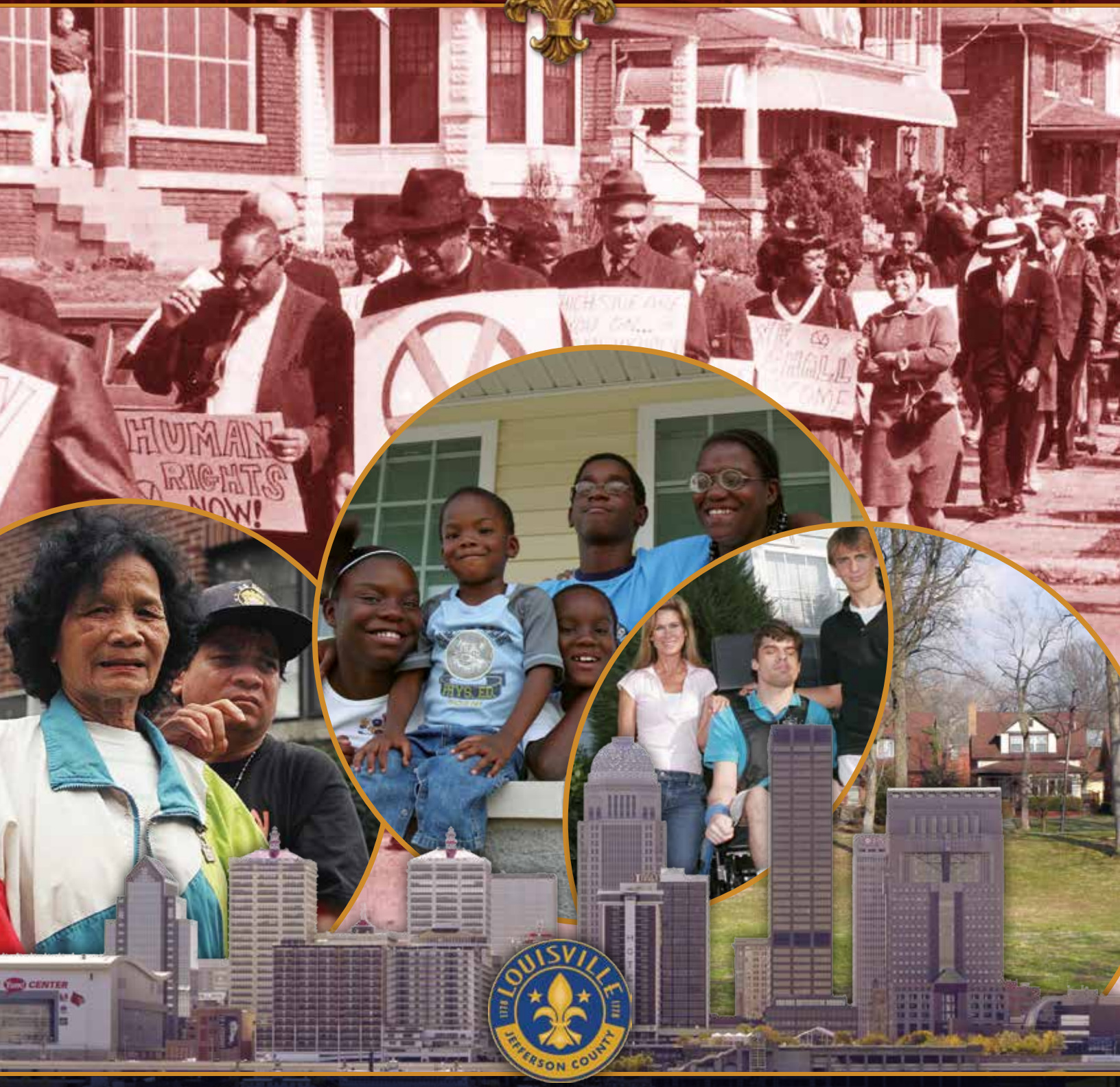
Making Louisville

HOME FOR US ALL

A 20-YEAR ACTION PLAN FOR FAIR HOUSING



LOUISVILLE METRO HUMAN RELATIONS COMMISSION

Prepared by

University of Louisville Anne Braden Institute for Social Justice Research
in consultation with Metropolitan Housing Coalition[1]

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For more information on this report, or to request copies, please contact the Anne Braden Institute at (502)852-6142/ www.louisville.edu/braden or MHC at (502)584-6858/ www.metropolitanhousing.org.

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HUMAN RELATIONS COMMISSION
LOUISVILLE, KENTUCKY

June 2013

GREG FISCHER
MAYOR

CAROLYN MILLER-COOPER
EXECUTIVE DIRECTOR

Dear Louisville Community,

Having a *home* is crucial to people's sense of well-being. Yet unless they have faced discrimination, foreclosure or other housing barriers, many Louisvillians have never thought about what *"fair housing"* means or what it would take to become a local reality.

It is universally understood that housing is a basic right of all human beings. That *"pursuit of happiness"* in our U.S. Declaration of Independence is translated in today's life as the American Dream of owning a home and being treated fairly in the process of the purchase of that home. Part of the mission of the Louisville Metro Human Relations Commission is the protection and preservation of that dream.

Louisville has a history of fighting against discrimination for many years. The first recorded protest of discrimination was organized by members of the AME Quinn Chapel who challenged discrimination on local street cars. In 1917, the U.S. Supreme Court struck down the 1914 Louisville residential segregation ordinance as unconstitutional in *Buchanan v. Warley*. (http://www.ket.org/civilrights/timeline.htm). Indeed, that history continues today. The "get on the bus" tour on April 23rd of this year included a historical presentation on residential segregation in Louisville.

This 20-Year Action Plan to Affirmatively Further Fair Housing in Louisville will detail that history; analyze the action steps from our community's most recent (2010) *Analysis of Impediments to Fair Housing Choice in Louisville Metro, KY* (AI); and explore barriers we face to affirmatively further Fair Housing in this community. This plan will contain "SMART" *(Specific, Measurable, Achievable, Realistic and Timely)* goals to effectively measure and continuously improve fair housing choice in our community. Additionally, it will ensure that fair housing laws continue to be understood, emphasized and enforced.

This action plan is your action plan, so we asked you, what do you want this community to look like in 20 years? Where do you want your children or grandchildren to live? What type of housing choices do you see in this community's future? With many voices commenting, we have put together an action plan that will be a successfully measurable legacy for the Louisville community.

Lastly, we want to acknowledge our partners in this endeavor; the U.S. Department of Housing and Urban Development provided the funding for this project, the Anne Braden Institute for Social Justice Research (University of Louisville) provided the research and most of the writing; and the Metropolitan Housing Coalition coordinated the community input, the development of the action steps and the plan's publication.

Thank you,

Carolyn Miller-Cooper
Executive Director

Dr. Thomas Sabetta
Enforcement Board, Member

WWW.LOUISVILLEKY.GOV
410 WEST CHESTNUT STREET, SUITE 300A LOUISVILLE, KENTUCKY 40202

Introduction

Statement of Purpose

Having a home is crucial to people's sense of well-being. The community of Louisville has recognized for a long time that without a home, no one can rest easy. Yet, unless they have faced discrimination, foreclosure or other housing barriers, many Louisvillians have never thought about what "fair housing" means or how to make it a local reality. Although housing policies affect everyone, the issues can be difficult to discuss, in part because where one lives, with whom, near whom and according to what standards is so much a part of what is thought of as "the good life." These matters evoke great pride or deep shame because our homes seem to define us. In an era when many Louisville residents grew up with civil rights laws in effect, it is also hard to imagine how both individual and institutional discrimination shaped the system of housing policies and practices that we still follow in 21st-century Louisville.

Making fair housing available to all metro Louisvillians remains an enormous challenge. A 2010 study determined that the Louisville community remains highly segregated by race, income and family status.[2] Even though it was named the most livable city in the United States in 2012 by the U.S. Conference of Mayors, Louisville Metro shares with many other communities an ongoing challenge to be truly welcoming to all its residents.[3] Civil rights and equal protection laws of the 1960s created a basis for greater fairness, yet their passage could not undo the longstanding separations and inequalities in residential patterns present since Louisville's birth as a city.

Residential patterns are neither accidental nor the result of individual choice. They developed over generations of policies and practices that included (1) widespread denial of mortgage loans to people of color in suburban areas whose residents resisted diversifying, (2) the routing of highways through African American and poor neighborhoods resulting in large-scale displacements, (3) land-use policies that confine multi-family housing to small areas of the county and (4) persistent housing discrimination and massive cutbacks since the 1980s in subsidized housing even in times of high unemployment.

Many Louisvillians prefer to think of the important gains made in the civil rights era and to see racism and discrimination as unfortunate vestiges from the past. In truth, the passage of laws did not dismantle the discriminatory systems that had created the need for such laws.

For the past century there have been Louisvillians who have challenged these obstacles to fair housing, fighting residential discrimination through court cases, street protests and advocacy. From 1917, when Louisville became the basis of one of the major U.S. Supreme Court decisions to combat housing segregation (*Buchanan v. Warley*), through the city's open housing movement of the late 1960s, to the ongoing present-day efforts of fair-housing advocates, local residents and policy advocates have shown a fierce commitment to end housing discrimination and to enlarge housing choices for everyone in Louisville Metro.[4] This Fair Housing Action Plan (FHAP) aims to supplement and reinvigorate those efforts and to offer a vision for Louisville Metro to become a fair, welcoming and diverse home to all of its people. By building on the history of generations of struggle for equal housing—and in particular on the 2010 *Analysis of Impediments to Fair Housing Choice in Louisville Metro*—we appeal to elected officials, policy makers, builders and developers, social service providers, educators, housing advocates and ordinary Louisvillians to work together toward greater housing opportunities for all.

Explanation of Report

This 2013 report examines the history of housing policies and practices in metropolitan Louisville, Kentucky, and recommends action steps that can reverse harmful effects from the past and more affirmatively further fair housing in the community over the next 20 years. The plan's premise is that it is impossible to understand the current state of housing in Louisville fully, or to envision a fair housing future, without first taking stock of the history of residential segregation, wider housing discrimination and the many steps that citizens took towards progress. In looking forward 20 years, this report also acknowledges that change is a long-term process.

Children playing at Sheppard Square, 1940s.
Louisville Metro Housing Authority

Children playing at Farnsley Park, 2009.
Louisville Images

At the initial drafting of this report in late 2012, there were visible signs of major changes to Louisville's housing stock and residency patterns. The national housing crisis and economic downturn left many neighborhoods in predominantly African American West Louisville dotted with hundreds of foreclosed and abandoned properties.[5] Fearful of declining property values, residents of the southern part of the county petitioned to stop the development of an apartment building in the Highview neighborhood with sliding-scale rents meant to accommodate families of different income levels.[6]

The Louisville Metro Housing Authority is in the construction phase of a HOPE VI project to turn the city's Sheppard Square housing project into a mixed-income housing development.[7] Meanwhile, Kentucky Refugee Ministries, a local non-profit refugee resettlement office, prepares to welcome and settle dozens of new families into homes in Jefferson County.[8] All of these actions may seem disparate at first glance, but they are deeply connected. How they bear on fair housing is explored in the pages ahead.

This report, *Making Louisville Home for Us All: A 20-Year Action Plan for Fair Housing*, is divided into several sections:

- ✔ **Section 1:** Defines fair housing and the protected classes in Louisville Metro
- ✔ **Section 2:** Summarizes the most recent analysis of impediments to fair housing choice in Louisville Metro
- ✔ **Section 3:** Gives a historical overview of housing in Louisville and Jefferson County, especially as related to racial segregation
- ✔ **Section 4:** Explores the history and role of zoning and the land development code in fair housing choice
- ✔ **Section 5:** Provides information and some history on the state of housing choice for protected classes
- ✔ **Section 6:** Recommends Action Steps to promote fair housing in Louisville Metro over the next 20 years

The findings reported here are based on various forms of data, including newspaper archives, municipal records, census data, interviews and published books and articles. Please refer to the endnotes (found at the end of the document) for more detail on the sources that inform each discussion.

SECTION 1

Fair Housing & the Protected Classes in Louisville Metro

Only relatively recently in national and local history did ending blatant discrimination become incorporated into government policy. Housing patterns established in the early years of Louisville's settlement became precedent for twentieth-century policy. These dynamics continue to exert a strong influence on more recent housing policies.

In 1965, following three decades of growing federal involvement in housing policies and during an era when masses of Americans had just begun to realize the extent of group discrimination, especially against African Americans, Congress established the U.S. Department of Housing and Urban Development (HUD) as a cabinet-level federal agency. Its purpose was to promote orderly urban development, create and amend law related to housing and urban renewal and assist "in the provision of housing for low- and moderate-income families."[9] In the decades since, HUD's mission expanded, and for more than 40 years the Department has worked to eliminate racial discrimination and housing segregation in the United States. Its current mission is "to create strong, sustainable, inclusive communities and quality affordable homes for all."[10]

To meet this mission, HUD's work includes enforcement of Title VIII of the Civil Rights Act of 1968 (commonly known as the Fair Housing Act). The Fair Housing Act prohibited discrimination in the sale, rental and financing of dwellings, and in other housing-related transactions, based on

- ✔ Race
- ✔ Color
- ✔ National origin (or ancestry)
- ✔ Religion
- ✔ Sex.[11]

In 1988, the Fair Housing Amendments Act added (1) persons with physical or mental disabilities and (2) familial status (including children under the age of 18 living with parents or legal custodians, pregnant women and people securing custody of children under the age of 18).[12]

HUD requires communities receiving funds from their Community Planning and Development (CPD) programs—including Community Development Block Grant (CDBG), Home Investment Partnership (HOME), Emergency Services Grant (ESG) and Housing Opportunities for Persons with AIDS (HOPWA)—to certify that they will affirmatively further fair housing in their jurisdictions. These communities should do so by identifying impediments to fair housing choice, taking action to overcome the effects of any identified impediments and maintaining records of the analysis of impediments and the action.

In metro Louisville, local citizens' movements have secured the addition of sexual orientation and gender identity to the protected classes. These additions were made in the local civil rights ordinance of 1999 and adopted by the merged Louisville Metro government in 2004.[13] Moreover, Louisville's fair housing laws cover rental housing of just two units (as opposed to the federally mandated four units) and all home sales transactions with no minimum dollar amount.[14]

SECTION 2

2010 Analysis of Impediments to Fair Housing Choice in Louisville Metro

HUD requires all municipalities receiving federal funds to identify the barriers to fair housing choice for their respective communities. In 2010, the Metropolitan Housing Coalition of Louisville (MHC, a non-profit organization dedicated to promoting fair and affordable housing through research, education and advocacy) completed such a study for Louisville Metro Department of Housing and Family Services (now known as the Department of Community Services and Revitalization). In March 2010, Louisville Metro government adopted the report, *Analysis of Impediments to Fair Housing Choice in Louisville Metro, KY, (*or *AI)*, as policy.[15] The *AI* examined the state of housing choice for the federal, state and local protected classes (race, color, national origin, sex, familial status, religion, disability, sexual orientation and gender identity) in Louisville Metro. The *AI* further examined universal themes that affected Louisville's protected classes, fair housing complaints and enforcement, and most importantly, recommended action steps to eliminate barriers to fair housing.

This report updates and builds on the *AI*'s conclusions and recommendations. (The full *AI* is accessible at http://anne-braden.org/wp-content/uploads/2013/07/2010-MHC-AI-report.pdf.)

Parkland Community Gardens, 2013.
Louisville Images

Some of its key findings include:

- ✔ 45 percent of Louisville residents live in extreme racial segregation.
- ✔ Louisville ranks fourth worst nationally in housing segregation of its Hispanic-Latino population when compared to its sister cities.
- ✔ Louisville's housing policies have clustered low-income people into limited geographic zones where rent-assisted housing is concentrated and where multi-family and affordable housing is permitted by zoning.
- ✔ Life expectancies are lower for Louisvillians who live in the poorest neighborhoods.
- ✔ The distribution of transportation dollars is biased against those in protected classes and limits fair housing choice.
- ✔ Patterns of residential growth and zoning codes serve to limit housing choice within the Louisville area. Of the 75 percent of all the land in Louisville Metro zoned as residential, 69 percent of it is zoned R-4, which requires that homes be built on lots no smaller than 9,000 square feet.
- ✔ Under state and local budget cuts, staffing has been dramatically reduced at the Louisville Metro Human Relations Commission and the Kentucky Commission on Human Rights (agencies that handle complaints from individuals who believe they have been subject to housing discrimination).[16]

In light of these findings, the *AI* calls on citizens to make a renewed commitment to make fair housing a priority in Louisville and for a series of action steps and policy suggestions including a revision of Louisville's Land Development Code. The steps required to move toward a more integrated and residentially diverse city will be examined and amplified later in this report. But before we are able to look ahead, we must look back to understand how our history shapes our current housing patterns and policies. The persistence of residential segregation and other impediments to fair housing in Louisville is no accident, but the result of a wider system of structural racism on which many of Louisville's housing policies and practices rest.

Middle-class homes line Shawnee Park in West Louisville.
Louisville Metro Housing Authority.

Major Events in Louisville's 20th-Century Housing History

Southern view atop Snead Manufacturing in 1906 depicting an urban landscape with housing and industry. *Library of Congress*

1914

Louisville Board of Alderman adopts housing segregation ordinance; protests result in establishment of Louisville NAACP branch

1926

The U.S. Supreme Court rules in favor of zoning ordinances in the case of *Euclid v. Ambler Realty*

1929

Harland Bartholomew and Associates commissioned to draft city's first Comprehensive Plan

1933

Housing Authority of Louisville established

1937

College Court (for blacks) and LaSalle Place (for whites) open as first federal housing projects in Louisville

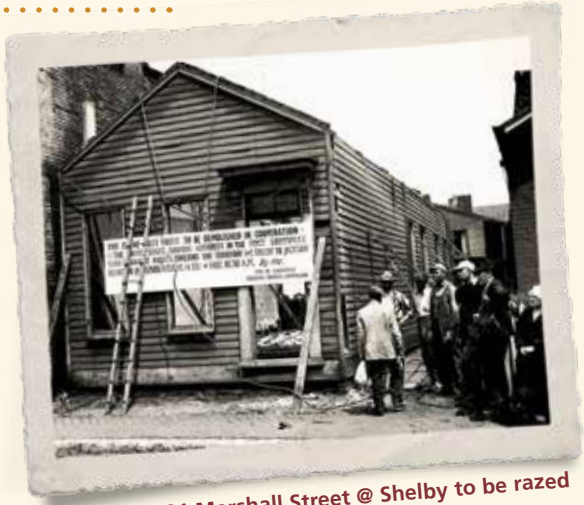
1900 | 1910 | 1920 | 1930

1917

The U.S. Supreme Court rules Louisville's housing segregation ordinance illegal in the case *Buchanan v. Warley*

1927

City Planning and Zoning Act passed & first City Planning Commission created



House at 731 Marshall Street @ Shelby to be razed for Clarksdale. *Louisville Metro Housing Authority*

College Court opened in 1937, one of first two federal housing projects in Louisville and reserved only for African Americans. *Louisville Metro Housing Authority*

1939

Clarksdale housing project built as Louisville's first municipally developed housing project, reserved only for whites and opened for occupancy in 1940

In April 1961, protesters sit in at Blue Boar Cafeteria to protest segregation. *U of L Photo Archives*

1957
City approves $5 million for downtown urban renewal plan; NAACP sues Louisville Municipal Housing Commission to desegregate public housing; "gradual desegregation" adopted but little practical change

1960s
West Louisville slowly opens to blacks amid real-estate industry's inducing whites to move under threat of declining property values; more than 15,000 whites depart West Louisville 1960-64

1963
West End Community Council created to try to keep West End integrated

1963
City passes ordinance banning racial discrimination in public accommodations, first in South

1966
Committee on Open Housing proposes open housing ordinance

February 1967
Public forum at Southern High School with 1,000 whites heckling open housing supporters

March 1967
First major local open housing demonstration

April 1967
Louisville Board of Aldermen rejects open housing ordinance

December 1967
Newly elected Louisville Board of Aldermen passes broadly enforceable ordinance against housing discrimination

1940 | 1950 | 1960 | 1970

1940
Beecher Terrace housing project opens, strictly for blacks; other segregated public housing projects follow, usually built in pairs

1954
Braden/Wade housing desegregation purchase. Cross-burning and later dynamiting wreaks controversy, yet leaves residential segregation intact

1954
Bartholomew and Associates commissioned to draft city's second Comprehensive Plan, includes downtown urban renewal plans

1962
Louisville Human Relations Commission established

1962
West Downtown Renewal Area Project approved (including the Walnut Street business district)

1965
HUD created as cabinet-level federal agency under the Housing and Urban Development Act

1965
Louisville Human Relations Commission secures unenforceable open housing code of ethics

March 1968
Kentucky passes Fair Housing Act

April 1968
Civil Rights Act passes federally, includes National Fair Housing Act (Title VIII)

Middle-class homes along 1400 block of W. Chestnut Street's "Teacher's Row" destroyed during urban renewal, September 1963. *Courier-Journal courtesy of UNC Press*

1980 | **1990** | **2000** | **2010**

1981
The Center for Accessible Living established locally to assist in fair housing for disabled

1987
HUD rejects KY Commission on Human Rights policy of maintaining dual waiting lists for public housing, one for whites and one for blacks; housing segregation now worsens

1988
Fair Housing Act Amendments of 1988 enacted by Congress, significantly expanding the scope of the 1968 Fair Housing Act to ban discrimination against families with children and against persons with physical or mental disabilities; the law also strengthened fair housing enforcement mechanisms[17]

