then CHA director Joseph Shuldiner announced that the mixed income areas were an “opportunity for low income families to move into new homes that are indistinguishable from others to be built. . . [t]his revitalization will also spur new educational and employment opportunities for residents, which will enhance their quality of life, and promote self-sufficiency.”<sup>20</sup>

The CHA’s Plan for Transformation included building 7,697 units in mixed-income developments.<sup>21</sup> However, of the approximately 18,000 new or remodeled units built under the umbrella of the Plan for Transformation, only 3,000 are mixed-income homes.<sup>22</sup> Furthermore, each mixed-income development requires site-specific criteria for all tenants who want to rent or purchase a home in the area.<sup>23</sup> The requirements vary by site, but usually include job/income verification, credit history screening and comprehensive background checks.<sup>24</sup>

With these restrictions, the Cabrini-Green tenants can have difficulty obtaining housing in the mixed neighborhoods. For example, in the beginning stages of the Plan, over half of Cabrini-Green residents were unemployed.<sup>25</sup> The stringent screening methods may be why many former tenants relocate to areas very similar to the projects they left behind.<sup>26</sup>

#### LEAVING CABRINI-GREEN

The first steps in the Cabrini-Green exodus came amidst the worst affordable-housing crunch in recent history.<sup>27</sup> The average rent for a two-bedroom unit in 2001 was \$776 per month, a difficult rent for a family earning less than \$28,000 annually.<sup>28</sup> As the Cabrini-Green tenants were averaging about \$8,600 a year, finding an apartment was nearly impossible.<sup>29</sup>

Aside from the steep rent and public housing shortage, public housing residents using housing vouchers run into several more obstacles as they attempt to find homes. Some obstacles include: racist landlords, a depleted job market, wary neighbors, and a lack of experience with CHA rules and policies.<sup>30</sup> Berryman explained that “[i]t’s tough dealing with landlords when they know you have a voucher.” Berryman went on to state that landlords “treat you different when they know you’re coming from the projects.”<sup>31</sup>

Fear of the unknown plagued other former tenants of Cabrini-Green. For Annie Ricks, the last tenant at Cabrini, her apartment was “comfortable and safe.”<sup>32</sup> Thus, Ricks lingered at the housing project where she spent 21 years of her life.<sup>33</sup> For many who lived at Cabrini-Green, the projects had been their home and community for several years. Ties had developed within the community despite the tumultuous and dangerous history there.<sup>34</sup> When finally forced out of Cabrini-Green, Ricks attempted to remain in the neighborhood, along with 47 percent of Cabrini’s former residents.<sup>35</sup> However, Ricks was unable to find an apartment in the area.<sup>36</sup> Upon leaving Cabrini-Green, Ricks stated, “I’m still going to bug them every day. . .until they say, ‘Ms. Ricks you can come back.’”<sup>37</sup>

#### THE FIGHT TO STAY AT CABRINI-GREEN

In a last attempt to halt the Plan for Transformation, several residents brought actions against the CHA for displacing tenants from public housing.<sup>38</sup> Among their allegations in *Wallace v. Chicago Housing Authority*, the residents claimed that the CHA failed to provide adequate relocation services or offered relocation services that openly steered residents into racially and economically segregated neighborhoods.<sup>39</sup> The residents complained that as a result of those policies, they are now living in neighborhoods “characterized by high poverty, high crime, poor schools and poor municipal services.”<sup>40</sup>

The court found that the residents had standing and stated federal claims under various sections of the Fair Housing Act, as well as several Department of Housing and Urban Development provisions that require a “duty to affirmatively further fair housing.”<sup>41</sup> In 2005, the parties eventually settled, agreeing to two relocation programs for current and former CHA residents<sup>42</sup>:

- (1) CHA's current relocation program, encouraging moves to racially integrated areas of metropolitan Chicago and providing case-managed social services, would be applied to families initially moving from public housing; and
- (2) An agreed-upon modified program run by CHA's voucher administrator, CHAC Inc., would encourage former CHA residents to relocate to economically and racially integrated communities, as well as give them increased access to social services.

Even with the settlement, according to the latest information provided by the CHA, the *Wallace* relocation programs have achieved only mixed results.<sup>43</sup>

A second case, *Cabrini-Green Local Advisory Council v. Chicago Housing Authority*, also involved a complaint brought by several residents of Chicago's public housing.<sup>44</sup> Like *Wallace*, *Cabrini-Green Local Advisory Council (LAC)* revolved around what would happen to the current residents when the projects were demolished.<sup>45</sup> Unlike *Wallace*, the residents in *LAC* were seeking to force the CHA to negotiate over the relocation of families who did not wish to leave public housing when their current homes were demolished.<sup>46</sup>

The tenants in *LAC* claimed that the CHA's abrupt and unilateral plan for relocating Cabrini-Green residents would exacerbate and perpetuate residential housing segregation in violation of the Fair Housing Act and its implementing regulations.<sup>47</sup> The court ultimately found that the CHA's decision to issue 180-day notices to over 300 families without a redevelopment plan in place caused threatened and actual harm.<sup>48</sup>

#### CONCLUSION

Even with the good intentions of the over-ambitious Plan for Transformation, many tenants found themselves forced to leave their homes with a lack of affordable housing, inadequate replacement services and unwelcoming environments. With the Plan's options often unappealing, many public housing residents hope these recent court decisions will spur the CHA into creating alternative solutions.

