Curtis Lang

A Depleted Legacy
Public Housing in Houston

This past year, Allen Parkway Village has been in the news once again, for what may prove to be the last time. Over the past dozen years, the 50-year-old public housing complex, Houston's largest, has become a familiar fixture in local newspapers. Through a series of efforts at demolition and redevelopment occurring under four mayors, Allen Parkway Village has generated seemingly unending lawsuits, public meetings, congressional hearings, even its own HUD amendment. It has attracted a large, diverse coalition of project residents, community activists from both the left and the right, academics, writers, documentary film makers, historians, preservationists, and religious and civic leaders. Allen Parkway Village has become such a *cause célèbre* — even if the cause is lost — because it embodies virtually all the problems at the Housing Authority of the City of Houston (HACH) since the agency's first major scandal in 1953.

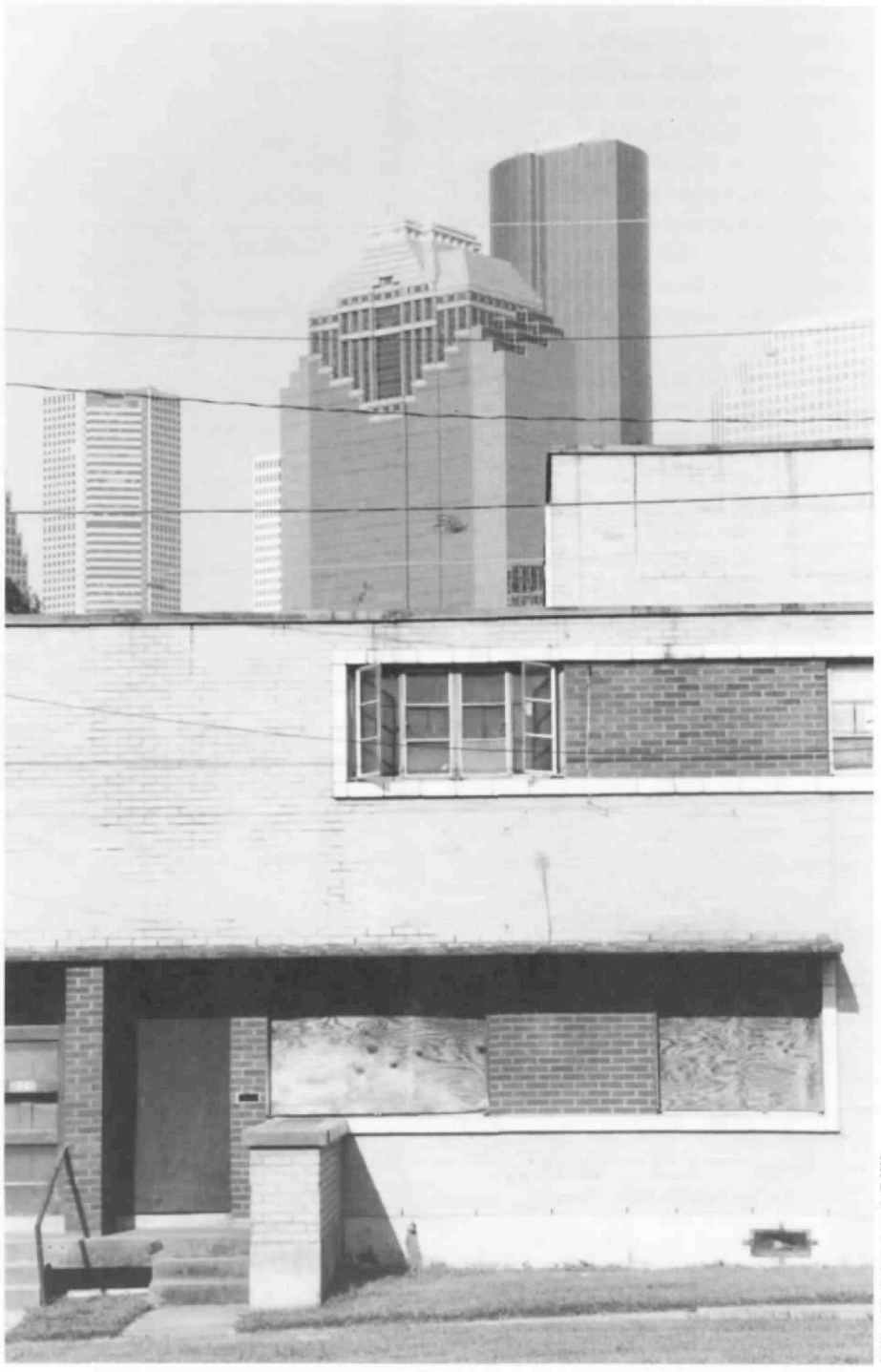
HACH's mission is to provide low-income housing for the poorest of Houston's poor. A discrepancy exists between this legislated *raison d'être* and what HACH actually achieves. For the past 25 years and more, HACH has often been more successful in feeding tax dollars to developers and builders than in doing its mandated job.

HACH's Historical Roots

More than any other industrialized Western nation, the United States has traditionally looked to the marketplace to provide housing for its population. Houston's reliance on free-enterprise solutions to social problems makes the Bayou City a model for those studying the evolution of the American social contract vis-à-vis housing.