1990
Americans with Disabilities Act enacted by Congress

1991
Fairness Campaign created in Louisville to advocate against discrimination based on sexual orientation and, later, gender identity

1993
HOPE VI created by the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act

1996
Louisville Housing Authority HOPE VI project demolishing Cotter-Lang Homes and redeveloping site as Park DuValle begins

1999
Sexual orientation and gender identity added to Louisville's local civil rights ordinance

September 2004
Louisville Metro Housing Authority HOPE VI project demolishing Clarksdale and redeveloping site as Liberty Green begins

December 2004
Louisville's merged Metro Council includes in local civil rights protections employment, housing and public accommodations protections based on sexual orientation and gender identity

2010
Louisville Metro government adopts *Analysis of Impediments to Fair Housing Choice in Louisville Metro, KY* as policy

2011
Louisville Metro Housing Authority HOPE VI project demolishing Sheppard Square and redeveloping site begins

2013
HUD issues disparate impact rule clarifying Fair Housing Act, stating that when a practice results in the denial of a service, it would violate the Act if it did not serve a substantial, legitimate and nondiscriminatory interest

SECTION 3

Housing History of Louisville-Jefferson County

EDITORS' NOTE: *The following section offers an in-depth history of housing in the city of Louisville and Jefferson County. The historical record has left us with a portrait that is largely in broad strokes of black and white, amplifying the experiences of African American and white citizens based on race-- with far less focus on our immigrant neighbors, women-headed households, those with disabilities, people who today would identify as lesbian, gay, bisexual or transgender and many others who are at risk for discrimination due to their specific group identities. Their limited appearance in this historical account does not mean that their experiences were any less valid or important than the experiences outlined at length here. We offer this largely black-white history because we believe it is the most essential in order to understand our current realities about fair housing and the lack thereof. It was racial hierarchy on which the entire system of residential policies and practices developed, on which additional discriminatory patterns were modeled and against which social movements came together that became the model for wider movements to end other forms of group discrimination. The report's fourth section offers a more limited history and some data on the state of fair housing for protected classes beyond the category of race.*

Antebellum Era

In May of 1778, General George Rogers Clark landed on Corn Island and founded the settlement along the Ohio River that would become the city of Louisville.[18] Louisville evolved into a major shipping port and transition point for river boats. Ships unloaded cargo north of the Falls of the Ohio and transported it downriver to reload on awaiting vessels. The city's growth and settlement patterns resulted from its ties to the Ohio River.[19]

Enslaved African Americans accompanied the earliest frontier settlers in the 18th century into what became Kentucky. Just as was true in other colonies, development of the commonwealth depended on unpaid black labor. The contribution of enslaved people to Kentucky's infrastructure was immeasurable, including everything from clearing land to planting crops to building the earliest homes and businesses. Along with the tragic economic inequalities of slavery, ideas about black inferiority hardened as the new nation developed. It became easier for white Americans to maintain their commitments to freedom and equality even as they held people in bondage if they thought of those of African descent as somehow inferior. Those ideas became the basis for many societal beliefs and systems of doing business in the new nation.[20]

As the city and its environs grew, so did its enslaved population, who worked in shipping, agricultural and domestic services. The number of enslaved African Americans in Jefferson County doubled between 1830 and 1850, reaching 10,000 by the Civil War.[21] Enslaved African Americans maintained a considerable amount of autonomy in Louisville compared to those in rural Kentucky, often living in separate quarters from their owners and hiring themselves out for work.

Not all blacks were enslaved in Louisville's early history. Between 1830 and 1860 the free black population increased by a dramatic 726 percent.[22] The city's free black presence proved to be an important asset in the development of its African American community. But while free blacks enjoyed a limited set of rights that included the ability to enter into contracts and own property, like those held in slavery, they encountered extreme discrimination with limited opportunities for education or economic advancement. Legislation denied the vote to all blacks.

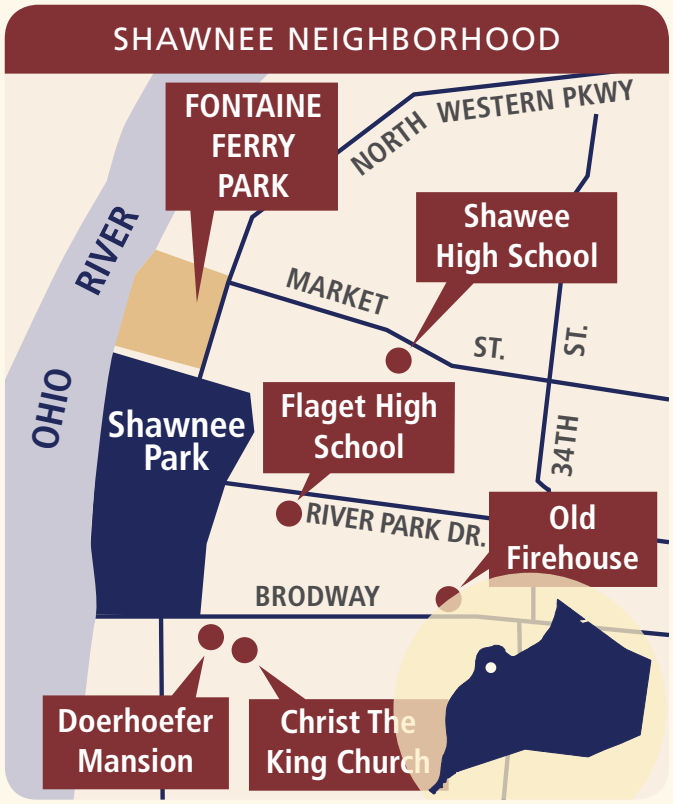
Before the Civil War, many free and enslaved blacks lived in close proximity to whites. An 1845 study of free blacks found the average free person of color lived in a neighborhood that was only 14 percent black.[23] A "layer cake" pattern of housing resulted that persisted well after slavery ended. As noted in *Two Centuries of Black Louisville*, "These neighborhoods were not segregated, *per se*, although African Americans often lived in the alleys, in certain sections of a block or on a certain side of a street. Whites were always nearby, and their proximity was seen as necessary to monitoring the free and regulating the enslaved black populations."[24]

Civil War – 1920s

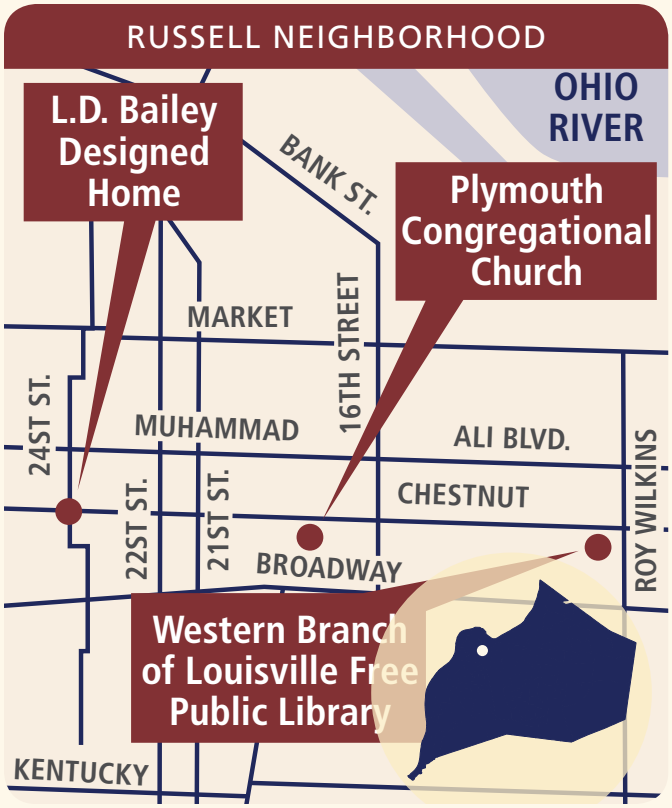
The Civil War increased the city's African American population with the addition of thousands of black Union Army troops and fugitive slaves.[25] Newly freed blacks migrated from rural areas of Kentucky and additional immigrants came via the Louisville-Nashville Railroad. But the end of slavery also brought new laws that limited African Americans' ability to prosper economically, politically and socially. In 1866, the Kentucky General Assembly prohibited African Americans from testifying in court or serving on juries. The city segregated public records including tax rolls and marriage certificates. Legislation segregated schools and made interracial marriage and miscegenation illegal. Blacks were subject to more severe penalties for various crimes than were whites. A "color line" created two separate worlds according to race, and in that separate and unequal world, discrimination, poverty, poor housing, crime and police brutality became commonplace.[26]

By 1900, Louisville possessed the seventh largest concentration of African Americans in the United States (19.1 percent).[27] Many prominent African Americans led the development of new black neighborhoods in the city of Louisville and Jefferson County. Despite harsh anti-black legislation, Louisville's segregation index remained lower than it would become in the twentieth century. Many downtown neighborhoods developed along the same layer-cake pattern that had placed blacks in close proximity to whites throughout the city's history. Neighborhoods of note include Smoketown (in the areas of Hancock Street and East Broadway); Shawnee (west of 34th Street and north of Broadway); parts of Russell (Ninth to 31st Streets between Broadway and Market Streets); "Little Africa" (the African American section of the Parkland neighborhood—west of 32nd Street and south of Garland Avenue); Newburg (near Poplar Level and Shepherdsville Roads); the racially mixed neighborhood of Limerick (south of downtown and north of Old Louisville); Harrod's Creek (around Shirley Avenue and River Road) and Berrytown and Griffytown (hamlets in eastern Jefferson Country).[28]

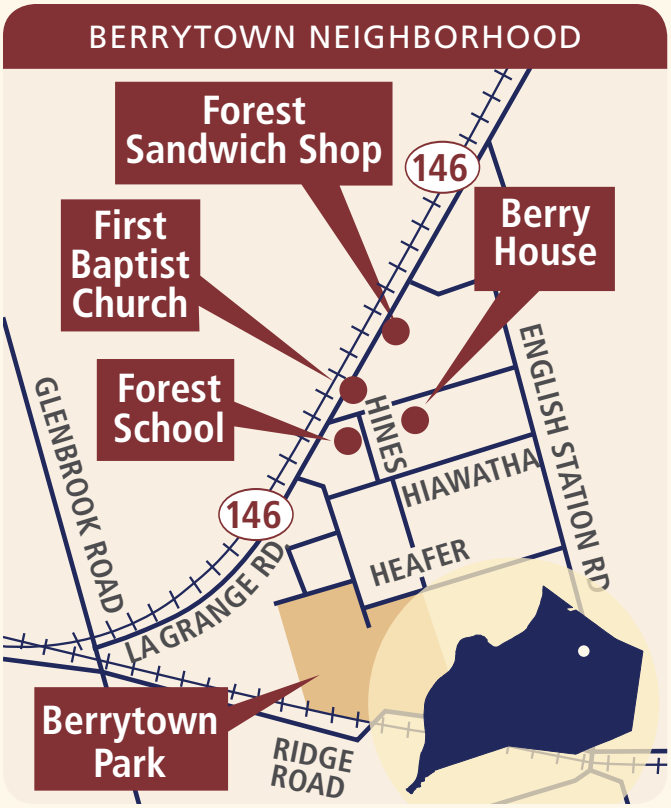
Smoketown was settled after the Civil War by African Americans and became home to one of Louisville's first black public schools. *Two Centuries of Black Louisville*



Settled by whites after the completion of Shawnee Park in 1892, Shawnee remained a white middle-to-upper-class neighborhood until the beginning of urban renewal in the 1960s. From 1960-64, nearly 15,600 whites left the West End in favor of the east or south ends of town or the suburbs in southern Jefferson County. *Two Centuries of Black Louisville*



Originally founded by white businessmen as a suburb in the 1870s, Russell became home to many African Americans after WWI, and it prospered as the heart of the black community until the final third of the 20th century. *Two Centuries of Black Louisville*



Berrytown was established in eastern Jefferson County in 1874 by a group that included Alfred Berry, a freedman.
Two Centuries of Black Louisville

Settled in the 1870s, Little Africa was the original African American section of Parkland--a thriving community by 1920.
Two Centuries of Black Louisville

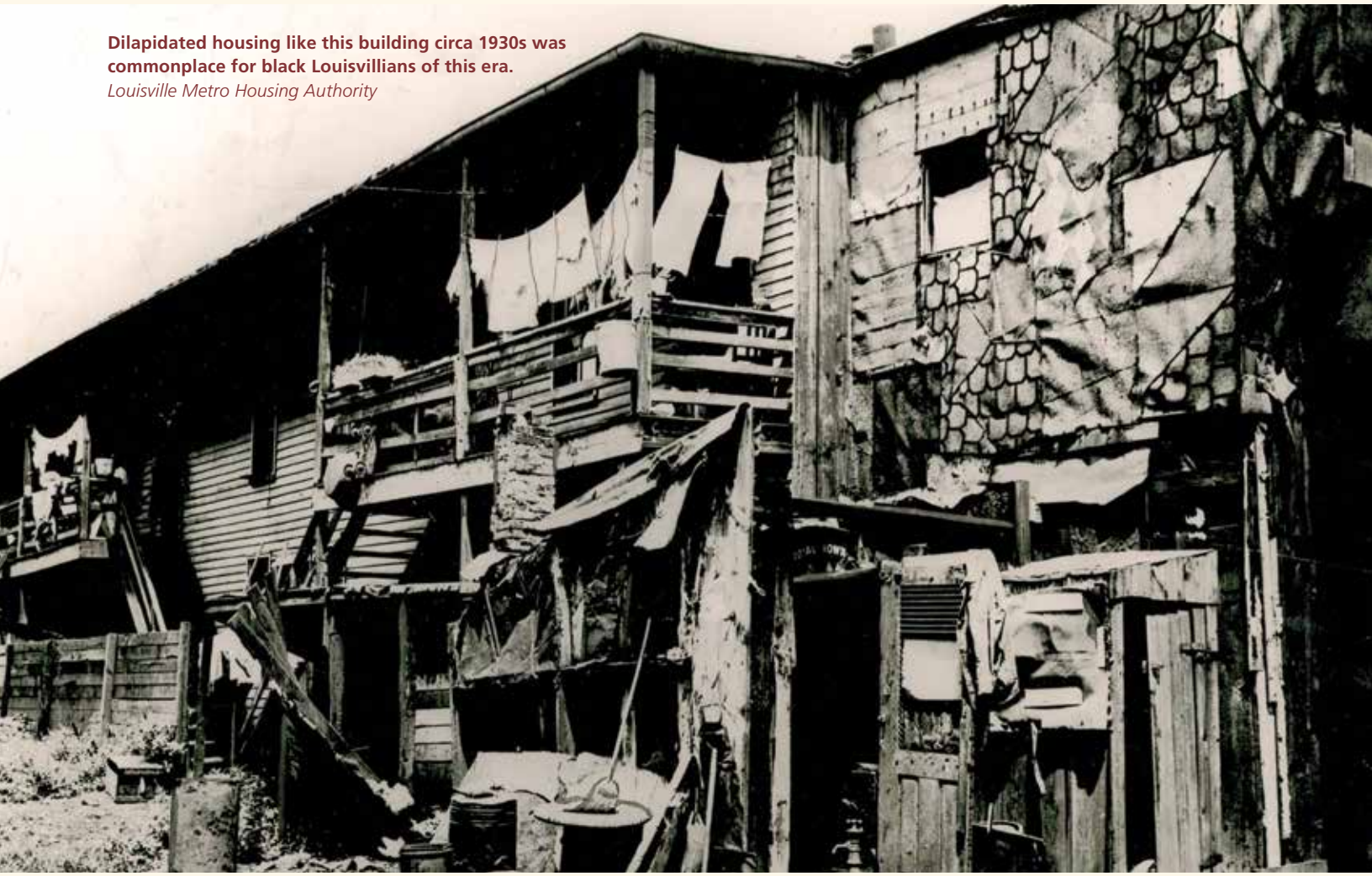
> *The consequences of such conditions are obvious—a high death rate because of poor medical care and high rates of criminality, drunkenness and vice, which result from the depraving effects of poverty.*
>
> *—Courier-Journal, 1888*

While some African Americans prospered and raised their families in single-family homes, the majority of Louisville blacks experienced crowded and poor housing conditions. Many lived along alleyways and in dilapidated tenements. In 1888 a *Courier-Journal* reporter noted the conditions, "In these houses ventilation and sanitary regulations are, of course, totally neglected, and the majority of them are the veriest [*sic*] pest houses of disease and death. The consequences of such conditions are obvious—a high death rate because of poor medical care and high rates of criminality, drunkenness and vice, which result from the depraving effects of poverty."[29]

Many of Louisville's 20th-century housing policies emerged out of a desire by whites to maintain homogenous neighborhoods. In response to these desires, the Louisville Board of Aldermen adopted a housing segregation ordinance in 1914. The ordinance prevented African Americans from occupying property on streets with a majority of white residents, and similarly prevented whites from residing on streets designated as "black" blocks. The designers of the ordinance argued that new African American neighbors caused plummeting property values on "white" blocks.[30]

Despite white attempts to keep Louisville's black population segregated and demoralized, the African American community united to create social, educational and political institutions. Many of these institutions that originated in the 19th century strengthened and grew in power in the 20th century in the face of hardening racial segregation.[31] Through these groups, Louisville's African Americans organized to fight against segregation laws for decades in both housing and the public sector.

The establishment of the Louisville chapter of the National Association for the Advancement of Colored People (NAACP) followed closely on the passage of the 1914 housing segregation ordinance when two local men—one white, one black—united to challenge the law. A Louisville NAACP member, William Warley, and a white real estate dealer who opposed the ordinance, Charles Buchanan, entered into an agreement for Warley to purchase a plot of land in a "white" area of the Portland neighborhood. Warley refused to pay for the lot because the segregation ordinance prevented him from living on the land. Buchanan sued Warley for breach of contract, and the test case, *Buchanan v. Warley*, reached the United States Supreme Court. On November 5, 1917, the justices ruled the residential segregation ordinance unconstitutional "on the grounds that it denied members of both races the right to own and dispose of property as they saw fit."[32] This ruling turned the tide against the passage of new segregation laws throughout the United States.



Dilapidated housing like this building circa 1930s was commonplace for black Louisvillians of this era.
Louisville Metro Housing Authority

After 1917, although no law mandated separate black and white neighborhoods, a host of institutions collaborated to keep housing segregated. Realtors steered black and white clients into racially separate neighborhoods. New zoning laws limited to certain areas of the city and county the growth of multi-family housing upon which many black families depended [a dynamic explored further in Section 4]. "Restrictive covenants" were added to deeds to prevent buyers from then selling their property to African Americans or other groups deemed undesirable (including Jews). Community-wide petitions kept blacks out of certain neighborhoods, while all-white homeowners' associations formed in some Louisville neighborhoods (such as Shawnee, for example) to pool funds and buy vacant property to safeguard their community's "whiteness."[33]

Beginning in the 1930s, federal programs institutionalized and perpetuated the discrimination begun by white grassroots action. In 1933, the federal government created the Home Owners' Loan Corporation (HOLC) to make home ownership more widely available to Americans. For African Americans, however, the opposite result occurred. HOLC created and institutionalized a practice known as "redlining" and developed a system for evaluating risks associated with loans made in specific neighborhoods. The system placed neighborhoods into one of four categories based on quality (i.e., level of worthiness for investment). HOLC maps color-coded neighborhoods they deemed the lowest quality in red, and these "redlined" areas almost always included predominantly African American neighborhoods. Banks channeled mortgage funds away from these neighborhoods, making homeownership mostly unattainable.[34] The adoption of HOLC's discriminatory ratings system by private and public credit institutions as well as the underwriting practices of the Federal Housing Administration (FHA) and the Veterans Administration (VA) further devastated black residential possibilities.[35] According to social scientists Douglas Massey and Nancy Denton, redlining "lent the power, prestige and support of the federal government to the systematic practice of racial discrimination in housing."[36] Redlined neighborhoods were common in Louisville as they were in other American cities after the 1930s.

Many African Americans lived in modest housing built in alleyways behind predominantly white streets in the 19th and early 20th centuries.
Louisville Metro Housing Authority

1930s – 1950s

While the housing needs of the minority were not among the chief concerns of majority-white Louisvillians during the 1930s, the city's Planning and Zoning Commission did recognize there was a problem with black housing stock. In 1929 the city hired Harland Bartholomew, the nation's first full time city planner, to develop its first comprehensive plan, which he presented in 1930. Bartholomew's plan became the basis for the city's first residential zoning code—which, as examined in greater depth in Section 4 of this report, strongly frowned on mixed land uses and aimed to protect and segregate single-family housing from other types of land use.[37] Louisville historian Carl E. Kramer notes the result of that plan: "A problem related to [Louisville's] zoning and subdivision regulations was the manner in which they contributed to increased social and racial segregation."[38]

After the commissioners reviewed Bartholomew's plan, they requested a special study of black housing. The 1932 report, *The Negro Housing Problem in Louisville*, released in the midst of the Great Depression, revealed stark information about housing conditions for poor African Americans. It also shed light on the extremely racist attitudes widely held by whites of that era. At the time of the report, about 45,000 African Americans lived in Louisville and accounted for 15 percent of the total population.[39]

Broadway looking east from Shelby Street, 1937 flood. *U of L photo archives*

The authors of the report warned the City Planning and Zoning Commission that "slums and blighted districts constitute real menaces to proper city development."[40] They described tenements, kitchenette apartments and rooming houses located in the alleyways near the downtown business district as small, dank, crowded and dilapidated. The report stated, "It is a well-known fact that within the crowded Negro sections occur the highest death rates from communicable diseases, the greatest concentration of juvenile delinquency and the worst vice and criminal conditions in the city."[41] Instead of condemning institutionalized segregation and limited choices for denying African Americans access to better housing, the report instead blamed African Americans themselves for the situation, identifying their attitudes as the main obstacle to improved housing conditions. Blacks, the report concluded, lacked the desire "for something better than they are accustomed to."[42]

The Negro Housing Problem report is revealing today for how little city officials wished to look beyond their own assumptions of black inferiority for the causes of dilapidated housing. Its authors ignored the striking absence of better housing alternatives available to African Americans and smugly concluded, "If it were possible to create among the Negro masses a real desire for decent accommodations, the slums would automatically eliminate themselves as it would be impossible for the owner of rundown property to obtain tenants unless he made such improvements that would attract them."[43] Reflecting a strongly held set of prejudices on the part of policymakers, *The Negro Housing Problem* report laid the initial foundation for later urban renewal programs that destroyed the vibrant black business district of the Russell neighborhood along West Walnut Street (what later became Muhammad Ali Boulevard).