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#### NOTES

- 1 Don Terry, *The Final Farewell at Cabrini-Green*, N.Y. TIMES, Dec. 9, 2010, available at <http://www.nytimes.com/2010/12/10/us/10cnccabrini.html>.
- 2 *Plan for Transformation*, Chi. Housing Authority, [http://www.thecha.org/pages/the\\_plan\\_for\\_transformation/22.php](http://www.thecha.org/pages/the_plan_for_transformation/22.php) (last visited Apr. 2, 2011); See *Wallace v. Chi Hous. Auth.*, 321 F. Supp. 2d 968, 971 (N.D. Ill. 2004) (some tenants even went so far as to file lawsuits against the CHA).
- 3 *CHA relocation rights contract and Notices 5* (Nov. 2004), CHA available at <http://www.chicagonow.com/blogs/one-story-up/CHA%20Relocation%20Rights%20Contract%20and%20Notices%2011-04.pdf>.
- 4 *Id.*
- 5 *Id.*
- 6 *Plan for Transformation*, *supra* note 2.
- 7 Sudhir Alladi Venkatesh, *AMERICAN PROJECT: THE RISE AND FALL OF A MODERN GHETTO* 269 (Harv. Univ. Press, 2000). (The significance of this erasure could signal the abdication of a local and national commitment to the welfare of the poor).
- 8 *Id.*
- 9 William Wilen, Testimony before the National Commission on Fair Housing and Equal Opportunity 2 (July 15, 2008), available at [www.prrac.org/projects/fair\\_housing\\_commission/chicago/wilen.pdf](http://www.prrac.org/projects/fair_housing_commission/chicago/wilen.pdf).
- 10 *Id.*
- 11 Maggie Sieger & David Thigpen, *The Long Way Home*, TIMES, Aug. 5, 2002 available at <http://www.time.com/time/magazine/article/0,9171,1002982,00.html>.
- 12 *Id.*
- 13 *Id.*
- 14 *Id.*
- 15 *Waitlist Lottery*, Chi. Housing Authority, [http://www.thecha.org/pages/family\\_wait\\_list\\_lottery\\_faqs/76.php](http://www.thecha.org/pages/family_wait_list_lottery_faqs/76.php) (last visited Apr. 2, 2011).
- 16 *Id.*
- 17 Dan A. Lewis & Cheryl A. Ward, *The Plan for Transformation and the Residential Movements of Public Housing Residents*, Institute for Policy Research at Northwestern University, (2004).
- 18 *Id.*
- 19 Larry Bennet, *Restructuring the Neighborhood: Public Housing Redevelopment and Neighborhood Dynamics in Chicago*. 10 J. AFFORDABLE HOUSING & COMMUNITY DEV. L. 54, 58 (2000).
- 20 *Id.*
- 21 *Mixed Income Properties*, Chi. Housing Authority, [http://www.thecha.org/pages/mixed\\_income\\_properties/26.php](http://www.thecha.org/pages/mixed_income_properties/26.php) (last visited Apr. 2, 2011).
- 22 Rachel Lazar, *The Transformation: CHA Tore Down the Projects, But Will That Change the City They Stood in?* CHI. WEEKLY, Mar. 2, 2011 available at <http://chicagoweekly.net/2011/03/02/the-transformation/>.
- 23 *Mixed Income Properties*, *supra* note 21.
- 24 *Id.*
- 25 Cabrini-Green Local Advisory Council et al., *Cabrini-Green HOPE VI Survey* available at [www.luc.edu/curl/pdfs/Cabrini-Green\\_HOPE\\_VI\\_Survey.pdf](http://www.luc.edu/curl/pdfs/Cabrini-Green_HOPE_VI_Survey.pdf). (2001)(According to a survey conducted in 2001, more than half (57 percent) of survey participants were unemployed.)
- 26 Lewis, *supra* note 17 at 15. (lower-income families who are relocating typically select areas very similar to those areas they are leaving).
- 27 *Id.*
- 28 Sieger, *supra* note 11.

29 *Id.*

30 Joe O'Brien, *Is Chicago's Plan for Transformation Promoting Integration or Reinforcing Segregation?*, 41 J. MARSHALL L. REV. 249, 251 (2007).

31 Sieger, *supra* note 11.

32 Terry, *supra* note 1.

33 *Id.*

34 Lewis, *supra* note 17. (In 2000 and 2001, non-public housing resident families were significantly more likely than public housing families to feel satisfied that their neighborhood is a good place to live and raise children, and that their current neighborhood is safe at night. However, families living in public housing were somewhat more likely than those living outside of public housing to feel that in their neighborhood, people help each other.)

35 Terry, *supra* note 1.

36 *Id.*

37 *Id.*

38 See generally *Wallace v. Chicago Housing Authority*, 298 F.Supp.2d 710 (2003); *Cabrini-Green Local Advisory Council v. Chicago Housing Authority*, No. 04 C 3792, 2005 WL 61467 (N.D.Ill Jan. 10, 2005).

39 *Id.*

40 *Id.*

41 *Id.*

42 *Wallace v. Chicago Housing Authority: Chicago Housing Authority and Housing Advocates Settle Lawsuit over Resident Relocation*, Sargent Shriver National Center on Poverty Law, <http://www.povertylaw.org/poverty-law-library/case/55000/55072>. (last visited Apr. 2, 2011).

43 Wilen, *supra* note 9 at 4.

44 See generally *Cabrini-Green Local Advisory v. Chicago Housing Authority*, No. 04 C 3792, 2005 WL 61467. (N.D. Ill. Jan. 10, 2005).

45 *Id.*

46 *Id.*

47 Sargent Shriver, *supra* note 42.

48 *Id.*