The 1930s saw big changes in housing for African Americans. The 1937 flood displaced hundreds of thousands of Louisvillians of all races, including many African Americans who lived in the floodplain.[44] In the wake of the flood's destruction, and the continued deterioration of the city's older neighborhoods, federal funds replaced slums with new housing projects.[45] In keeping with policies at that time, planners for these projects never considered integrating the new housing, but rather built separate divisions for whites and for African Americans. College Court opened at Seventh and Kentucky Streets in 1937 as the city's first black housing project.[46] Beecher Terrace opened in the Russell neighborhood a few years later.[47] Far from the modern-day negative stereotypes and connotations about housing projects, most people in 1940, white and black, viewed these projects as positive—a step of upward mobility from the slums. These cleaner, more habitable dwellings also offered access to health care for children through on-site clinics.[48]

CLARKSDALE NATAL CLASS

BEECHER TERRACE NATAL CLASS

Public housing projects in the 1940s offered natal clinics to black and white women in separate groups. Here are two: Beecher Terrace and Clarksdale. *U of L photo archives*

The World War II era brought a great internal movement of people into American cities that shook up longstanding housing patterns. The war sparked an upturn in the economy in Louisville as it did across the nation—a boost that of course affected housing. Louisville's African Americans found jobs in the war industry or enlisted in the military. Because fascism cast an unflattering spotlight on American racism, the wartime fight to defeat the Nazis also gave new energy to civil rights crusades and ushered in some major legal and practical racial changes in the postwar years, including in the area of housing.[49]

During and especially after the war, the federal government increasingly became at least a modest ally to the cause of civil rights. In 1948, for example, the U.S. Supreme Court ruled restrictive covenants unconstitutional in *Shelley v. Kraemer*.

Sheppard Square Field Day, 1940s. Public housing in this era created many new opportunities. *Louisville Metro Housing Authority*

The FHA Better Housing Campaign grew out of the New Deal to eliminate the suffering of the Great Depression. *U of L photo archives*

Yet segregated housing in Louisville persisted. In wartime and especially in the immediate postwar years, Louisville's manufacturing economy boomed, including in West Louisville, where tobacco plants and distilleries offered many good-paying jobs. Tire and chemical industries located in the far-west area called "Rubbertown"— known today as prime sources of pollution and environmental degradation—brought new jobs to western Louisville. Despite early warnings of fumes and pollution from Bartholomew's zoning studies of 1930, those industries also brought higher rates of homeownership, although many of the homes in that area were for whites only.[50] In the post-WWII years, although there were western neighborhoods where African Americans lived (Russell, for example), the far western end of the city near the Ohio River remained the province of white residents. Since the 1920s, many street names had been changed west of 32nd Street as a way of separating white from inner-western black residences without specifically mentioning race (Chestnut changed to River Park, for example).[51]

Meanwhile, new black migrants flooded into the city, bringing a population growth rate three times that of whites.[52] The GI bill expanded homeownership and new suburbs cropped up throughout Jefferson County, but because most builders rejected black buyers, African Americans remained in the city and faced increasingly crowded and dilapidated conditions. Apartments in all-white public housing projects sat vacant while African Americans experienced long wait lists for a space in those projects designated as "Negro." Housing options outside of projects offered little in the way of comfort. Black downtown neighborhoods received no funding for upgrades, so that, for example, many smaller streets in downtown black communities remained unpaved even in the 1950s.[53]

Grand Avenue temporary housing for African Americans post-WWII. The city offered less than 100 units for black families while it offered almost 500 units for white families at Bowman Field. *Louisville Metro Housing Authority*

They asked, he said, deeded the Rone Court property to Wade. Braden said he had. After some discussion, he said, the men started to leave. One of them lingered, however, and asked Braden if he owned his house and if he had any children. Braden said he answered both questions affirmatively. He said the unidentified man then hinted

He told a reporter however that Braden had told him he planned to make the house his own home. Braden bought the house through Hudson Realty Company.

Wade said Rone approached him Friday and asked if he would sell the house back to him. Wade said he refused.

laws were being violated. The F.B.I. can act only in the event of federal violations.

The Wades have lived in the house only since Friday. They said they were not bothered Friday night.

Wade said he armed himself

City officials to end racial segregation in municipal swimming pools. The younger Wade, a graduate of Hampton Institute, Hampton, Va., has been active in the Progressive Party here. Mr. and Mrs. Braden also have been active in the party.

WADE FAMILY STANDS BEFORE BROKEN WINDOW

Courier-Journal Photos

A BURNED CROSS and a jug containing gasoline were left in a vacant lot adjoining the home of Mr. and Mrs. Andrew E. Wade, IV, near Shively Saturday night, County Patrolman James Mitchell

Electrician and WWII veteran Andrew Wade and his wife, Charlotte. *Courier-Journal, May 17, 1954*

Realtors slowly began "opening" a few areas of West Louisville to African Americans, but when they moved in, whites frightened by the prospect of declining property values moved out. Their flight was often accelerated by realtors who reinforced those fears, and entire blocks again became segregated. Outside of those limited areas, banks and realtors often refused to sell houses to blacks—even to those who had fought in the war—denying them the economic benefits of home ownership, including the increased net worth of home equity.

The situation literally became explosive in 1954 when one of Louisville's African American families attempted to subvert the status quo.[54] Electrician and WWII veteran Andrew Wade and his wife, Charlotte, searched for months for a new home outside the city. Booming growth in Louisville suburbs during this time saw white home ownership at an all-time high. Yet white realtors refused to sell to Wade because of his race in areas where he wanted to live. Frustrated and wanting a suburban home, he finally took the advice of one realtor who suggested Wade ask a white friend to buy on his behalf. Carl and Anne Braden, a local white couple known for their militant support for African American civil rights, agreed to Wade's plea for assistance. Acting as "fronts" to negotiate with realtors and lenders, the Bradens purchased the Wades' dream house for them in May 1954 in an undeveloped semi-rural area that is now part of Shively. On the Wades' very first night in their home, they encountered a burning cross and shots fired through their front windows. Six weeks later, after a campaign of steady harassment that included refusals to deliver bottled milk or even the daily newspaper to their door, the Wades' house was dynamited when the family was out for the evening. These events took place at the height of the Cold War amid a hysterical fear of communism that, for white southerners, often mingled with a fear of racial integration. The subsequent investigation shifted the focus away from the Wades' right to their home and instead focused on the alleged "communistic" and "pro-integration" views of the Bradens even as threats on the Wades' lives continued. The Wades reluctantly gave up on their quest for a suburban home and returned to live in Louisville's West End. Housing segregation continued unabated.[55]

The Civil Rights Era

In the years immediately following the destruction of the Wade home, however, a new civil rights movement brewed, both in Kentucky and farther south. By the birth of the 1960s, a new generation of young black civil rights activists took their campaign for better treatment into the streets. Starting in Greensboro, Nashville and other cities farther south in 1960, the youth-led sit-in movement swept Louisville in 1961 as hundreds of African Americans, with a small number of white allies, organized *en masse* against segregation in public businesses along Fourth Street downtown. The young people sat in at restaurants that served blacks only in segregated sections or not at all while adult leaders instigated a boycott of department stores where blacks could buy items but not try them on.[56]

In response to the movement, in 1962, the Louisville Board of Aldermen established a biracial Human Relations Commission (HRC) as a local arm of government to put "into effect a constructive approach to the problems involved in improving intergroup and interracial relations leading to the end of discriminatory practices."[57] Early on, the Commission often played a mediating role between more reluctant public officials and grassroots activists pushing hard for change. The hard-fought battle finally yielded an open accommodations ordinance incorporated into law in 1963—first of its kind in the South—that outlawed discrimination in all public facilities and by businesses that served the public.[58]

Almost immediately, civil rights leaders, and with them the HRC, turned their attention to the city's deteriorating housing situation. The struggle for an open housing ordinance would take more than three years and a new level of cross-racial cooperation to achieve.

When the open housing movement began in Louisville in the spring of 1963, neighboring states of Illinois, Indiana and Ohio were already considering open occupancy laws.[59]

MAMMOTH LIFE PRE-URBAN RENEWAL

MAMMOTH LIFE URBAN RENEWAL

The vitality of the photo on the left raises questions about the mission of urban renewal to remove blight. *U of L photo archives*

Meanwhile, national and local trends posed setbacks to the search for fair housing in Louisville. Starting in the 1950s and gaining momentum by the early 1960s, urban renewal programs displaced thousands of Louisville's black and poor residents, which further strained the already inadequate housing stock that was open to them. In 1954, the city once again commissioned Harland Bartholomew to develop an updated comprehensive plan for Louisville. Bartholomew's proposal included an urban renewal plan for the areas east and west of the Central Business District. A HUD-funded program, urban renewal (which blacks often satirized as "Negro Removal") had as its purpose to redevelop abandoned, blighted or vacant property. As in many other cities, African American and poor white populations who lived in Louisville's city core experienced the prime effect of urban renewal in terms of bulldozers that razed their homes and businesses. The once-thriving African American business district between Sixth and Thirteenth streets along Walnut was decimated during those years as the interstate freeway created a divide at Ninth Street, where the longtime black Russell neighborhood began to the west. Urban renewal planners failed to consider that many black business owners rented space and could not afford to relocate. Meanwhile, displaced residents were left to find new accommodations largely on their own. The poorest were those with the fewest options, and less than a third were relocated into comparable living quarters.[60] Even when new public housing projects accompanied downtown displacement plans, accompanying services that had been promised often were not delivered. For example, the shopping facilities pledged for the area around Southwick Homes, a 149-acre public housing development built in West Louisville in 1960, never materialized, and trash pickup and traffic controls (stop signs, red lights) were poorly implemented from the start.[61]

U of L photo archives

WALNUT & 8TH • 1926

Courtesy of Anne Braden Institute

SAME VIEW • 2013

The Walnut Street business district before and after urban renewal.

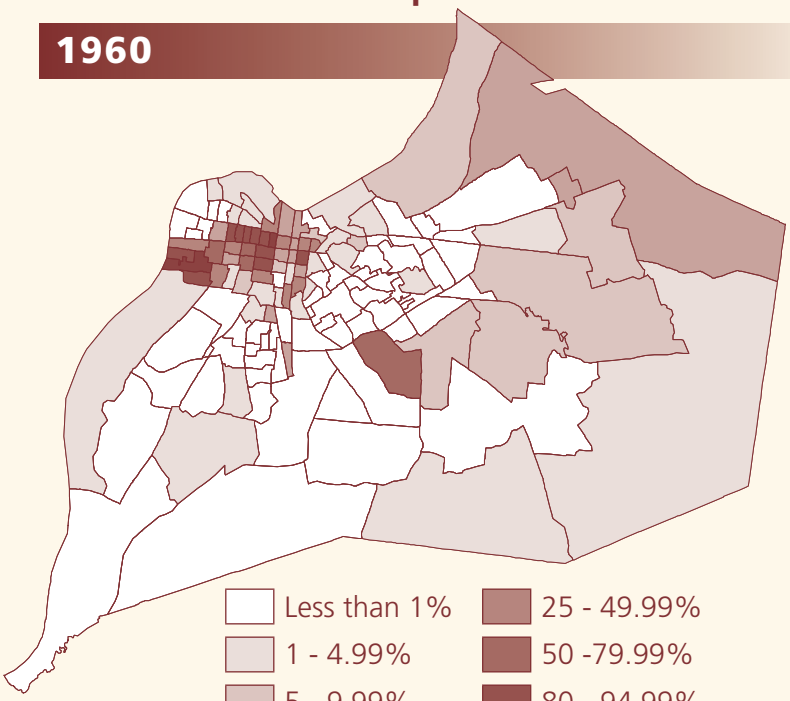
In effect, Louisville's urban renewal projects of the late 1950s-70s funneled African Americans into the city's west side. White flight from West Louisville neighborhoods began in the years after WWII, and picked up steam in the civil rights era. From 1960-64, nearly 15,600 whites left the West End in favor of the east or south ends of town or the suburbs in southern Jefferson County.[62] Discriminatory "block-busting" tactics hastened the pace of white flight as realtors strongly encouraged whites to sell their homes quickly and cheaply on blocks where even one black family had moved in. Seeds of unsubstantiated fear were planted among white homeowners that encroaching African Americans lowered property values. In reality, the real estate industry profited as "for sale" signs popped up on entire blocks, and homeowners often took losses in order to sell quickly.[63]

Because of its longstanding layer-cake housing patterns, Louisville had never yet experienced a "ghetto" in the sense that cities like Atlanta, Chicago and Memphis had. Pockets of African Americans traditionally resided in parts of the Highlands (Yale Drive, for instance) and other East End neighborhoods, though typically on mono-racial blocks. But in the post-WWII years, block-busting and urban renewal, combined with a continued lack of housing choice for middle-class African Americans, laid the groundwork for the creation of Louisville's first ghetto in the West End. In 1940, Louisville's segregation index stood at 70. By 1970 it had risen to 89.2.[64]

A half-century of historical distance from post-WWII housing policies allows Louisville residents to see the roots of our persistent 21st-century residential segregation. However, at the time of urban renewal, African Americans and racially conscious whites raised few concerns. Historian J. Blaine Hudson noted that there was no outpouring of community concern, and that African Americans focused mostly on the new opportunities opening for them.[65] African Americans, possessing few other choices, moved eagerly into the housing that opened up in West Louisville. In the postwar years, the city's west side contained a great degree of economic diversity within its increasingly all-black neighborhoods. African Americans who grew up there remember great internal cohesiveness and safety. Though parts of it still contain economic diversity, that blend of working classes and black bourgeoisie declined significantly in the West End after 1970 as more prosperous African Americans also began leaving for other parts of town.

Louisville Metro African American Population

1960



POPULATION	
White	532,000
African American	78,000
Other	500

Metropolitan Housing Coalition 2012

This non-dated circa 1967 pamphlet from the KY Commission on Human Rights called into focus the widespread white flight of that era using humor. *KY Commission on Human Rights*

There were some who recognized early on that the level of white flight and of increased African American concentration in Louisville's west side created a situation of over-crowded, hyper-segregated and racially polarized housing. In 1963, an intentionally biracial group of West Louisville residents headed by longtime activists Anne Braden and Gladys Carter created the West End Community Council (or WECC). The goal of WECC was to make West Louisville a positively integrated neighborhood and keep it that way. WECC members went door to door to welcome African Americans to the community when they moved in, and to discourage white homeowners from panic-selling. They distributed yard signs that said, "Not for Sale" to white homeowners willing to post them in order to show their disapproval of block-busting.[66] In addition to its work in West Louisville, WECC joined the NAACP, Kentucky Christian Leadership Conference (KCLC) and other civil rights organizations to form the Committee on Open Housing (COH) in 1966.[67] The COH demanded an open housing ordinance.

Louisville's Human Relations Commission: A Short History[68]

IN THE SPRING OF 1961, Louisville witnessed its first mass civil rights demonstrations when protesters boycotted establishments from First to Ninth Streets and Main to Broadway and demanded that all businesses desegregate. More than 700 people were arrested. As a result of the demonstrations, Louisville officials created a committee composed of some of the most influential citizens in the city. This group negotiated with the protest steering committee and cultivated a solution whereby the majority of downtown public accommodations desegregated.

Several months later, in July 1961, Mayor Bruce Hoblitzell appointed Dr. Philip Davidson, President of the University of Louisville, as Chairman of a Mayor's Advisory Committee on Human Rights. This committee established sub-committees to attempt to obtain voluntary desegregation in (1) public facilities and accommodations; (2) housing; (3) apprenticeship training and (4) employment practices in business and industry. After six months the committee concluded that desegregation could only be obtained through legislation. The Committee's first report stated, "We have learned that negotiation carried on by the volunteer workers without adequate sanctions or staff can go just so far." The committee went on to urge the creation by law of a local commission on human rights and the appointment of a full–time executive director and staff.

In March 1962, newly elected Mayor William Cowger pushed for the Board of Aldermen to pass an ordinance which emphasized that racial and religious discrimination were detrimental to the welfare of the city. The ordinance also created the Louisville Human Relations Commission to implement and enforce the adopted policy. On May 22, 1962, Mayor Cowger announced the appointment of Dr. Marlin M. Volz, Dean of the University of Louisville Law School, as Chairman of this new Commission.

The first resolution adopted by the Commission established policy that recognized the principle that "law is an honorable instrument, and provides the framework with which social changes can take place." The resolution went on to declare that Commission policy would be to recommend passage of laws designed to put an end to serious and widespread discriminatory practices in housing, education, employment and public accommodations. The resolution also decreed that the Commission would be the responsible agency for carrying out the provisions of such ordinances.

During the 1960s, the Louisville Human Relations Commission pushed for public accommodations, equal employment and open housing ordinances. Like its predecessor, it often began by promoting voluntary actions that would not require mass protest, civil disobedience or new regulations, but as in the case of the open housing ordinance, Commissioners often found that more binding action was required. The Commission also sponsored educational workshops for the community in their "Learn More, Earn More" adult education programs and sensitivity training for city and county police and civil employees. Since the 1960s, the Human Relations Commission has supported the expanded passage of civil rights legislation to include the bases of sex, sexual harassment, age, religion, retaliation and disability. In the 1980s, it endorsed protections relating to sexual orientation and, in the 1990s, to gender identity.

Today, more than 50 years after its founding, the HRC enforces anti-discrimination laws and monitors contract compliance for Louisville Metro government contractors. The current mission of the Louisville Metro Human Relations Commission (LMHRC) is "to promote unity, understanding, and equal opportunity among all people of Louisville Metro and to eliminate all forms of bigotry, bias, and hatred from the community."[69] Sponsorship of this action plan to affirmatively further fair housing in Louisville Metro is one aspect of its many-faceted work to end discrimination locally.

Open housing demonstrators faced harassment from white hecklers during protests in the South End.
Courier-Journal courtesy of UNC Press

The Open Housing Ordinance, Yet Increased Segregation

The HRC—a key link between activist groups and city officials—had submitted a fair housing plan to Louisville's Board of Aldermen as early as 1964, which the Board subsequently rejected. Next the Commission advanced a non-binding resolution that proclaimed "the Louisville Area Board of Realtors, financial institutions and other real estate organizations would agree to sell, lease or rent property without regard to race, creed, color or national origin."[70] HRC leadership quickly realized the validity of activists' criticism of this voluntary, good-will plan when their own surveys showed that the "Declaration of Principles" had "no significant effect" in alleviating either housing segregation or discriminatory real estate practices.[71] As the matter slowly wound through the political process, activists took to the streets.

In the spring of 1967, precisely 50 years after the U.S. Supreme Court struck down Louisville's residential segregation ordinance in *Buchanan v. Warley*, a wave of near-daily demonstrations for open housing started in Louisville. Protesters concentrated their efforts downtown and in the city's South End, which was both the location of vocal opposition to open housing and the area to which many whites fleeing the West End had relocated. The opposition to the marches quickly escalated from demonstrators being heckled by small crowds to their being pelted with rocks, eggs and bottles by crowds that oftentimes outnumbered the marchers.[72] Besides drawing widespread media coverage, such violence brought attention and support to the open housing movement from a variety of biracial organizations and from Louisville's faith community.

Open housing rally in Louisville, 1967. *Robert Doherty Collection, Special Collections, University of Louisville*

In the midst of the demonstrations, Dr. Martin Luther King, Jr. added his voice to the calls for open housing in Louisville. King came to town at the request of his younger brother, Reverend A.D. King, a local Baptist minister and leader of the Kentucky Christian Leadership Conference (KCLC). With him came national press attention to the surging anti-black violence. The elder King joined the South End marches and received a blow to the forehead from a rock thrown by a counter-demonstrator, occasioning one of his more famous speeches, in which King declared, "Upon this rock, we will build an open city." Despite the national attention and local increased biracial support for an open housing ordinance, the Board of Aldermen again rejected it in April of 1967.[73] Soon thereafter, protesters threatened to disrupt the Kentucky Derby, resulting in the cancellation of the Derby Pegasus Parade, yet still no action resulted. Only when the tactics shifted to the ballot box did the law advance. With African Americans united to act as a "swing" vote, Louisvillians elected a new Board of Aldermen in November 1967 by a slim margin. Louise Reynolds, a staunch supporter of the open housing ordinance, was the only incumbent returned to office.

With a new Board in place and continued pressure, Louisville became in December 1967 the first major city in the South to pass an open housing law.[74] State Senator Georgia Davis Powers and Representative Mae Street Kidd—both African American legislators from Louisville—then introduced a housing bill on the state level, and the Kentucky Fair Housing Act of 1968 became law.[75]

The next month, President Lyndon Johnson signed the federal Civil Rights Act of 1968. Title VIII of the Civil Rights Act, the Fair Housing Act, now prohibited discrimination nationally in the sale, rental and financing of housing.[76] It did so not only on the basis of race and color, but also offered protections regardless of one's sex, national origin and religion. The inclusive nature of the resulting law demonstrates how racial segregation in housing and the struggles against it have informed other kinds of barriers to fair housing and the means to eliminate them.

The 1960s were a high-water era in U.S. and Louisville history in terms of social programs that aimed to create equal opportunity for all Americans, by virtue of their membership in groups that faced systematic discrimination. In the years 1964-68, for example,

President Lyndon Johnson's administration launched a War on Poverty that introduced countless new initiatives at the federal, state and local levels aimed at greater social justice. Yet it is essential to recognize that the 1960s militancy of social movement upsurge that framed and gave rise to Louisville's open housing movement in the later years of the decade took place as a more conservative mood took shape among whites across the nation and locally who were increasingly fearful that too much was changing too fast.[77] The open housing movement was, in part, a response to urban renewal and block-busting amid vast African American population growth and increased overcrowding. In this context, white residents and policymakers increasingly abandoned West Louisville.

It is no surprise then that despite local, state and federal laws which ended legal discrimination and outlawed discriminatory policies and practices in housing, residential segregation not only persisted but in fact grew. The hyper-segregation of West Louisville heightened after a May 1968 demonstration at 28th and Greenwood against police brutality turned violent. In the chaos, two young African American men were killed, hundreds arrested and millions of dollars in property destroyed or damaged. Governor Louie B. Nunn called in the National Guard to restore order and patrol the streets during an imposed curfew.[78] The chilling effect of this uprising still haunts West Louisville today. White business owners decided not to rebuild, and most of the remaining white residents and churches moved to other parts of town. Such lack of investment in West Louisville contributed to economic decline and further racial isolation. Even as fair housing laws opened the proverbial doors of any home in Louisville, poverty and racial polarization prevented those in the most dire housing circumstances from being able to seek better shelter. The suburbs were either too unwelcoming or too costly for many African Americans, even as the quality of life declined in much of the city's west side amid economic decline and a middle-class exodus that after 1970 included some African Americans of means.

ence that Mayor Kenneth A. Schmied
atly refused to go into the West End
help bring disorder to an end."
The Rev. Mr. King, a West End leader
with slightly more success. Prevented
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Mrs. Braden Explains

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hour basis.

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warned the picketers t
have to be gone by 8 p.
for violation of the cur

Staff Photo by Robert Steinau

NATIONAL GUARDSMEN stand with rifles ready in front of looted stores on the east side of 28th between Dumesnil and Virginia. About a dozen West End stores were broken into.

National Guard stand in front of stores in the Parkland neighborhood. Civil rights leaders protested the Guard presence with little response from the mayor. *Courier-Journal, May 29, 1968*

1970s-1980s

Louisville's changing residential patterns reached a critical mass in the 1970s. The city's population had been steadily declining as many whites, and a few blacks, moved from the urban center to the suburbs of Jefferson County. That exodus resulted not only in residential segregation, but in the re-segregation of Louisville public schools, which had begun a process of modest desegregation in 1956.[79] After a legal challenge brought by civil rights-minded parents seeking change, the U.S. Sixth Circuit Court of Appeals ordered the newly merged Louisville and Jefferson County Public School system (JCPS) to undertake district-wide desegregation through mandated busing. Violent protests broke out across the city, especially in the South End, when busing began in the fall of 1975. Angry mobs of white parents demonstrated in large rallies, threw rocks and bottles at buses full of children and attacked police cars.[80] JCPS established a team of people in the Department of Human and Community Relations (DHCR) assigned to work with community anti-busing groups like Save Our Community Schools, Citizens against Busing and Concerned Citizens, Inc., with the aim of bringing peace and understanding over the new busing arrangement. The outpouring of hostility was short-lived, and the community eventually accepted busing for the most part. Yet according to Dr. Bernard Minnis (one of the DHCR department heads and later a leading administrator of the school system), the collective lack of action by Louisville residents to deal with housing segregation placed heavy responsibility for racial desegregation on the school system. Minnis recalls, "We [school administrators] knew we were being forced to do something [desegregate] that the larger city was simply not willing to do."[81] Some disenchanted white parents moved out of Jefferson County altogether, which bolstered the growth of neighboring Oldham and Bullitt counties.

In Louisville and nationally, the social upsurges of the 1960s-70s frightened and dismayed more conservative Americans even as they instilled in many others, especially younger people and minorities, a hopefulness about realizing the country's founding ideal of a "more perfect union." Other social movements of that era that strove for the elimination of other forms of group discrimination were inspired by and modeled themselves on the civil rights movement. Women, for example, organized for equal opportunity under the law and in all walks of life, starting in the late 1960s. In housing, feminist activists nationally united with civil rights activists to achieve gains such as the 1974 Equal Credit Opportunity Act, which removed barriers faced by single and divorced women to obtaining mortgages and other forms of credit.[82] Within local housing projects, groups of women demanded equal access and better treatment for single mothers and their families.[83] In the final quarter of the 20th century, others that had historically been subject to group discrimination, such as the disabled, likewise organized for change using many of the same approaches that had ushered in race-based civil rights laws in the 1960s *[see Section 5 for more detail on the other protected classes and barriers they have faced and overcome]*.

In the 1970s, federal and local initiatives both in and outside government sought to reduce both poverty and racial segregation through housing programs. For example, Congress passed the Housing and Community Development Act of 1974 (amended significantly in 1977) as a response to deficiencies in HUD's urban renewal and model cities programs.[84] Part of the act established the Community Development Block Grant (CDBG), which distributed funds to cities and allowed more local control in the effort to fight poverty "by providing decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low and moderate income."[85] Louisville applied for CDBG funds in 1975, the first year of the program. A HUD compliance review in 1977 found, however, that "the relocation of people from target rehabilitation areas was discriminatory. Of whites relocated, 91 percent were moved to predominantly white census tracts. Of blacks, 86 percent were moved to predominantly black census tracts."[86] A scathing 1982 report assessing the local CDBG program revealed the ways in which Louisville officials had failed to properly administer its millions of CDBG dollars. One abysmal failure cited in the report was the distribution of loans and grants for rehabilitation: Louisville had favored rehabilitation of predominantly white neighborhoods that, comparatively, possessed the least number of units needing rehab work.[87] According to the Kentucky Advisory Committee's review of the situation, HUD had informed city officials they were not in compliance with the agency's requirements not to discriminate on the basis of race, color, national origin or sex, but it did not

impose sanctions or remedy the situation.[88] The city of Louisville's failure to comply with HUD requirements and the lack of sanctions for not having done so are clear examples of the ways in which programs and funding designed to remedy the effects of past discrimination, can, if not carefully monitored, end up perpetuating housing segregation.[89]

By the end of the decade, the hopeful social climate of the 1960s was hard to sustain. Louisville and the nation were suffering from a shift from the prosperous industrial economy of the mid-20th century to a more mixed service economy after 1975. Both in West Louisville and area-wide, the International Harvester plant closed, the automotive plants laid off workers and many smaller factories (Johnson Batteries and Butler Manufacturing, for instance) ceased production.[90] The resulting economic decline for poor and working people, and especially for African Americans, worsened after the presidency of Ronald Reagan (elected in 1980) ushered in a more conservative national and local mood, especially among whites.[91]

In that context, increasing numbers of policymakers and their constituents lost patience with the ongoing attention and resources required to end seemingly intractable racial discrimination in the nation's institutions. Federal social welfare programs, including HUD, were subjected to cutbacks. Homelessness soared, and the cuts to public housing in the mid-1980s were so severe that low-income housing advocates called them a "scorched-earth policy."[92] Public housing qualifications were revised downward so that fewer modest-income working people qualified, with the result that the projects had less and less income diversity.[93] Conservative leaders appropriated Dr. Martin Luther King's goal of judging people "not on the color of their skin but on the content of their character" as a kind of "color-blindness" that underestimated both the scope of the problem of racial discrimination and the powerful history that had created it.[94]

Zoning regulations established in 1974 presented continuing obstacles: they followed patterns set by redlining and did so without a plan or commitment to dismantle decades' worth of intentional discrimination and exclusion. To some extent many Americans, not just Louisvillians, had declared the problem of racially segregated housing solved once the Fair Housing Act became law in 1968. As two leading scholars on this subject have noted, "residential segregation dropped off the national agenda."[95] That collective self-deception deepened as President Ronald Reagan's characterization of the "welfare queen" demonized African American single mothers and propagated today's notions of housing projects as warehouses for the poor and inner-city black ghettos as hotbeds of gang and drug activity.[96]

Photo credit: Phoenix Lindsey-Hall, Metropolitan Housing Coalition 2009

Such images suggested that social welfare and public housing programs were not just ineffectual but might even be the cause of poverty.[97] The number of cases prosecuted under the Fair Housing Act dropped dramatically under the Reagan administration even as the number of complaints rose.[98]

Even so, Kentucky public housing authorities worked with modest successes to reduce discrimination in public housing units during this period. Kentucky Commission on Human Rights (KCHR) reports between 1974 and 1987 show modest but steady reductions in housing segregation, although in each of those years KCHR reports recognized Jefferson County and Louisville as the most segregated housing authorities in the state.[99] The reductions in segregation of public housing resulted not from individual families' choices about their neighbors, but from the Kentucky Commission's policy that required housing authorities to implement affirmative action desegregation plans.[100] These initiatives stipulated dual waiting lists for housing—one for white families, one for black families. When a unit became available in a predominantly white housing complex, the available spot was offered first to a black family—and vice versa.[101] In 1987, HUD prohibited this intentional unit-by-unit integration strategy and instead instructed housing authorities to use a color-blind strategy to assign housing by using a family's position on the waiting list regardless of their race. As a result, segregation in Kentucky's public housing worsened in 1988 for the first time since the Commission had started measuring it.[102] From this the Commission concluded: "Color-conscious solutions are needed to overcome the color-conscious segregation [. . .] that created separate and in many cases unequal public housing in communities across the state."[103]

In addition to tracking public housing segregation, the Kentucky Commission on Human Rights also kept watch over racial discrimination in the private housing and rental markets across the commonwealth. The Commission staged tests with black and white housing seekers to record treatment by rental and sales agents. A compilation of test results from 1977 through 1988 found that blatant discrimination fell to low levels, but subtle discrimination against African Americans remained high, as the example here shows.[104]

DISCRIMINATION: 1980s

In the test of an apartment complex in the Strawberry Lane area of Louisville, the rental agent told the black tester that only a one-year lease was available, no pets were allowed and a security deposit would be required to hold an apartment. She also asked the black tester where he was employed and how many children he had. One-half hour later, the same agent told the white tester that a six-month lease was available, did not mention the restrictions on pets and did not mention the need for a deposit to hold the apartment. She did not ask the white tester where he was employed nor the number of children he had.[105]

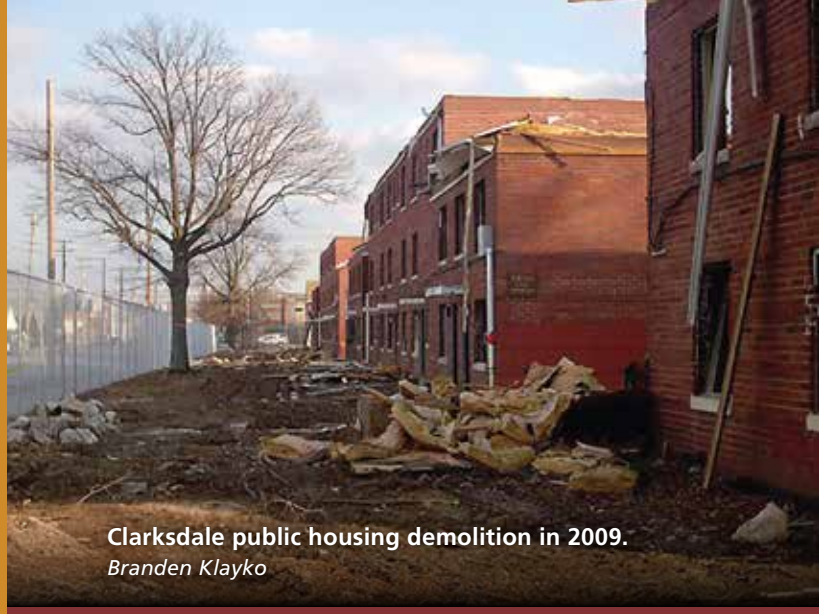
The Late 20th Century

Although the social movements of the 1960s-70s produced important new anti-discrimination laws and policies and innovative housing and anti-poverty measures, by the late 20th century the expansive use of public funds to curb poverty and segregation had given way to a more conservative climate and far more modest public expenditures in Louisville and across the nation.

By the final decade of the 20th century, Louisville's housing projects and perhaps especially Cotter-Lang Homes in the Park DuValle neighborhood in West Louisville were widely regarded as the locus of the city's crime and much of its drug traffic.[106] The Housing Authority of Louisville (now Louisville Metro Housing Authority) sought to make improvements to its housing stock in the mid-1990s through new federal grants. The new federal housing program—optimistically named "Housing Opportunities for People Everywhere" and known widely as "HOPE VI" —was based on an increasingly popular neoliberal approach to social problems that looked beyond solely governmental solutions in search of public-private partnerships. In this case, the goal was to provide funding for redeveloping formerly public housing projects, some of which were now more than 60 years old, into newly constructed, mixed-income developments. These new developments yielded a blend of renters and homeowners with a variety of housing options and a mix of publicly and privately owned units.[107]

Clarksdale opened in 1940 as the city's first "white" public housing. *Louisville Metro Housing Authority*

CLARKSDALE 1940



Clarksdale public housing demolition in 2009. *Branden Klayko*

CLARKSDALE HOUSING PROJECT

Photo credit: The Anne Braden Institute for Social Justice Research

LIBERTY GREEN

Three longstanding public housing complexes have been redeveloped in this way in Louisville Metro through HOPE VI funding. The first was the 1990s replacement of Cotter-Lang Homes with a new Park-DuValle housing community, which remained majority-black.[108] Next the 65-year-old (and once all-white) Clarksdale complex, located in the Phoenix Hill neighborhood just east of downtown, was razed and replaced with Liberty Green. In 2012 Louisville's final HOPE VI project completed the relocation of residents from the Sheppard Square housing complex in the historically-black Smoketown neighborhood and demolished it in anticipation of a newly revitalized and more physically attractive mixed-income residential community.

While widely deployed throughout U.S. cities from the 1990s until it was defunded in 2012, the HOPE VI housing formula is considered controversial by some scholars and policymakers on the grounds that it has proven far more effective for economic redevelopment than for increasing housing options for poor people. Developers have typically allowed only a small number of residents from the original project to return and live in the new mixed-income neighborhood. Returning residents include few if any of the very poorest, also known among housing policymakers as the "hard to house," and with a few exceptions, housing options for that group grew grimmer as the 21st century dawned. In Louisville, there has been a steady loss in the number of units available for large families in particular even as higher immigration rates have brought in many sizeable new family groupings.

These factors combined with larger social and economic woes have contributed to an alarming number of homeless children in area public schools – 12,389 recorded in 2012.[109]

The Legacy of History in the 21st Century

At the turn of the century, a dedicated corps of local housing advocates has continued the quest for enforcement of equal rights laws and for the expansion of housing choice. Taking the lead on this work is Louisville's Metropolitan Housing Coalition (MHC), a nonprofit organization established in the late 1980s by an assortment of public- and private-sector activists in order to coordinate fair housing efforts.[110] MHC was formed in response to two distinct events. The first was the surge in the number of homeless people on the streets of Louisville, caused by the de-institutionalization of persons with mental illness in the 1980s. This shortage was heightened by the expansion of Standiford Field Airport, which would cause the eventual displacement of thousands of middle- and low-income households whose homes were in the path of the expansion.

Since its founding in 1989, MHC has advocated the need for affordable, decent housing policies in the metropolitan region, state and nation by outlining and advancing legislative priorities that have included the Louisville and Kentucky Affordable Housing Trust Funds, Alternative Development Incentives in the Land Development Code and legislation creating a funding source for Individual Development Accounts for Homeownership, among others. MHC also identifies emerging and long-standing affordable housing trends and issues through its policy research publications, including the annual *State of Metropolitan Housing Report*.

Another source of support for fair housing has been the Louisville Metro Human Relations Commission, one of several government agencies that receives and investigates complaints from individuals wishing to report personal experiences of residential discrimination.[111] According to the agency's most recent annual report (July 1, 2011-June 30, 2012), they received 79 housing-related complaints out of a total of 421 overall discrimination complaints filed.[112] Although the greatest share of the housing complaints filed were on the basis of race (33), the greatest number of cases closed (23) were those connected to disability discrimination, which is often more blatant. Despite this record of need, both the LMHRC and KCHR receive less staff and public funding for enforcement and monitoring than they did in the 1960s-70s.

Photo credit: Phoenix Lindsey-Hall, Metropolitan Housing Coalition 2009

COMPLAINTS FILED TO LOUISVILLE METRO HUMAN RELATIONS COMMISSION (2012)					
	Employment	**Public Accommodations**	**Housing**	**Hate Crimes**	**Total**
Race	101	7	33	1	142
Sex	65	0	7	0	72
Disability	44	7	19	0	70
National Origin	16	2	5	0	23
Sexual Orientation	13	3	1	5	22
Gender Identity	1	1	0	0	2
Color	5	0	1	0	6
Religion	8	0	1	4	13
Age	22	0	1	0	23
Familial Status	0	0	11	0	11
Retaliation	37	0	0	0	37
TOTAL	**312**	**20**	**79**	**10**	**421**

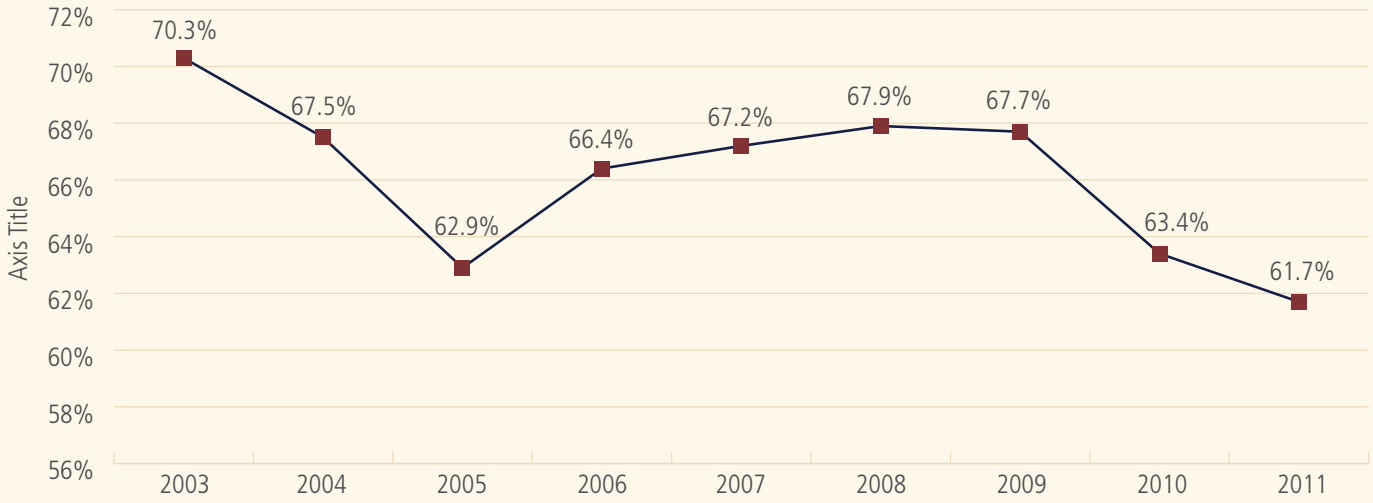
COMPLAINTS CLOSED					
	Employment	**Public Accommodations**	**Housing**	**Hate Crimes**	**Total**
Race	64	7	21	5	97
Sex	40	1	5	0	46
Disability	34	10	23	1	68
National Origin	10	4	6	0	20
Sexual Orientation	8	2	1	6	17
Gender Identity	1	1	0	0	2
Color	2	0	1	0	3
Religion	8	0	1	3	12
Age	14	0	0	0	14
Familial Status	0	0	8	0	8
Retaliation	39	0	3	0	42
TOTAL	**220**	**25**	**69**	**15**	**329**

***** Some complaints allege more than one basis of discrimination. Therefore, the total number of complaints filed does not equal the total number of bases for complaints filed.***

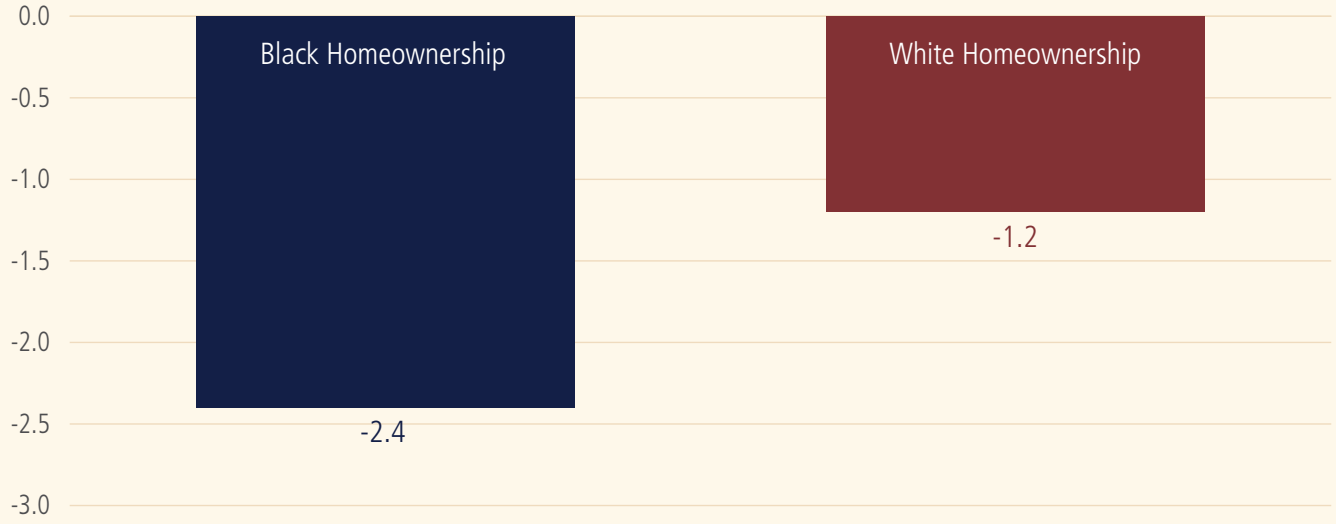
	Employment	**Public Accommodations**	**Housing**	**Hate Crimes**	**Total**
No Probable Cause	86	15	38	9	148
Probable Cause	4	0	3	1	8
Settlements	19	3	6	0	28
Administrative	15	3	5	2	25
Judicial Dismissals	0	0	0	0	0
Withdrawls	22	1	2	0	25
Hearings	1	0	1	0	2
Litigation	0	0	0	0	0
TOTAL	**147**	**22**	**55**	**12**	**236**

In 2003, the city of Louisville merged with Jefferson County to create Louisville Metro government.[113] Today, open housing laws protect any metro resident wishing to rent, buy or finance housing on the basis of race, color, sex, national origin, familial status, disability, sexual orientation or gender identity. Despite decades of these laws, however, Louisville remains highly segregated by race. Specific findings vary depending on what sources are used to measure segregation, and they are more dramatic if broken down to study segregation at the neighborhood level; yet demographic profiles agree that our community is extremely racially segregated, and that this situation contributes to poverty. According to one interpretation of the most recent U.S. Census data, Louisville ranked as the 43rd most racially segregated of 102 metropolitan areas.[114] This data showed that local residential segregation declined overall (compared to 41st in 2000 and 31st in 1990), but did so slowly. In 2010, the *Analysis of Impediments* reported that 45 percent of Louisville residents lived in extremely racially segregated areas. The *AI* summed up how this segregation is reflected in neighborhoods: "Forty-eight percent of white residents (259,000) live in census tracts in which 95 percent or more of residents are white. Forty percent of African American residents (52,000) live in census tracts in which 80 percent or more of residents are African American."[115]

Louisville MSA Homeownership Rate, 2003–2011



Change in U.S. Homeownership Rate by Percentage Points, 2008–2011



Metropolitan Housing Coalition 2012

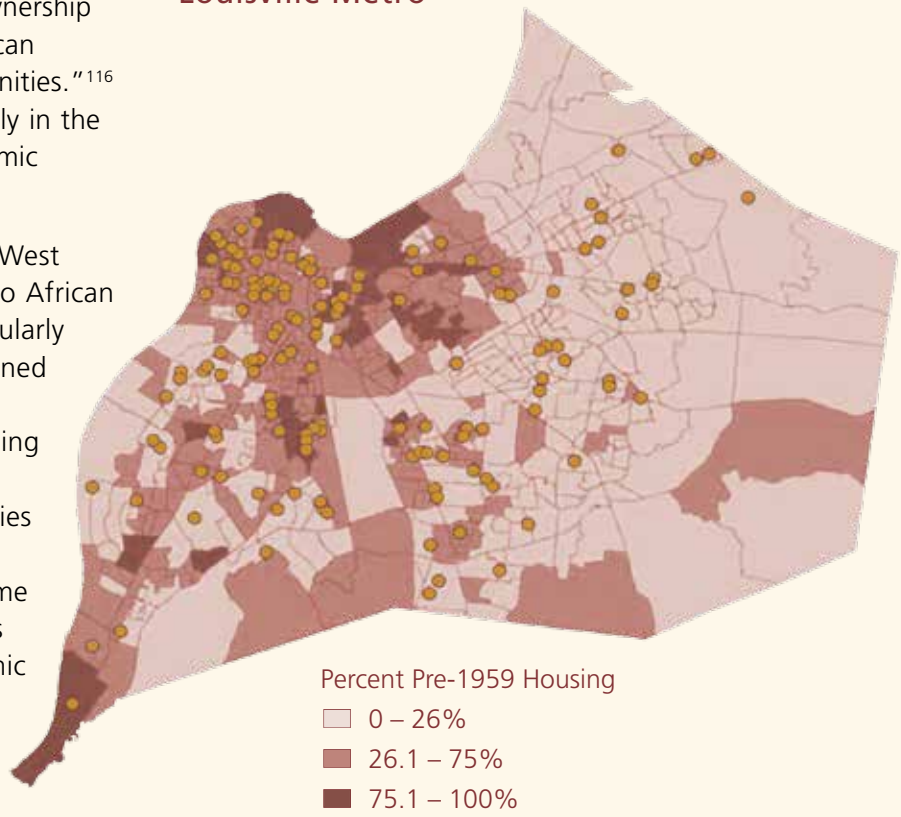
The impact of this continued segregation—and the marginalization that goes with it—was documented in the 2002 report, *Beyond Merger: A Competitive Vision for the Regional City of Louisville*, the first assessment of the newly merged local government prepared by the Brookings Institution Center of Urban and Metropolitan Policy. This report noted that "persistent segregation of black neighborhoods in the greater Louisville area has hindered the ability of African American households to build wealth. While the Louisville region has seen its degree of racial segregation drop in the last two decades, it still remains high. The result for African American homeowners is that their home values do not appreciate as rapidly as those of [w]hite homeowners, widening the wealth gap. Reducing this gap requires achieving stable neighborhoods that are economically diverse and racially balanced throughout the metropolitan area." The report went on to point out that "homeownership rates among African American residents of the new Regional City slumped from 42 percent to 40 percent during the 1990s… This trend is of particular concern because both home-mortgage lending and homeownership rates increased markedly for African American citizens in most other metropolitan communities."[116] This disadvantage improved only very slightly in the next five years; then came the 2008 economic downturn.

In the second decade of the 21st century, West Louisville—where the vast majority of metro African Americans call home—has remained particularly disadvantaged by the historical forces outlined here. West Louisville neighborhoods have aging infrastructures, the city's oldest housing stock, higher rates of asthma, higher rates of lead exposure and fewer job opportunities relative to comparable areas to their east and south. This disparity holds true in home ownership rates and home values, and it is even more dramatic in wider socio-economic indices. As this report went to press in Spring 2013, the local daily newspaper reported that home value reassessments in the West Louisville neighborhoods of Portland, Shawnee, Russell, Park DuValle, Parkland, Park Hill and California showed 4.6 to 17.8 percent reductions—compared to stable or increasing values elsewhere in the area.[118]

> *The number of children with elevated blood lead levels at or above 10µg/dL is distributed throughout the Louisville Metro area, with the West End of Louisville having the largest cluster. The West End of Louisville also has the highest concentration of existing housing units constructed before 1950 (when paint had the highest lead content).*[117]
>
> *— 2011 Environmental Health Services Report*

Children with Elevated Blood Lead Levels µg/dL or Higher

Louisville Metro

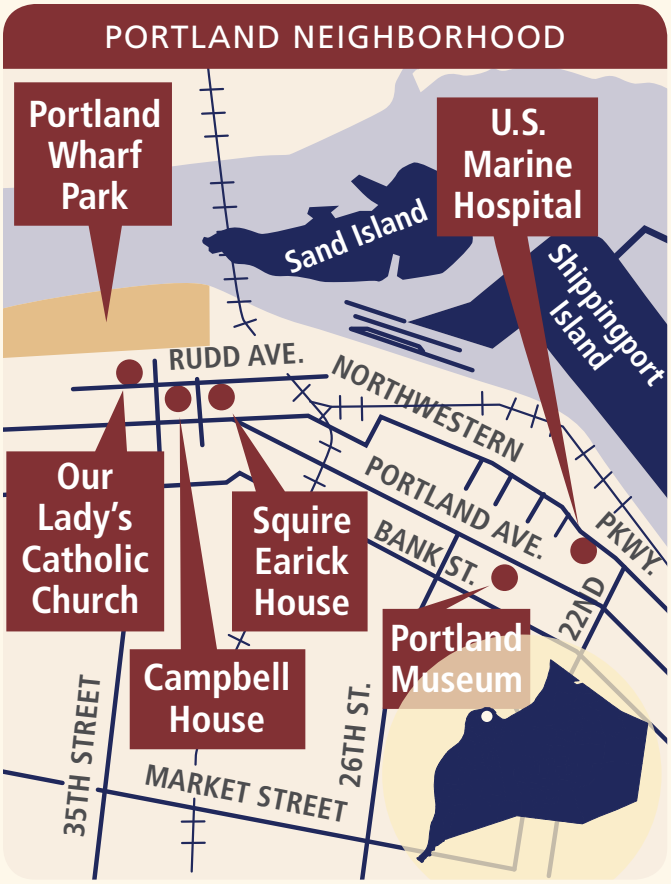


Source: *LMPHW Childhood Lead Poisoning Prevention Program*

Comparing 22 census tracts west of Ninth Street (an area beyond which many local whites never even see) with a corresponding set of census tracts east of downtown, a recent local study found that median household income in West Louisville was only slightly more than one-third that in the East End ($21,733 compared to $59,600), while its unemployment rate (13.4 percent) was more than triple that to its east (3.9 percent). Predictably, with that kind of income differential, West Louisville shows significantly lower rates of homeownership than its eastern counterparts (33 percent compared to 55 percent), while the median home value there is less than one-third that of East End residents ($66, 977 compared to $229,623). The legacy of centuries of racial discrimination that brought social and economic isolation to the west side of the city is reflected most sharply in two wider factors. One is education: more than 55 percent of East Louisvillians hold at least a Bachelor's degree, whereas only 7 percent of West Louisvillians do. And in those 22 West Louisville census tracts studied lie only 36 businesses, less than one-third of the 117 in their East End counterparts. Among these western businesses, the study found no hospitals, no sit-down restaurants, no motels and no movie theatres, but an overabundance of liquor stores and fast-food restaurants.[119]

Not all West Louisville residents are black, nor all East End residents white. Yet white flight from western neighborhoods, the area's resulting economic decline and persistent housing segregation countywide are part and parcel of our racial history as a metropolitan area. That history has left us with a constellation of wider social and economic problems that plague West Louisville disproportionately.

Patterns of racial segregation in residence have also interacted with other social identities to reveal increasingly complex new discriminatory patterns as the twentieth century closed. Single-woman-headed households, for example, tend to be poorer and have fewer housing choices than do two-parent households (or single male-headed households). They are concentrated into virtually the same poorest and most segregated neighborhoods in which African Americans disproportionately reside. Although the majority of these households headed by single mothers are



Portland developed along with Louisville in the early 19th century as a separate port town along the Ohio River. Annexed by the city in the mid-19th century, Portland at that time attracted many new Irish immigrants. Today a very diverse community, Portland has retained a white majority and like much of West Louisville has experienced disproportionate socio-economic problems. *Two Centuries of Black Louisville*

white, African Americans are overrepresented among them (relative to their representation in metro as a whole), and some of these families are biracial. The pattern repeats itself for disabled households—with the result that maps showing residential concentrations for each group look remarkably similar. We can literally look around ourselves each day and see the legacy of federal, state and local exclusionary laws, policies and practices.

Even with the reduction of widespread, overt racial prejudice and the establishment of equal rights laws, our system of policies and practices nonetheless rests on a foundation that set out to disadvantage African Americans and other minorities. Not all of those foundation beams have ever been dislodged. The result is that even though widespread intent to discriminate has declined considerably since the mid-20th century, some of the practices and even policies stemming from it continue to produce discriminatory outcomes.

SECTION 4
The Role of Zoning and the Land Development Code In Fair Housing Choice

As Louisville and other U.S. cities grew at the turn of the 20th century, political leaders created systems of laws and policies for how land could be used. Simply put, zoning law defines where people are allowed to live and how they are allowed to use land in a given area. Fair housing is incompatible with the conventional or "Euclidean" model of zoning that is used in Louisville and elsewhere. Euclidean zoning draws its name not from geometry (as is often mistakenly thought), but from the 1926 U.S. Supreme Court case, *Village of Euclid, Ohio, v. Ambler Realty Company* (272 U.S. 365). In the wake of the 1917 *Buchanan v. Warley* decision, which declared zoning done openly on the basis of race unconstitutional, real estate interests discovered that zoning for exclusive single-family districts could be used as a means of excluding certain demographics of people in order to maintain racial and economic segregation.[120] In the early 20th century, for example, San Francisco passed laws that explicitly segregated Chinese residents. When those laws were declared unconstitutional, the city then passed a zoning law that banned laundries from certain neighborhoods. That zoning did not violate the Constitution because it promoted public welfare by keeping what was seen as an undesirable land use out of some residential areas. Because the Chinese operated most of the city's laundries, the zoning law provided a new means of *de facto* ethnic segregation.[121]

In *Euclid* the village government adopted an ordinance creating restrictions on land use. The law resulted from concerns about the spread of industry, but it included restrictions on multi-family housing. The Supreme Court upheld the ordinance, citing a precedent from Louisiana that said that "the development of detached house sections is greatly retarded by the coming of apartment houses, which has sometimes resulted in destroying the entire section for private house purposes; that in such sections very often the apartment house is a mere parasite, constructed in order to take advantage of the open spaces and attractive surroundings created by the residential character of the district."[122] As scholars of urban planning have noted, this landmark case "provided judicial support for two goals of the early planning movement: (1) orderly real estate development to facilitate investment and (2) preservation of the dominant social order." By "keeping apartment houses away from single-family residences," early 20th-century planners "maintained and perpetuated spatial segregation by both class and race"—a pattern that continues to characterize 21st-century cities.[123]

Louisville's earliest report on zoning, an outgrowth of planner Harland Bartholomew's first comprehensive city plan in 1930, reflected those same values. The report labeled the city's earlier mixed-use development as "promiscuous" because single-family and multi-family residences grew side by side along with commercial establishments and "intermingle[d] to the detriment of one another."[124] Although Bartholomew and his associates predicted that "as time passes, more people will be housed in multi-family dwellings," they recommended restricting such development to be "centrally located," and their recommendations devoted considerable focus to the protection and expansion of single-family-residential zones in the remainder of the city and its environs.[125]

With this focus as the starting point for local approaches to zoning, 75 percent of all the land in Jefferson County today is zoned single-family residential. In the post-World War II years when moving to the suburbs became popular amid a booming U.S. postwar economy, urban planners' predisposition toward single-family housing also led to increased residential zoning that required larger lot sizes. This trend was, according to one planning official, "what people desired at that time"—assuming the addition of garages and more recreational and parking areas within expanding single-family residential areas extending out from the city. When the local city and county planning commissions merged in 1966, they adopted a single set of zoning classifications, including R-4 residential, which permits building homes only on lots no smaller than 9,000 square feet, or no more than 4.84 dwelling units per acre.[126]

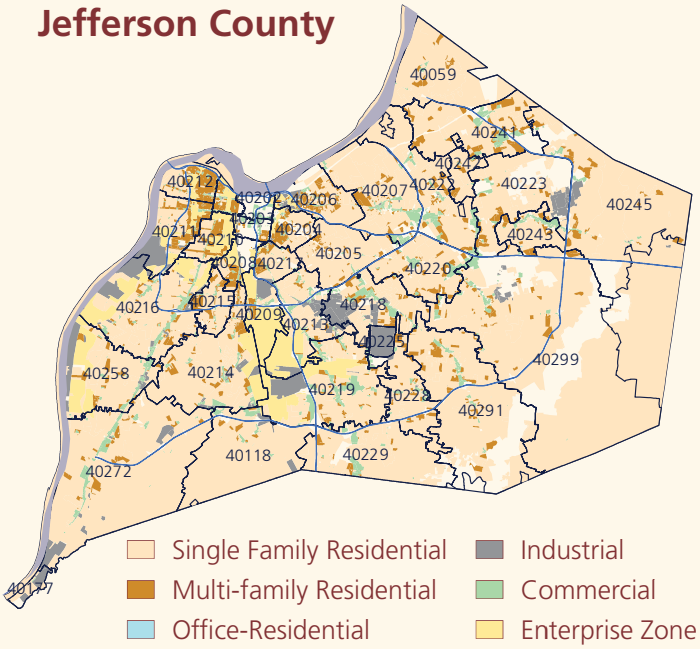
Of Louisville Metro's residential land, 69 percent is zoned R-4 today. According to its critics, this zoning classification is a kind of "placeholder," and it has traditionally been utilized as an exclusionary measure to separate residential development according to class or economic status.[127]

Less than 1 percent of the R-4 zoning is within the old city limits inside the Watterson Expressway. The result is that multi-family and more modest dwellings are clustered in certain older urban neighborhoods, just as Bartholomew suggested they should be, while larger, more affluent homes predominate in the suburban county.

Twenty percent of all local multi-family zoning is concentrated within West Louisville neighborhoods, even though this area makes up less than 5 percent of the total land in the county. The largest contiguous concentration of multi-family zoning in Louisville is in the inner-westside Russell neighborhood. As maps in this report demonstrate, this area also has the highest concentration of poverty, the highest population density and the highest density of vacant properties in the city.

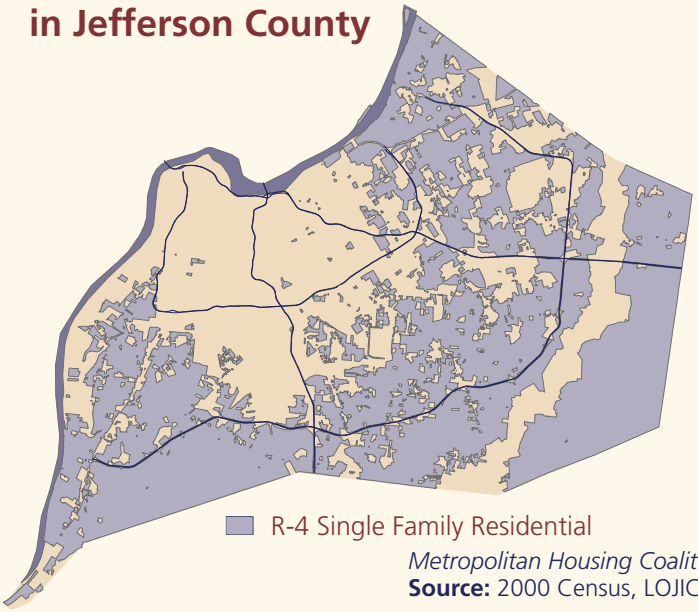
Without some significant changes to its land use policies, what this history suggests is that Louisville Metro will continue to see affluent white suburban sprawl while its poorer and non-white residents will remain disproportionately clustered in parts of the old city. Ironically, generations of Euclidean zoning have produced a land-use regulation system where fair housing is essentially illegal due to the necessity of separating different residential uses inherent in the zoning laws. The consequences of Euclidean zoning (sprawl, segregation, inaccessibility and excluded populations) have come to define the "normal" but unsustainable land development practices in Louisville and other communities like it, to the point that some planners and communities have abandoned such zoning and replaced it with systems that regulate on the basis of the forms of the structures rather than on how they are used.[128]

Zoning Classifications in Jefferson County



Metropolitan Housing Coalition
Source: 2000 Census, LOJIC

Land Zoned Single Family R-4 in Jefferson County

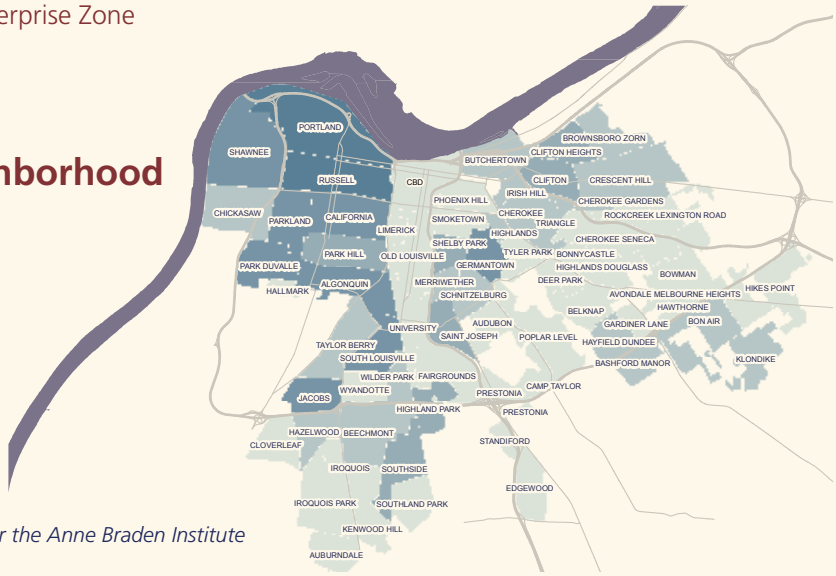


Metropolitan Housing Coalition
Source: 2000 Census, LOJIC

Multi-Family Zoning per Neighborhood in Louisville Metro

Land Zoned Multi-Family per Neighborhood

- <31
- 31.1 – 90
- 90.1 – 170
- 170.1 – 300
- >300



by Joshua Poe for the Anne Braden Institute

SECTION 5
Notes on the State of Housing Choice for Protected Classes

While residential discrimination in Louisville rests on a base that was, historically, a largely black-white racial binary, discriminatory patterns in housing are not only or always racial. Unfair treatment in our nation's history has extended to other groups, who then took inspiration from the post-World War II African American civil rights movement to organize themselves and also win public protections in the modern era. Some of these protections came as part and parcel of laws like the federal Fair Housing Act (1968), which extended protections not only on the basis of race but also of color, national origin, religion and sex. Other new anti-discrimination laws and policies have been the product of social movements seeking new protections for a wider set of groups that had historically experienced unfair treatment as such.[129]

Color, Religion and National Origin

Housing discrimination based on color often overlaps with or is conflated with that according to race, whereas poor treatment on the basis of national origin may overlap with racial discrimination, or it may stem from other factors like language differences, accents, dress or even household practices such as those connected to food. This is a growing problem as Louisville welcomes more immigrants, refugees and other internationals. Religious discrimination has not yet been the basis of local complaints; yet in the wake of post-9/11 anti-Muslim sentiments, and as local religious diversity grows, this is an area that bears monitoring.

What we find today and going forward in Louisville Metro is a much more diverse picture than merely black and white. In fact, the international and immigrant population of our community (a considerable portion of which is not white) accounts for all of the metro county's local growth in the last 10 years.[130] Census data from 2010 showed the Black-White Segregation Index for Louisville, Jefferson County at 58.1, down from 63.8 in 2000.[131] At the same time the Hispanic-White Segregation Index grew to 38.7 from 34.2 in 2000. The estimated Hispanic/Latino population within Louisville Metro is 4.5 percent, and represents a 0.1 percent increase for 2010 and 2011.[132] According to a 2011 survey by the city's major international support center, the vast majority of the Louisville Metro Hispanic/Latino population lives in the south central area of the city.[133]

There are an estimated 100,000 immigrants and internationals currently living in Louisville from all parts of the world.[134] "Immigrants" arrive to the U.S. with a visa status authorizing them for residency in the country. "Internationals" are those who are in the U.S. only for a period of time (ranging from days to a few years).[135] A "refugee" is a person who has earned international legal rights & protections after being forced to flee his or her country because of persecution, war or violence. Refugees usually cannot return home and are resettled in another country, such as the U.S., with cooperation from destination governments. Among these groups housing needs vary significantly, from those of highly-educated professionals who relocate here for employment to those of refugees who may never have lived anyplace other than a relocation camp or tent city.[136] To ensure fair housing for this recent influx of internationals and immigrants, the city must provide public information about housing laws and opportunities in a variety of languages. Metro officials must also be sensitive to family size and to the subsequent diversity needed in both public and private housing units to accommodate families that may be larger than what once was the "typical" sized American family.[137]

Women and Familial Status

Federal protection on the basis of sex was added to the original Fair Housing Act in part because at the same time civil rights activists won race-based protections, a vibrant women's movement in the late 1960s was calling attention to unequal treatment accorded to women, who faced particular housing discrimination as single mothers or displaced homemakers, especially those with multiple children. Gender-based housing discrimination has lessened due to civil rights protections, but it is far from over. Women with children remain more likely to be in poverty than those without them, and if they are African American or in one of the other protected categories, they face even greater risk of a lack of housing choice.[138]

The *2012 State of Metropolitan Housing* has reported that unmarried females head about one quarter (24.9 percent) of Louisville Metro families.[139] The number of single-mother households has doubled since 1970 and is expected to continue to increase over the next decade.[140] The probability is greater for a single mother

to have a lower income than a parent raising children with their other parent, or even than a single father. The 2011 median income for single mothers is the lowest for all family groups at $27,618—barely enough to afford a two-bedroom unit at Fair Market Rent. By comparison, this figure is 64 percent lower than the comparable amount earned by a two-income family and 35 percent lower than unmarried male heads of households.[141] Forty-nine percent of all Jefferson County Public School students lived in a single-parent household in 2012.[142]

Other family configurations that may be at risk for housing discrimination are grandparents or other relatives (aunts, uncles, cousins) raising children. Women predominate in heading these types of households too. The number of single grandmothers over the age of sixty who raise children continues to rise in Louisville, and senior citizens on fixed incomes have particular difficulty finding affordable housing in which to raise their extended family. Sixty percent of households in Council District 4 (which includes parts of the Butchertown, Phoenix Hill, Original Highlands, Smoketown, Shelby Park, Merriwether, Germantown, Downtown, California, Russell and Portland neighborhoods) are headed by single mothers. Surrounding areas of West Louisville and downtown districts also contain a disproportionately high percentage of single female-headed households (between 40-50 percent).[143] In some cases, the loss of a home or job has prompted entire families to move in or "double up" with other family members to keep a roof over their heads.[144]

Disability

Just as activists organized for race-based civil rights, the hard work of the disability-rights movement of the 1980s ensured the addition of disabled people as a protected class. Disability-rights advocates raised consciousness and organized for change, both in Louisville and across the nation.

As our population ages, most people will face a disability of some sort. Pursuant to the federal Americans with Disabilities Act (ADA) of 1990—the most comprehensive reform to recognize and address the barriers disabled people have long faced—U.S. law defines disability broadly to include physical, emotional, intellectual or psychological disabilities. Disability is also the one protected class in which owners may be required to make actual modifications of their residential properties in order to rent them. Fair housing laws require landlords "to make reasonable accommodations or modifications to ensure the environment is user friendly to the particular person and to the particular disability."[145] These may range from building a wheelchair ramp to allowing a service animal despite a no-pets policy.

In 1980, one of the first such in-depth surveys of its kind in the United States revealed that 80,000 Jefferson County residents had physical disabilities—more than twice the anticipated number according to popular wisdom.[146] This population identified housing as its top unmet need—including information on choices and rights, as well as about the removal of barriers. Established in 1981 through a grant from Louisville's Community Development Cabinet in response to this need, the Center for Accessible Living began as a local housing resource program to assist disabled persons not just with social services but through vigorous advocacy. In addition to providing housing advocacy and support, the Center for Accessible Living soon expanded to address both related larger issues (such as employment and transportation) and the smaller, everyday tasks that have remained problematic for disabled persons.[147]

In *The State of Housing in America in the 21st Century: A Disability Perspective*, the National Council on Disability pointed to affordable housing as one of the most crucial issues for people with disabilities. Many people with disabilities live on fixed incomes that are far below the income levels for households without a disabled family member.[148] Indeed, the largest number of cases charging violation of the Fair Housing Act today is connected to disability. In Louisville Metro, one of the greatest barriers to fair housing for the physically disabled is older doorways and stairs. These passageways may pose anything from a small risk to an insurmountable, even life-threatening obstacle to people in wheelchairs or with vision impairment. In previous years, Jefferson County residents received grants from Metro Council persons to modify homes for wheelchair ramps additions. Cuts in funding for such grant money in the past several years means that more disabled persons live in homes that they cannot enter and leave with ease.[149]

In years past, many local landlords defied equal-rights law and failed to allow a working animal to tenants who need one to function independently. While most

landlords now comply with this law and rent apartments to visually impaired persons who own guide dogs, they still often fail to accommodate the animal. According to local advocates, landlords repeatedly refuse to create pet relief areas or to put trash cans for waste disposal in accessible areas.[150] Making disabled residents aware of these rights remains a challenge as well.

Many disabilities are not physical but psychological, emotional or intellectual. Homelessness is sometimes the result of these kinds of disabilities. In 2000, the Kentucky legislature passed a law requiring that each of 14 mental health centers throughout the state convene a Regional Planning Council to produce a plan for mental health and substance abuse needs and service in that region. The very first recommendation from the Planning Council for Region Six, which includes Louisville Metro and six other counties, was to "increase the number of supported housing units (including group, individual and independent housing arrangements) in the region for persons with mental illness and substance abuse problems by 50 percent by 2006." Such housing would include supportive services to encourage and sustain independent living. An array of supportive services could include the following: "job training and placement, transportation, interpreter/translation services, child care, life-skills training, case management, support groups, medication monitoring, nutrition, recreation and socialization activities." That suggestion has yet to be funded and implemented.[151]

A lack of subsidized housing and supportive services forces many persons with mental health illness to live on the streets or with family members. Many, according to the local Coalition for the Homeless, also receive only a modest monthly Supplemental Security Income (or SSI) check, which limits housing choice.[152] Supportive services, which have been found to be cost-effective and include wider social services such as job training and alcohol/drug abuse counseling, are just as important to those with mental illness as adaptive services are to the physically disabled.[153] Mentally ill people who do succeed in securing housing may then face prejudice from landlords who lack tolerance for mental health symptoms. If the resident is hospitalized for treatment, he or she often loses that living space.[154]

Transportation is another enormous barrier to housing for both mentally and physically disabled persons. Many rely on public transit to travel to school, work or services, and a lack of public transportation in many parts of Louisville Metro precludes those who can't drive from living in those neighborhoods. The Transit Authority of River City (TARC) bus system provides paratransit services; however, if someone lives more than three-quarters of a mile from a bus stop, excluding express stops, TARC will not pick them up.[155] In the more urban areas of Louisville, this is not much of a barrier, but with suburban housing, public transportation becomes difficult to utilize. Neighborhoods that are not pedestrian-friendly with sidewalks and pedestrian signals also become areas where disabled persons cannot reside.

Sexual Orientation and Gender Identity

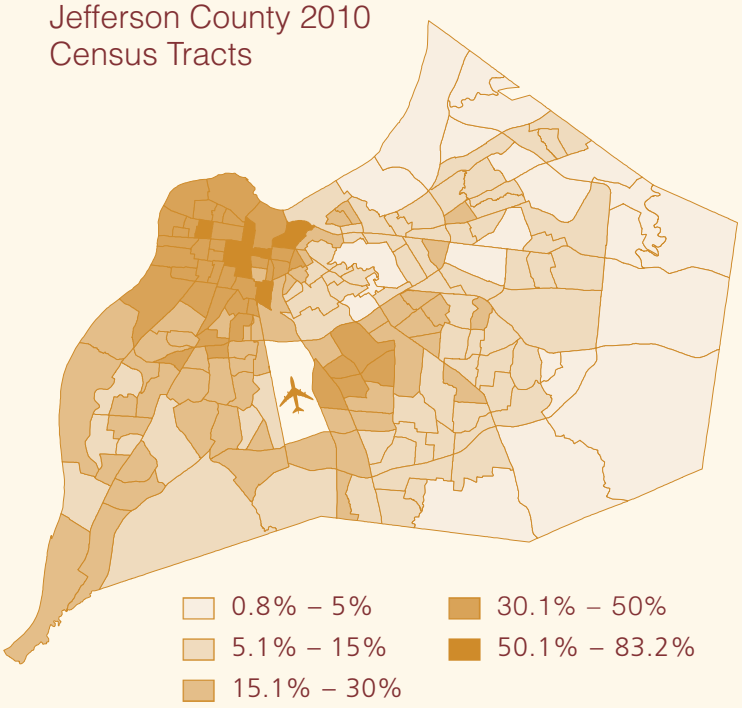
These two classes of people are still not fully covered by federal fair housing laws as of 2013 (although they do receive some protections), but in 1999, the city of Louisville added them to local civil rights protections.[156] The new merged government adopted these protections in December 2004.[157] This outcome was the product of more than a decade of collective effort to raise public awareness of the intense hostility and discrimination faced by gay, lesbian, bisexual and transgender Louisvillians in public accommodation, housing and employment. After a couple of high-profile firings of gay employees brought new public attention to this issue in the 1980s, a small group of residents began lobbying the Louisville Human Relations Commission for recognition of this still relatively misunderstood form of group discrimination. In 1991 they formed an organization called the Fairness Campaign, and activists spent much of that decade lobbying, rallying and holding information sessions of various kinds to bring this issue out of the private sphere and into public discussion. They also won sympathetic media attention exposing anti-gay housing discrimination through some very public testing in which local journalists taped landlords refusing to rent to gays and lesbians. Initially met with resistance and suspicion across the county, they built alliances with more traditional African American civil rights leaders, feminists, trade unionists and environmentalists for a broader vision of fairness that outlawed discrimination according to sexual orientation and gender identity in a metro wide anti-discrimination ordinance.

Common Themes Affecting Louisville's Protected Classes

While protected classes as defined by law are broken down into separate and distinct categories, it is important to emphasize that social identities codified into law as "protected classes" are actually overlapping and interwoven. Sociologists have determined, for example, that African American women face what one scholar calls "multiple jeopardy" insofar as race and gender combine to give them compounded sources of disadvantage that do not affect white men, white women or black men similarly.[158] It stands to reason that membership in additional protected classes further increases the risk of unfair treatment in housing and more broadly, and indeed, mapping local residential patterns confirms that this is the case locally.

Female Householder, No Husband Present, with Related Children Under 18 As Percent of All Families with Children Under 18

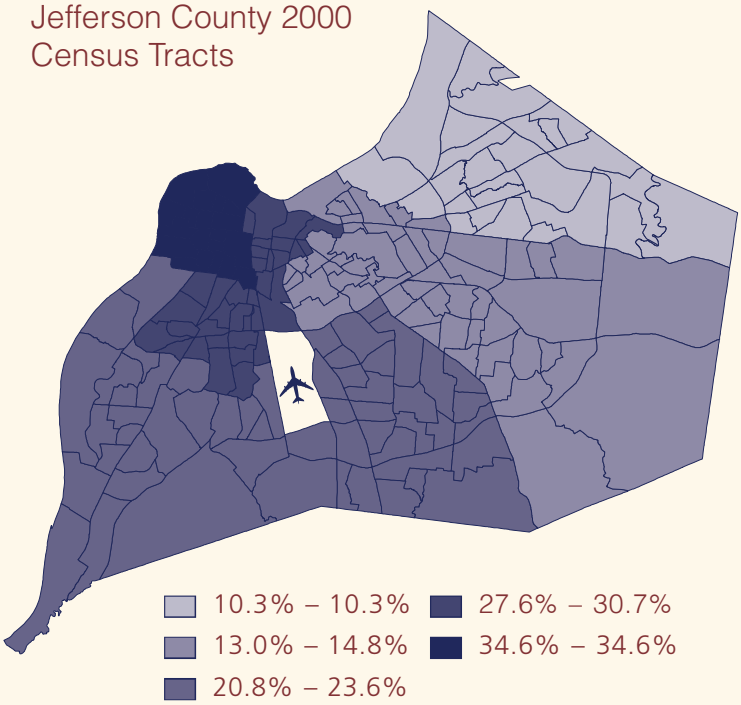
Jefferson County 2010
Census Tracts



Source: 2010 Census Summary File 1, Table P-39

Residents with Disabilities

Jefferson County 2000
Census Tracts



Looking at these overlapping concentrations of the protected classes locally makes a compelling case that such clusters are not purely voluntary—i.e., the product of choice. Instead they reflect a lack of choice. In each of these clusters, there are many negative outcomes—including concentrations of foreclosures, vacant properties, old housing stock, environmental risks (including poor air quality, asthma rates and lead poisoning), high unemployment, homelessness and subsidized housing.

THEME 1: **Poverty**

Poverty or low-income status is not itself a protected class, but it is an unfortunate fact of life for a much higher proportion of people in protected classes than for the general local (or U.S.) population. In many of the seven categories, it was poverty, in fact, that alerted policymakers to the widespread difficulties that members of that group tended to face. As these maps illustrate, the clustering of local poverty is largely consistent with concentrations of African Americans, disabled people, single-mother-headed households and homeless children. Also clustered in these neighborhoods are quality-of-life barriers such as higher rates of asthma, cancer and lead exposure; less access to healthy food and to health care and—not surprisingly—lower life expectancy.[159]

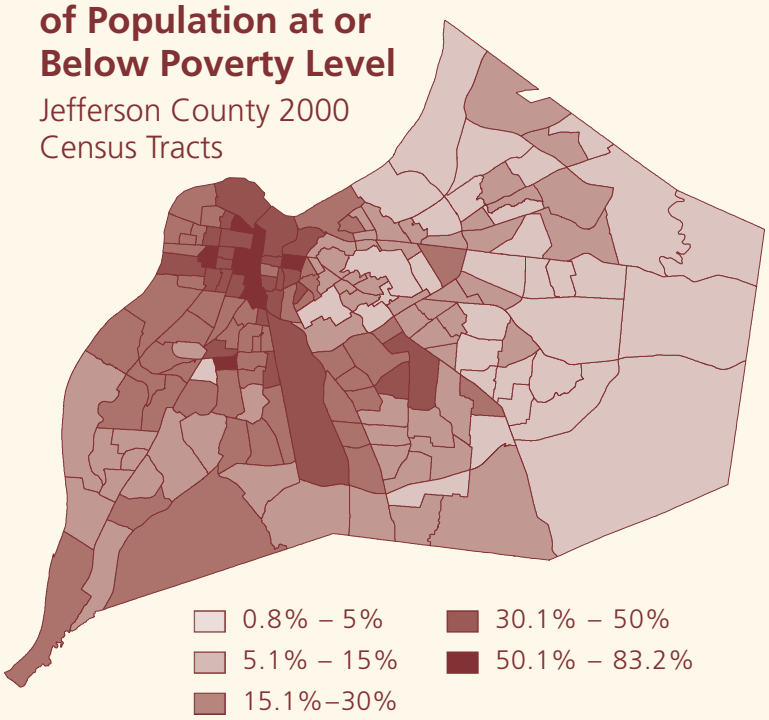
Liberty Green
Photo credit: Anne Braden Institute

Louisville Metro poverty is not confined to African Americans and certainly not to West Louisville. In absolute numbers, more local whites are poor, and among those, disproportionate numbers live in poor neighborhoods—such as in the Portland community in West Louisville. Yet African Americans are disproportionately poor relative to their overall numbers in the county population (20.5 percent of the metro county population, compared to 73.2 percent white).[160] And West Louisville neighborhoods are part of a larger set of local geographic areas that bear a disproportionate brunt of the problems listed above. South End communities, such as Beechmont-Iroquois, that contain high proportions of new immigrants also reflect high rates of poverty.

These concentrations of people and conditions are inheritors of the racial history outlined in Section 3 of this report. Born out of a segregated and racially discriminatory past, housing and wider social policies (e.g., transportation) have channeled low-income people into those areas of the city where publicly subsidized housing is available, essentially barring them from other parts of our community due to restrictions such as those provided by widespread R-4 zoning classification. Segregated housing patterns put in place decades ago now perpetuate wider race and gender disparities this report has also touched on—such as those in income, wealth, employment and (perhaps most strikingly) education.[161]

2005-2009 Estimated Percent of Population at or Below Poverty Level

Jefferson County 2000 Census Tracts



Source: 2005–2009 American Community Survey 5-year Estimates

Photo credit: Phoenix Lindsey-Hall, Metropolitan Housing Coalition 2009

In 2011, 13 percent of Louisville Metro families had incomes below the poverty level ($23,021 for a family of 4), leaving a striking 27.5 percent—more than one-quarter—of all children in our county living in poverty.[162] This appalling statistic deserves and demands greater public attention.

THEME 2: **Need for Affordable Housing**

Because poverty is a common theme among the protected classes, it is also important as we look 20 years ahead to make the connection between fair housing and affordable housing. These two terms are not exactly the same. "Fair housing" refers specifically to ending housing discrimination among the federally and locally protected classes. Yet because of the racial and other disparities in poverty as described above, fair housing policies help low-income families by eliminating non-monetary barriers to finding better housing.

> *The inadequate supply of affordable housing for low-income families and the increasing spatial segregation of some households by income, race, ethnicity or social class into unsafe neighborhoods are among the most prevalent community health concerns related to family housing.*
>
> *— American Journal of Preventive Medicine*[164]

"Affordable housing" is a much broader term that—as defined by HUD—"allows a household to pay no more than 30 percent of its annual income on housing." Families that pay more are considered "cost-burdened" because they may not have resources left over for "necessities such as food, clothing, transportation and medical care."[165] HUD administers several Affordable Housing programs designed to increase affordability: most notable among them is the Housing Choice Voucher Program (formerly called Section 8), which subsidizes low-income families to afford to rent better living spaces than they otherwise could, and to have more choice in where to live. The need, however, far outpaces the funds provided by such programs, and in recent years, there have been so many instances of discrimination against Section 8 voucher holders that HUD is considering adding voucher holders as a protected class under fair housing laws.[166]

As this report went to press, Metro Council was still debating how and whether to fund an Affordable Housing Trust Fund to make affordable housing a higher priority for our community. This conversation is pivotal. According to HUD, an estimated 12 million renting and home-owning households across the U.S. pay more than half of their annual incomes in 2013 for housing, and "a family with one full-time worker earning the minimum wage cannot afford the local Fair Market Rent for a two-bedroom apartment" in Louisville or elsewhere in the United States.[167] These facts reiterate just how central improving housing policy and practice is to improving the quality of life for all in metro Louisville.

SECTION 6
Action Steps to Affirmatively Further Fair Housing in Louisville Metro

Recognizing the context of historical policies that once intended to segregate people by race, these 20-Year Plan Action Steps are a way to address current realities. As defined by federal and state housing discrimination laws, the following are protected classes: race, religion, color, national origin, disability, sex and familial status. Louisville Metro has added two protected classes: gender identity and sexual orientation. With or without any intent to discriminate, people in protected classes are still segregated and, in fact, as additional protected classes are recognized, we see the segregation reproduced and widened. Forty-five years after fair housing laws were passed, individual acts of discrimination cannot account for the concentrations of households in protected classes. Conditions in areas of high concentration of protected classes are counter-intuitive to an argument explaining such intense concentrations as taking place by choice.[168] This report has examined inherited policies that have long since lost their stated purpose (racial segregation), but these policies created lingering patterns that replay in current times.

As the history of Louisville's civil rights movement shows, combating segregation and promoting meaningful housing choice have not happened without specific and organized intent to counter old patterns. It will not happen again without that kind of determination. These Action Steps are set in a 20-year time frame because, as the report has shown, housing patterns are established over time and meaningful change is a long-term process. Likewise, action to further fair housing must be ongoing.

The Action Steps are divided by five categories of action:

1. Government commitment to further fair housing
2. Community education and engagement to further fair housing
3. Creating a built environment that furthers fair housing
4. Funding opportunities and economic development opportunities that further fair housing
5. Legislative changes

Metropolitan Housing Coalition, 2005

Within those categories are Action Steps to be completed (1) within three years of the beginning date of the plan, (2) within 4-7 years of the beginning date and (3) within 8-20 years. Where a step overlapped with more than one category, it was placed in the category that seemed most relevant or occasionally repeated for emphasis. Most of the steps can be undertaken and completed in these specific periods (the majority within three years), but some are ongoing and will endure throughout the entire plan. When possible, the Action Steps are drawn to comply with **SMART principles: specific, measurable, achievable, relevant and time-based goals**.

It is also important to note that although a team of researchers and advocates drew up the steps, they did so with input from a series of community conversations open to the public and held among various constituencies and in several neighborhoods in late 2012 and early 2013. Attendees were invited to suggest Action Steps, and some of the steps enumerated here grew out of that community data. The *2010 Analysis of Impediments to Fair Housing Choice in Louisville Metro, KY* was utilized and in that process 25 representatives of industry and advocacy groups were personally interviewed and an on-line survey open to the public was used as well.

ACTION STEPS

VALUES GUIDING THESE ACTION STEPS

To achieve success, we suggest the following values and guidelines for making policy decisions that positively impact housing:

- ✔ Fair housing is a high priority.
- ✔ All people be should be housed in safe, decent, affordable housing.
- ✔ Diversity of housing type and cost throughout the community will have a positive impact on education, access to jobs and economic opportunities for all and will help make Louisville Metro a city that thrives over the coming century.
- ✔ The Action Steps are directed at eliminating impediments to housing choice options for households in protected classes as covered by federal, state and local fair housing laws.
- ✔ Affordable housing is an important fair housing tool because disproportionate numbers of households in protected classes are also lower-income.
- ✔ The Action Steps address current realities of housing segregation and do not assign blame or intent.
- ✔ This 20-Year Fair Housing Action Plan is an organic and ongoing process requiring a high profile, and constant reference to it should be made throughout Louisville Metro government departments and processes. Since this is a plan promulgated by Louisville Metro, it is focused on steps that Louisville Metro can take and how Louisville Metro government can encourage, provide incentives and mandate private industry and residents to participate.

1. Government commitment to further fair housing

In part because this report was commissioned by the Louisville Metro Human Relations Commission, metro government leads the way in this 20-Year Plan with Action Steps. Government has a particular responsibility to act in a way that does not continue segregation of people in protected classes. The Louisville Metro Human Relations Commission will have primary responsibility for overseeing the implementation of these Action Steps. However, there are a multiplicity of departments and agencies that are part of how housing is developed or re-used and how neighborhoods are revitalized. There is also a wide array of funding sources totally or partially controlled by government. These steps seek to bring together these agencies and policies with a mandatory focus on how each can more affirmatively further fair housing.

Action Steps to be completed in 3 years

1. Have a clear policy that states that fair housing is a mandatory lens for review of all actions by all parts of government using a Fair Housing Assessment which is developed and coordinated by a designated body.
2. Designate authority to a Louisville Metro agency or department to oversee implementation of actions steps of the 20 Year Plan.
3. Begin a market analysis to assess housing demand, including, but not limited to, demand for rental as well as ownership, areas where there will be housing demand and type, price and rental cost points, expected demographics, expected job centers.
4. Continue to provide mobility counseling and assistance for Housing Choice Voucher recipients to identify options and negotiate with landlords in areas with few renting households using Housing Choice Vouchers, especially in areas where the Louisville Metro Housing Authority has established Exception Rents.
5. Encourage the Louisville Metro Housing Authority to use data of the market analysis and the Fair Housing Assessment in determining the configuration of one-for-one replacement of public housing units unless in conflict with the requirements of the U.S. Department of Housing and Urban Development.

6. Engage Jefferson County Public Schools in planning and discussions on how to create housing opportunities for households in protected classes throughout Jefferson County. Encourage JCPS to designate a representative for housing planning.

7. Discuss with the Kentucky State Department of Insurance mechanisms to be put in place to lower private home owner insurance costs for purchasers who have participated in home ownership counseling with personal finance counseling.

Action Steps to be completed in 4-7 years

1. Continue to educate government officials and workers and those on boards appointed by Louisville Metro government about fair housing, protected classes and how decisions can have consequences for protected classes.

2. Evaluate for cost impact and feasibility, including time delays, all fees and costs that are controlled by Louisville Metro government to see if they can be waived for creating or rehabilitating low-income housing in low-impact areas or to waive fees for projects that will positively impact housing value in areas with concentrations of households in protected classes.

3. Continue to assess all boards appointed by government to ensure that people in protected classes are represented through the appointments process and take affirmative steps to ensure such appointments when they are not present.

4. Dialogue with the Kentucky Attorney General's office on a program that eliminates lending practices that prevent households in protected classes from receiving the best lending products, insurance products and developer products.

Action Step to be completed in 8-20 years

1. After eight years, institute biennial reviews of the 20-Year Plan to add and update steps and to mark progress in accomplishment.

2. Community Education and Engagement

Fair housing cannot become a high priority for our community until Louisvillians understand what it really means. A public education campaign that explains the basic values of the Action Steps and how they improve the future of Louisville Metro is imperative. Ongoing dialogue about the Action Steps and input from residents are necessary for the plan to be executed over time and modified as necessary. No plan will succeed without listening to the residents of Louisville and responding to suggestions, needs and fears. While all parts of the Louisville community should be engaged, including industry and social and religious life, leadership will need to come from Louisville Metro government.

All persons need to have access to meaningful information on their rights and on best practices both in rentals and homeownership. Many local residents must be engaged in ideas for diversifying each and every neighborhood, both in areas where there are concentrations of households in protected classes and in areas where there are few households in protected classes. Overcoming fear of change requires information and effort. The private sector must also be engaged in this plan through ongoing, open dialogue.

Action Steps that are ongoing over the whole 20-year Plan

1. Launch and sustain a public education campaign on this 20-Year Plan with prominent community leaders—focusing on its values and the steps that apply to their respective constituencies.

2. Hold at least one community group meeting each year that focuses on the 20-Year Plan and solicit input from the community on new steps and in help achieving current steps.

3. Continue the Fair and Affordable Housing informal industry group meetings, including the Home Builders of Louisville, Louisville Apartment Owners Association, the Board of Realtors and advocacy groups along with appropriate governmental departments.

4. Ensure continued training opportunities for members of private industry sector who are engaged in housing—e.g., home builders, mortgage lenders, realtors, landlords, leasing agents, insurance brokers.

Action Step to be completed in 3 years

1. Formalize a community education program about the benefits of diversity.

Action Steps to be completed in 4-7 years

1. Provide educational materials in multiple languages, including Braille, on the Uniform Residential Landlord and Tenant Act.
2. Provide home ownership counseling materials (for both purchases and mortgage protections) in multiple languages, including Braille.
3. Create fair-housing choice literature in multiple languages, including Braille, which would provide information as to the availability of affordable housing and special-needs population housing throughout the Louisville Metro jurisdiction.
4. Distribute information on programs and housing opportunities at Neighborhood Place sites, English as a Second Language (ESL) course sites, ethnic restaurants where both clientele and workers are often immigrants and internationals, houses of worship that conduct services in congregants' language of fluency, and radio stations and print media in consumers' language of fluency.

3. Built Environment: Specifics for government review and action

The most controlling elements of how and where housing is permitted are contained in the specific rules governing the built environment as specified in the laws, administrative processes and practices of several government agencies. These rules and processes need to be linked. These include:

a. **Coordination** of all planning processes to achieve a unified set of goals

b. **Comprehensive Plan and Land Development Code**

c. **Building Code**

d. **Transportation** planning and funding

e. Control of **environmental factors** such as air, water and soil pollution

f. The ability to **rehabilitate housing in areas with concentrations of households in protected classes**

g. Government-level response to **vacant properties in areas with concentrations of households in protected classes**

The steps address both (a) improvements to areas with high concentrations of households in protected classes and (b) new and meaningful residential opportunities, through expanded affordable housing choices in areas containing disproportionately low numbers of households in protected classes.

a. Coordination

Action Steps to be completed within 3 years

1. Establish coordination of all aspects of the built environment to further fair housing.
2. Work through the Vision Louisville process to have a comprehensive approach.

b. Comprehensive Plan and Land Development Code

Studies have shown that economic segregation perpetuates lack of economic mobility, locking those in protected classes into static (mostly lower-income) economic strata.[169] The Comprehensive Plan and Land Development Code, as currently proscribed, has effectively excluded those in protected classes, who are disproportionately low-income, from many geographic areas of residence. The way land use is assigned is basic to whether affordable housing can be developed, and affordable housing is a prime tool in expanding fair-housing opportunities.

ACTION STEPS

Action Steps to be completed within 3 years

1. Amend the Comprehensive Plan to include goals and objectives to expand housing choice and to specifically reference fair housing as one of its goals.
2. Mandate that a Fair Housing Assessment be part of any submission to the Louisville Metro Department of Planning and Design for residential development.
3. Amend the Land Development Code to include incentives for affordable housing.

Action Steps to be completed in 4-7 years

1. Investigate incentives in the Land Development Code for housing that meets the needs of those with special needs or who have disabilities requiring housing adaptation.
2. Investigate incentives to build near transit corridors and disincentives to build where no public transit exists

Action Step to be completed in 8-20 years

1. Continue to review the Land Development Code to create incentives and remove barriers or elements that have the effect of limiting choice for households in protected classes in substantial contiguous areas of Louisville.

c. Building Code

Action Step to be completed in 3 years

1. See: legislative action steps

Action Step to be completed in 4-7 years

1. Investigate incentives to renovate housing to meet "visitability" standards so that persons with disabilities can visit others.

d. Transportation

Action Steps to be completed in 3 years

1. Increase the federal transportation funds apportioned to public transit by 20 percent.
2. Ensure proportional representation for those in protected classes at the Metropolitan Planning Organization, which is a federally mandated body that oversees how federal transportation dollars are spent and which is staffed by the Kentuckiana Regional Planning and Development Agency. Currently, the Metropolitan Planning Organization (locally known as the Transportation Planning Committee) apportions votes to give greater weight to areas that do not have concentrations of people in protected classes.
3. Ensure protected class members are appointed to the Metropolitan Planning Organization.
4. Host all meetings of the Metropolitan Planning Organization at a time, place and day of the week so that those using public transit can attend and those with majority working hours can attend.
5. Broadcast meetings of the Metropolitan Planning Organization live on Metro TV and other transmittal media.
6. Encourage multi-modal transportation, including bicycle lanes, to work centers.

Action Step to be completed in 4-7 years

1. Increase the federal transportation funds apportioned to public transit by 45 percent.

Action Step to be completed in 8-20 years

1. Fund and build a public transit system that can take residents from any residential neighborhood to work and business sites, including park and ride or bike and ride.

e. Environmental factors

Action Step to be completed in 3 years

1. Continue to seek funding for lead-based paint remediation programs for areas with concentrations of households in protected classes with children.

ACTION STEPS

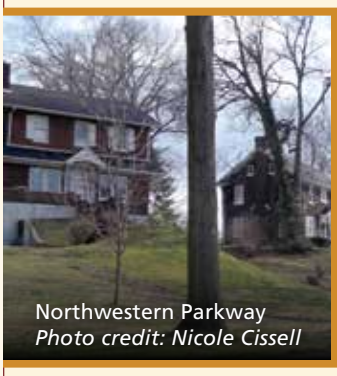
Action Step to be completed in 4-7 years

1. Encourage frequent and regular testing, remediation and education programs to improve air and soil quality in areas with concentrations of households in protected classes.

Action Step to be completed in 8-20 years

1. Work to remediate or contain all residential units for lead based-paint in areas with concentrations of households with children in protected classes.

f. Rehabilitation of older housing where concentrations of households in protected classes live

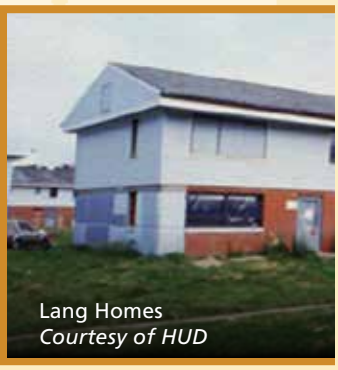


Northwestern Parkway
Photo credit: Nicole Cissell

East St. Catherine Street
Metropolitan Housing Coalition

Areas of Louisville Metro that contain concentrations of households in protected classes, as shown in the maps, include neighborhoods with Louisville's oldest housing. Lead-based paint was not banned until 1978, and insulation was not required in the Building Code until 1980. As shown on pp. 35 and 43, such areas also contain concentrations of low-income households, who often do not have resources to rehabilitate older homes.[170]

Park DuValle HOPE VI
Courtesy of HUD



Lang Homes
Courtesy of HUD

Action Step to be completed in 3 years

1. Continue to seek funding for rehabilitation of residential structures for energy efficiency and to lower utility usage and cost to households in areas with concentrations of protected classes including rental housing, in accord with the market analysis and Fair Housing Assessment.

Action Step to be completed in 4-7 years

1. Continue community education on safe and best practices for rehabilitating older housing.

Action Step to be completed in 8-20 years

1. Develop a program and seek funding with the goal to rehabilitate residential structures built before 1980 in areas with concentrations of households in protected classes in accord with the market analysis and Fair Housing Assessment focusing on lead abatement and insulation.

g. Vacant properties in areas with concentrations of households in protected classes

The *2012 State of Metropolitan Housing Report* focused on the issue of increasing numbers of vacant properties. No set definitions of "vacant properties" covered the many varying circumstances, so there was no ability to approach the problem of vacant buildings or plots of land in a systematic way. But we do know that vacant properties occur in significantly higher numbers in areas where there are concentrations of households in protected classes. These vacant properties pose health and safety risks and lower the values of properties in proximity to them.

Vacant lot, Russell neighborhood
Courtesy of Library of Congress (LOC)

ACTION STEPS

Action Steps to be completed in 3 years

1. Continue work to set a single definition for various types of vacancy and use of Vacant and Abandoned Property Statistics as a measurement tool.
2. Identify and map potential infill sites and determine where infrastructure improvements may be needed.
3. Continue foreclosure and budget counseling and single point of access in Louisville Metro for referrals to these programs.

Action Steps to be completed in 4-7 years

1. Devise a registry of vacant properties for agreed-upon definitions.
2. Continue to involve neighborhoods in developing a strategy for use of vacant properties.
3. Seek to create incentives for a home-repair program to preserve neighborhoods where the value of housing has decreased substantially.
4. Determine the legality of merger or coordination of powers between the Louisville Jefferson County Landbank Authority, Inc. and the Urban Renewal Commission & Community Development Agency of Louisville and the Vacant Property Review Commission to streamline urban revitalization and redevelopment efforts in predominately low income areas with the goal of formalizing such merger or coordination.

Action Step to be completed in 8-20 years

1. Continue to work to revitalize neighborhoods.

4. Funding and Economic Development

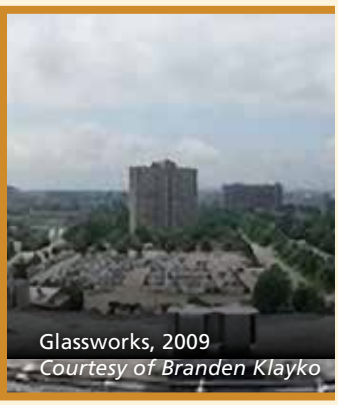
To improve fair housing choice for households in protected classes, two broad avenues of change must be pursued. The Property Value Administration has documented a disastrous loss of value in many areas containing concentrations of households in protected classes, particularly in parts of West Louisville. Louisville should explore all private/public partnerships to stabilize values in those areas and offer economic development for residents. Equally important is the creation of affordable housing opportunities in areas with very low numbers of households in protected classes. Funding for both these avenues will present challenges, but seeking innovative ideas and funding sources, both for-profit and non-profit, is part of the solution.

Action Steps to be completed in 3 years

1. Continue work to create a funding source for the Louisville Affordable Housing Trust Fund, a fund created by Louisville Metro Ordinance to address the housing needs of people with incomes below 80 percent of median income for Louisville.
2. Continue work on Bank On, a program that encourages and enables people who are unbanked to have access to banking products.
3. Continue Individual Development Account programs, a matched saving program for specific uses such as purchasing a home, starting a business or getting an education.
4. Continue youth Individual Development Account programs, a matched savings program for specific use, such as purchasing a computer, to establish good savings behavior and to learn about how to handle finances.
5. Support the existence of a local Community Development Finance Institution, a bank that is able to attract capital for public purposes by offering tax advantages, that focuses on housing and micro businesses in targeted areas.
6. Use bonding powers to further fair housing by assessing bonding issues for impact on fair housing using the Fair Housing Assessment
7. Work with the Kentucky Housing Corporation to ensure that urban areas receive competitive points in the Low Income Housing Tax Credit program at the same level as rural areas.
8. Work with the Federal Home Loan Bank to ensure that urban areas receive competitive points in the grants program at the same level as rural areas.

ACTION STEPS

Glassworks, 1906
(Snead Manufacturing)
Courtesy of LOC


Glassworks, 2009
Courtesy of Branden Klayko

Action Steps to be completed in 4-7 years

1. Investigate how to protect long-term owners from gentrification with policies that create a property tax break for those who upgrade their property, so these owners have incentives to improve their properties.
2. Devise a neighborhood and public/private sector plan for micro-enterprise lending.
3. Assess the advantages of a loan loss pool as a possible tool to encourage private partnerships in economic development.
4. Investigate best practices of other states in requiring that deeds be filed within a specified time period.

Action Step to be completed in 8-20 years

1. Investigate other tools to create a financing pool for housing and economic development.

5. Legislative action: all is ongoing over the next twenty years

1. Support the repeal of K.R.S. 381.300, the Kentucky law that allows the state to seize a home purchased by non-resident alien if the person does not become a citizen in eight years.
2. Work to change the federal policies of the Low Income Housing Tax Credit to eliminate bonus incentives to develop in Qualified Census Tracts (census tract in which 50% or more of the households are income eligible) as this adds more low-income housing to areas that are already low-income.
3. Work to change K.R.S. 198 (B), which limits incorporation into local building codes of federal building requirements to meet the needs of disabled persons.
4. Advocate for voter-driven, local funding options/ opportunities, including those already authorized and future possibilities, such as LIFT, that can aid in community development and neighborhood revitalization through infrastructure investment and catalytic capital projects.

Conclusion

The history of Louisville's residential development reveals that whether city leaders stated it or not, housing policies and practices have always reflected prevailing attitudes that were typical for the region and the nation. Until well into the 20th century, those attitudes and the policies they produced were based on ideas of racial hierarchy that assumed that whites would have and should have better homes and better lives. Where certain types of residences were built and how they were built were determined in large part by public opinion of the majority of Louisvillians at any given time. Even after social movements organized to persuade changes in popular opinion and public policies, the legacy of racial and wider forms of discrimination is undeniable. We know our present because maps and census data reveal significant concentrations of households by protected classes.

Ongoing struggles with the JCPS student assignment plan also reveal the persistence of homogeneous housing. Looking at the maps decade after decade and seeing little progress in racial and economic diversity is no longer acceptable. The intentional discrimination embedded in these patterns is no longer widely shared. But as long as we tolerate the status quo, we are making a voluntary choice to maintain patterns of racial, economic, educational and health inequalities. We fail thousands of families. We close doors and delay or deny real progress when we fail to affirmatively address these vestiges of discriminatory systems. Only by coming to terms with how our history shapes our present and by making a long-term commitment to fairer housing policies and practices as suggested by these Action Steps can we move forward to a future where opportunity is afforded to all.

Endnotes

1 This report was researched and produced for Louisville Metro Human Relations Commission.

2 *Analysis of Impediments to Fair Housing Choice in Louisville Metro, Kentucky*, (Louisville: Metropolitan Housing Coalition, 2010), http://www.louisvilleky.gov/NR/rdonlyres/4199A99F-650D-4058-AB0E-DD9F5D849490/0/AnalysisImped2010.pdf. [hereafter referred to as *AI*.]

3 "Louisville Earns City Livability Award: 'Give A Day' Week of Volunteer Service Cited," *Mayor Greg Fischer Newsroom*, June 14 2012, http://www.louisvilleky.gov/Mayor/News/2012/6-14-12+city+livability+award.htm.

4 Louisville Metro Human Relations Commission, Kentucky Commission on Human Rights and Metro Housing Coalition are a few of the local organizations that continue to advocate for fair housing.

5 Phillip M. Bailey, "Mortgage Settlement Will Target Louisville Vacant and Abandoned Homes." *WFPL The News for Louisville*, July 30, 2012, http://wfpl.org/post/mortgage-settlement-will-target-louisville-vacant-and-abandoned-homes. For more detailed information on Louisville's vacant property problem see Metropolitan Housing Coalition, *State of Metropolitan Housing Report 2012*, http://www.metropolitanhousing.org/wp-content/uploads/2012/11/SMHR_2012_web.pdf

6 Phillip M. Bailey, "Highview Residents Oppose Apartment Project," *WFPL The News for Louisville*, Oct. 1, 2012, http://wfpl.org/post/highview-residents-oppose-apartment-project.

7 Kevin Eigelbach, "Construction begins on homes near Sheppard Square," *Business First*, Jul.12, 2012, http://www.bizjournals.com/louisville/news/2012/07/12/construction-begins-on-homes-near.html.

8 "Kentucky Refugee Ministries, Inc. (KRM), a non-profit organization, is dedicated to providing resettlement services to refugees through faith- and agency-based co-sponsorship in order to promote self-sufficiency and successful integration into our community. KRM is committed to offering access to community resources and opportunities and to promoting awareness of diversity for the benefit of the whole community," KRM Mission, accessed February, 13, 2013, http://kyrm.org/krym-mission/. Other local agencies that work with refugees include Catholic Charities and Jewish and Career Services (for resettled refugees).

9 "HUD Historical Background: The 1960s," U.S. Department of Housing and Urban Development, accessed December 19, 2012, http://www.hud.gov/offices/adm/about/admguide/history.cfm. HUD's establishment was the culmination of a growing federal involvement in housing policies since the 1930s: it succeeded the Housing and Home Finance Agency (HHFA), becoming a cabinet-level agency.

10 *"Mission," U.S. Department of Housing and Urban Development*, accessed October 8, 2012, http://portal.hud.gov/hudportal/HUD?src=/about/mission. The full HUD mission states that HUD is "working to strengthen the housing market to bolster the economy and protect consumers; meet the need for quality affordable rental homes: utilize housing as a platform for improving quality of life; build inclusive and sustainable communities free from discrimination; and transform the way HUD does business."

11 "Fair Housing Laws and Presidential Executive Orders," *U.S. Department of Housing and Urban Development*, accessed October 8 2012, http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/FHLaws.

12 Michael Schill and Samantha Friedman, "The Fair Housing Act Amendments of 1988: The First Decade," *Cityscape: A Journal of Policy Development and Research* 4, no. 3 (1998): 59. In 1990, the Americans with Disabilities Act further expanded requirements to accommodate persons with disabilities in housing.

13 Carla F. Wallace, interview by Amber G. Duke, August 24, 2012. Unless otherwise noted, all interviews cited in this report are available through the University of Louisville Oral History Center, University Archives and Records Center, Ekstrom Library, University of Louisville. Note that in January of 2003 Jefferson County and the City of Louisville merged to become Louisville Metro. At the time of merger, the addition of sexual orientation and gender identity to Louisville Metro's civil rights ordinance required an additional vote, preventing the ordinance from sun setting in the newly incorporated city.

14 *AI*, 4.

15 "Policy Library," *Metropolitan Housing Coalition*, accessed October 8, 2012, http://www.metropolitanhousing.org/resources/policy-library/.

16 *AI*, 23-24.

17 The amendments mandated that builders of housing must also ensure accessibility in certain units and landlords and condominium associations must make reasonable accommodations to meet the needs of disabled tenants.

18 Mervin Aubespin, Kenneth Clay, J. Blaine Hudson, *Two Centuries of Black Louisville: A Photographic History*. (Louisville: Butler Books, 2011), 42.

19 J. Blaine Hudson, Interview by Amber G. Duke, July 9, 2012, University of Louisville. [As of mid-2013 it is unclear if this interview will join the Oral History Center collection.]

20 Edmund S. Morgan, *American Slavery, American Freedom: The Ordeal of Colonial Virginia*, (New York: Norton, 1975), 386.

21 Aubespin, Clay, and Hudson, *Two Centuries, 48*. 1860 slave statistics are from Darrel E. Bingham, *On Jordan's Banks: Emancipation and its Aftermath in the Ohio River Valley*, (Lexington: University Press of Kentucky, 2006), 15.

22 Aubespin, Clay, and Hudson, *Two Centuries*, 51. It is also important to note here that foreign immigration was also on the rise during this exact time period. According to Carl Kramer in *Two Centuries of Urban Development in Central and South Louisville*, German and Irish immigrants settled in Louisville in greater numbers, creating their own neighborhoods and institutions.

23 Douglas Massey and Nancy Denton, *American Apartheid: Segregation and the Making of the Underclass* (Cambridge: Harvard Univ. Press, 1993), 25.

24 Aubespin, Clay, and Hudson, *Two Centuries*, 52.

25 Hudson, interview.

26 Aubespin, Clay, and Hudson, *Two Centuries*, 76.

27 Ibid., 77.

28 Hudson, interview.

29 *Courier-Journal*, 4 March 1888.

30 Aubespin, Clay, and Hudson, *Two Centuries*, 126.

31 Ibid., 79.

32 "Segregation," in *The Encyclopedia of Louisville*, ed. by John E. Kleber (Lexington: The University Press of Kentucky, 2001), 798.

33 Hudson, interview. For details on the Shawnee Homeowners Association in post-World War Two Louisville, see Catherine Fosl, *Subversive Southerner: Anne Braden and the Struggle for Racial Justice in the Cold War South* (Lexington: University Press of KY, 2006), 138.

34 Massey and Denton, *American Apartheid*, 52.

35 Ibid., 52.

36 Ibid.

37 *Louisville, Kentucky Zoning Report*, (St. Louis, Harland Bartholomew & Associates: 1930), series 01, box 8, Harland Bartholomew & Associates (HBA) Collection, University Archives, Department of Special Collections, Washington University Libraries, St. Louis. This point is made throughout the report, but esp. on pp. 28 and 30.

38 C. E. Kramer, *Two Centuries of Urban Development in Central and South Louisville*, (Louisville: 1980),163.

39 *The Negro Housing Problem in Louisville*, (Louisville: Harland Bartholomew & Associates: 1932), 56, series 02, vol. 35, part III, Harland Bartholomew & Associates (HBA) Collection, University Archives, Department of Special Collections, Washington University Libraries.

40 Ibid., 2.

41 Ibid., 7.

42 Ibid.

43 Ibid., 8.

44 Aubespin, Clay, and Hudson, *Two Centuries*, 139.

45 Ibid., 142.

46 Ibid.

47 Ibid.

48 Hudson, interview.

49 Fosl, *Subversive Southerner*, 52-55.

50 *Louisville, Kentucky Zoning Report*, 34. Bartholomew warns of concentrating industries in the area near the Shawnee neighborhood due to "obnoxious odors."

51 The widespread change in street names was confirmed after a search in Louisville City Directories and in conversations with several sources who were longtime Louisvillians, including Raoul Cunningham (April 2, 2013), Bob Cunningham (April 2, 2013) and Thomas Owen (April 3, 2013).

52 Luther Adams, *Way Up North in Louisville*, (Chapel Hill: University of North Carolina Press, 2010), 153.

53 Tracy E. K'Meyer, *Civil Rights in the Gateway to the South: Louisville, KY 1945-1980*, (Lexington: University Press of Kentucky, 2010), 157.

54 Fosl, *Subversive Southerner*, 137-138.

55 In fact, Carl and Anne Braden and five other white supporters of the Wades were charged with sedition; although his conviction was eventually set aside, Carl Braden was tried and sentenced to 15 years' imprisonment. For a full examination of this episode and the sedition case that resulted from it, see Fosl, *Subversive Southerner*: esp. Chapter 6.

56 For a thorough examination of the local public accommodations movement see K'Meyer, *Civil Rights in the Gateway*, esp. Chap. 3.

57 Human Relations Commission, *June Newsletter: Human Relations in Retrospect, Louisville: Lessons Learned the Hard Way*, (Louisville: Human Relations Commission, 2009), 3, http://www.louisvilleky.gov/NR/rdonlyres/568B8138-4501-4F76-9855-CD5F1D7A077E/0/HumanRelationsinRetrospect.pdf.

58 K'Meyer, *Civil Rights*, 105.

59 Ibid., 113.

60 Adams, *Way Up North*, 153-55.

61 K'Meyer, *Civil Rights*, 157-158.

62 Adams, *Way Up North*, 183.

63 Ibid., 183-85.

64 Ibid. The segregation index is a measure of segregation between two groups reflecting their relative distributions across neighborhoods within a city or metropolitan area (in this case black and white Louisvillians in the city's west side). It can range in value from 0, indicating complete integration, to 100, indicating complete segregation.

65 Hudson, interview.

66 Anne Braden, "A Dream that Failed: An Analysis of the Life and Death of the West End Community Council," n.d., Box 2, Earlier Acquisitions folder, Woolsey Papers, University of Louisville Ekstrom Library, University Archives and Records Center.

67 Tracey E. K'Meyer, "The West End Community Council: Building Interracial Community in Louisville's West End," *Ohio Valley History* 7, no. 3, (2007), 6-31.

68 This synopsis was written and submitted for this report by LMHRC director Carolyn Miller-Cooper and her staff in April 2013.

69 "Mission Statement," *Louisville Human Relations Commission*, accessed March 15, 2013, http://www.louisvilleky.gov/HumanRelations/Mission+Statement.htm.

70 Adams, *Way Up North*, 168.

71 Housing Sub-Committee of the Human Relations Commission, *The Need for A Fair Housing Law: A Report Submitted to the Human Relations Commission of the City of Louisville*, 1966, Earlier Acquisitions folder, box 2, Woolsey Papers, Box 2, University of Louisville Ekstrom Library, University Archives and Records Center.

72 Adams, *Way Up North*, 174-181.

73 K'Meyer, *Civil Rights*, 129.

74 Kentucky Commission on Human Rights, *Kentucky's Black Heritage: The Role of the Black People in the History of Kentucky From Pioneer Days to the Present*, (Frankfort: Kentucky Commission on Human Rights, 1971), 127.

75 Aubespin, Clay, and Hudson. *Two Centuries*, 199.

76 "HUD History of Fair Housing," *U.S. Department of Housing and Urban Development*, accessed October 9, 2012, http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/aboutfheo/history

77 K'Meyer, *Civil Rights*, 112.

78 Aubespin, Clay, and Hudson. *Two Centuries*, 200.

79 Ibid., 204.

80 Adams, *Way Up North*, 193.

81 Bernard Minnis, Interview by Amber G. Duke, August 22, 2012.

82 For more information on feminist activists and the ECOA see Dorothy McBride Stetson, *Women's Rights in the USA: Policy Debates and Gender Roles* (New York: Taylor & Francis), 200-01. The ECOA outlawed credit discrimination on the basis of sex and marital status as well as on the basis of race, color, religion, national origin and age.

83 Aletia Robey, "How Did Women in the Louisville Metro Housing Projects Organize?" (Document Project, University of Louisville, 2013).

84 Kentucky Advisory Committee, *Fair Housing in Louisville: The Community Development Block Grant Program*, (1982), 2, accessed March 7, 2013, http://babel.hathitrust.org/cgi/pt?id=mdp.39015019782427;seq=49;view=1up;num=34.

85 Ibid., 2.

86 Ibid., 30.

87 Ibid.

88 Ibid., 34.

89 Despite the past use of federal funds to further housing segregation in Louisville, city officials have been cognizant in recent years of federal regulations attached to funding, and committed to reducing housing segregation. This is demonstrated by the adoption of the *2010 Analysis of Impediments to Fair Housing Choice*, and the metro government's support of this report, which builds on the *AI* with a 20-year action plan.

90 Joy Hart and Tracy E. K'Meyer, *I Saw It Coming: Worker Narratives of Plant Closings and Job Loss* (New York: Palgrave, 2009) outlines the history of deindustrialization in Louisville.

91 Hudson, interview.

92 United Press International, "Low Income Housing Raids Hit Reagan Cuts," *Sun Sentinel*, Mar. 23, 1985, http://articles.sun-sentinel.com/1985-03-23/news/8501110183_1_low-income-housing-public-housing-federal-housing-assistance. Testimony of Barry Zigas, president of the National Low-Income Housing Coalition, to a U.S. Senate subcommittee.

93 Cathy Hinko, interview by Amber Duke, Metropolitan Housing Coalition, July 16, 2012.

94 Martin Luther King, "I Have a Dream," August 28, 1963, March on Washington for Jobs and Freedom Speech, Washington D.C., accessed March 20, 2013, http://www.archives.gov/press/exhibits/dream-speech.pdf.

95 Massey and Denton, *American Apartheid*, 4.

96 Hudson, interview.

97 Massey and Denton, *American Apartheid*, 4.

98 Ibid., 207.

99 *Segregation Persists in Kentucky's Public Housing Authorities Despite Many Improvements 1974-1984*, (Frankfort: Kentucky Commission on Human Rights Staff Report, 1985), *Desegregation Improves at Housing Authorities with Plans, Worsens at Authorities Without Plans 1986, Kentucky's Public Housing Authorities Continue to Reduce Segregation 1987*. Pamphlets available at Anne Braden Institute reading room, Ekstrom Library.

100 *HUD Increases Segregation in Kentucky Public Housing 1988*, (Frankfort: Kentucky Commission on Human Rights Staff Report, 1989), 1.

101 Ibid., 64.

102 Ibid., 1.

102 Ibid., 61.

104 *Race Discrimination in Housing Almost Halved in Louisville and Lexington but Discrimination Persists 1977-1987*, (Frankfort: Kentucky Commission on Human Rights Staff Report, 1988), 4.

105 Ibid., 8.

106 Melvin Bethel, Interview by David Cline, May 17, 2006, U-0108, in the Southern Oral History Program Collection #4007, Southern Historical Collection, Wilson Library, University of North Carolina at Chapel Hill, http://dc.lib.unc.edu/cdm/compoundobject/collection/sohp/id/5027/rec/2.

107 James Hanlon, "Success by Design: HOPE VI, New Urbanism, and the Neoliberal Transformation of Public Housing in the United States," *Environment and Planning* A 42, no. 1 (2010): 80-98. HUD has phased out the controversial Hope VI grants as of 2010, but not before Louisville secured several of them for redevelopment projects including the demolition of Cotter Homes and replacement with Park DuValle, the demolition of Clarksdale and replacement with Liberty Green and the 2012 demolition of Sheppard Square to be replaced with a mixed-income development of the same name.

108 For more information on the design of Park DuValle see Hanlon, "Success by Design," 80-89.

109 *State of Metropolitan Housing Report 2012*, (Louisville: Metropolitan Housing Coalition, 2012), 28, http://www.metropolitanhousing.org/wp-content/uploads/member_docs/SMHR_2012_web.pdf.

110 Information in this paragraph was informed by Hinko interview and by subsequent conversations with current MHC staff. David Bos was a galvanizing figure in instigating MHC, and its first director, longtime activist Suzy Post, was a crucial force in securing funding and support for it to succeed as an organization; subsequent directors and leaders in local housing advocacy include Jane Walsh and Cathy Hinko, director at the time of this writing.

111 Louisville Human Relations Commission enforces "employment, public accommodation, housing and hate crime laws, ordinances and policies," accessed March 25, 2013, http://www.louisvilleky.gov/HumanRelations/equalopportunityservices/. The Kentucky Commission on Human Rights "in conjunction with its HUD fair housing partnership is assisting with a survey for people who believe they have been discriminated against in housing based on sexual orientation, gender identity or marital status," accessed March 25, 2013, http://kchr.ky.gov/fairhousing.htm.

112 *Celebrating 50 Years 1962-2012: Annual Report July 1, 2011-June30, 2012*, Louisville Metro Human Relations Commission, (Louisville, 2012), 16, http://www.louisvilleky.gov/NR/rdonlyres/5FFD666C-BDF1-4ACF-9663-A5D2A3BF43FC/0/201112HRCAnnualReport.pdf.

113 The merger took effect on January 6, 2003, after voter approval in November 2000.

114 For specifics, see http://www.censusscope.org/2010Census/FREY2010BLK100MetroSeg.xls. This set of analyses by demographic researcher William Frey used the 1990, 2000 and 2010 census data.

115 *AI*, p. 5.

116 Ibid., 6-7.

117 *2011 Environmental Health Services Report*, Louisville Metro Health & Public Wellness, (Louisville: Division of Environmental Health and Protection and Office of Policy Planning & Evaluation, 2011), 15. http://www.louisvilleky.gov/NR/rdonlyres/B72FC1DA-6371-4F20-8E8B-AED59A8C83DC/0/EnvironmentalHealthReport092911.pdf.

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119 All the numbers and comparisons found in this paragraph are drawn from an analysis of 2007-11 American Community Survey data that appears in "A Tale of Two Cities," *Louisville Magazine*, March 2013, 26-27.

120 Alexander von Hoffman, "Housing and Planning: A Century of Social Reform and Local Power," *Journal of the American Planning Association* 75, no. 2, (2009): 231-244.

121 Arthur O'Sullivan, *Urban Economics*, (New York: McGraw Hill, 2008), 232.

122 *Euclid (Village of Euclid, Ohio) v. Ambler Realty Co.*
No. 272. US. 1926.

123 The quotes in this and the previous sentence are from Harvey Jacobs, and Kurt Paulsen, "Property Rights : The Neglected Theme of 20th Century Planning," *Journal of the American Planning Association* 75, no. 2 (2009), 137.

124 *Louisville, Kentucky Zoning Report*, 28.

125 Ibid., 33. Other examples of a pro-single-family-residential focus predominate, but are especially notable on pages 11-12, 14.

126 Phil Bills, interview by Amber G. Duke, Office of Metro Louisville Planning and Design Services, July 30, 2012.

127 Bills, interview, refers to R-4 as a placeholder. The criticism is from Hinko, interview.

128 "Breakthroughs: The SmartCode and Affordable Housing," *The Department of Housing and Urban Development*, accessed May 13, 2013, http://www.huduser.org/portal/rbc/newsletter/vol10iss1_2.html.

129 Various historians have written on these social movements and the commonalities of tactics and personnel among them. For an overview of some of them, see, for example Jacquelyn Dowd Hall, "The Long Civil Rights Movement and the Political Uses of the Past," *Journal of American History* 91, 4 (March 2005), 1233-63.

130 Edgardo Mansilla, interview by Amber G. Duke, August 15, 2012, Americana Community Center.

131 William H. Frey, *Black-White and Hispanic-White Segregation Indices sorted by 2010 Segregation*, University of Michigan Population Studies Center, accessed April 2, 2013, http://www.psc.isr.umich.edu/dis/census/segregation.html.

132 *State of Metropolitan Housing 2012*, 16.

133 Ibid.

134 Mansilla, interview.

135 Ibid.

136 Ibid.

137 *AI*, 8.

138 Jenni Laidman, "Mom Island," *Louisville Magazine*, March 2013, 47.

139 *State of Metropolitan Housing 2012*, 16.

140 *The Dividing Line: Women and Housing Patterns in Louisville*, (Louisville: Metropolitan Housing Coalition , 2007), 2, http://www.metropolitanhousing.org/wp-content/uploads/member_docs/2007_Dividing_Line_Women_&_Housing.pdf

141 *State of Metropolitan Housing 2012*, 16.

142 *The Status of Women 2012*, (Louisville, KY, Department of Community Services and Revitalization: 2012), 7. http://www.louisvilleky.gov/NR/rdonlyres/EC945490-3CC7-4E9D-96BD-6E8F025A93A1/0/StatusofWomen2012.pdf

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144 Hinko, interview.

145 *AI*, 11.

146 "About Us," Center for Accessible Living, accessed December 19, 2012, http://www.calky.org/about/.

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148 *The State of Housing In America in the 21st Century: A Disability Perspective*, (Washington D.C., National Council on Disability, 2010), 28, http://www.ncd.gov/publications/2010/Jan192010.

149 Marcellus Mayes, telephone interview by Nicole Cissell, March 6, 2013.

150 Carla Ruschival, telephone interview by Nicole Cissell, March 6, 2013.

151 *AI*, 10, 11, 11.

152 Natalie Harris, email to Nicole Cissell, March 6, 2013.

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156 "Ending Housing Discrimination Against Lesbian, Gay, Bisexual and Transgender Individuals and their Families," *U.S. Department of Housing and Urban Development*, accessed May 12, 2013, http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/LGBT_Housing_Discrimination. Department of Housing and Urban Development, "Equal Access to Housing in HUD Programs Regardless of Sexual Orientation or Gender Identity, Final Rule, Federal Register 77, no. 23, (February 3, 2012), 5662, http://portal.hud.gov/hudportal/documents/huddoc?id=12lgbtfinalrule.pdf. HUD offers some protections and assistance to LGBT persons despite the fact that they are not included as such in fair housing law.

157 Wallace, interview.

158 This scholar is Deborah King. The phenomenon is described in many sources: see, for example, Irene Browne and LeAnn M. Tigges, "The Intersection of Gender and race in Atlanta's Labor Marker," in *The Atlanta Paradox*, ed. by David L. Sjoquist (New York: Russell Sage Foundation, 2000), 157.

159 Not all of these factors are illustrated on the maps here; see additional maps in *Louisville Metro Health Equity Report: The Social Determinants of Health in Louisville Metro Neighborhoods*, (Louisville: Metro Department of Public Health and Wellness' Center for Health Equity, 2011), http://www.louisvilleky.gov/NR/rdonlyres/29925903-E77F-46E5-8ACF-B801520B5BD2/0/HERFINALJAN23.pdf.

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Middle-class homes along 1400 block of W. Chestnut Street's "Teacher's Row" destroyed during urban renewal, September 1963.

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