Two watershed events in the first half of the 20th century established a substantial role for an activist government in the marketplace. But the current negotiations between Republicans and Democrats to transform federal housing policy suggest that the government's active role may well be abolished.

Early in the century, the appearance of tenement reform laws forged a role for local governments to set standards and regulate housing safety.[1] During the 1930s, New Deal reformers were convinced that the unregulated operation of the free market and philanthropy together could never provide housing for all Americans. They argued that public housing alone could deliver decent habitation for the poor. "Even at its inception, public housing was a controversial idea, and President Franklin Roosevelt himself had to be coaxed," reports Tufts University professor Rachel G. Bratt. "There was strong opposition from . . . private homebuilders and savings and loan associations, who launched vigorous attacks on public housing, accusing it of being socialistic and representing unfair government competition with free enterprise. . . . They played major roles in organizing local communities to oppose the siting of public housing."[2]



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Allen Parkway Village, 1995. Its 1,000 apartments make up more than 24 percent of all public housing units in Houston. Only 21 apartments are currently occupied.

Despite substantial opposition, Congress empowered the U.S. Housing Authority (USHA) in 1937 to fund local housing authorities, which would demolish slum neighborhoods and erect new housing complexes to replace them.[3] The next year the city of Houston and the state of Texas established Houston's housing authority, governed by a five-member board of commissioners appointed by the mayor for two-year terms.

Unfortunately, the Housing Authority of the City of Houston (HACH) was created with a political structure that does not provide for oversight and accountability as safeguards against malfeasance. HACH was created by both state and local statutes as a public authority. Funded primarily by the U.S. Housing Authority (later the Department of Housing and Urban Development) and only supplemented by grants from the city of Houston, HACH is in budget and operation theoretically independent of the city. Although the mayor is ultimately accountable for what HACH does, the organizational charts of city government make it possible for him to claim to have only limited influence over what happens at HACH and only limited responsibility for a state-chartered public authority funded and audited by a Washington cabinet agency. This insulates the mayor from political heat resulting from any HACH mismanagement. Because HACH is a bureaucracy that answers to three different sources of power, it is a difficult target for reformers at any level. Where authority is diffused, so are responsibility and accountability.

During the period from 1940 to 1944, HACH built 2,215 racially segregated public housing units. For black residents HACH opened Cuney Homes in Third Ward (across from the future site of TSU) in 1940 and Kelly Courts in Fifth Ward in 1941; for white residents it built Irvinton Courts, also in Fifth Ward, in 1942.[4]

The crown jewel of HACH's empire was San Felipe Courts. Designed by a group of Houston architectural firms led by MacKie & Kamrath and completed in 1944, San Felipe Courts was designed to enhance the beauty and commercial utility of one of Houston's most important civic corridors, Allen Parkway, a scenic boulevard winding alongside Buffalo Bayou that connects downtown Houston with the city's planned suburb for the

Paul Hester & Lisa Hardaway © 1995

Lenwood Johnson, president of the Resident Council of Allen Parkway Village, on the complex's tree-lined central street.

Paul Hester & Lisa Hardaway © 1995

After the East End's Clayton Homes was built in 1952 (Wyatt C. Hedrick, architect), a 23-year dry spell followed in which no new public housing projects were built or purchased by the Housing Authority of the City of Houston.

well-off, River Oaks. In 1988, the project was listed in the National Register of Historic Places as a historic district of national significance.[5]

Houston's housing authority built the 1,000-unit San Felipe Courts (renamed Allen Parkway Village in 1964) as low-income public housing with money from the United States Housing Authority. But in April 1941, Congress created the Division of Defense Housing to provide low-income housing near crucial defense plants, and when construction on San Felipe Courts began in 1942, the complex was designated as temporary defense housing. It was lived in by families of defense workers until 1947. In order to build the 37-acre complex, a section of Fourth Ward, Houston's oldest African American neighborhood, had to be razed, triggering vociferous protests from the displaced residents. That San Felipe Courts was designated from its inception as a whites-only project only fanned the flames.[6]

After World War II, an increasing number of white Houstonians came to share Fourth Ward's antipathy to the housing authority. In 1950, when Mayor Oscar Holcombe asked the voters of Houston to approve the construction of 5,000 more units of public housing, a bitter battle ensued, with opposition coming from the homebuilders' and savings and loan lobbies, as well as groups that opposed public housing for ideological reasons. The Council for Free Enterprise, which organized against the referendum, warned voters that public housing was opening the doors to "socialistic or communistic forms of government."[7] Houston voters defeated Holcombe's proposal.

The voters' rejection of the funding proposal effectively put the brakes on HACH. The fifth public housing complex, Clayton Homes, located in the East End near the foot of Navigation Boulevard, was in the planning stages prior to Holcombe's referendum. It was completed in 1952 only because philanthropist Susan Vaughan Clayton donated the property on which it was built. No new public housing would be built by HACH for the next 23 years.

HACH's problems were not just with public acceptance. In 1953, Ervin W. Blum, executive director of HACH for the previous ten years, was convicted of extorting bribes in connection with awarding construction contracts for Clayton Homes. Blum's trial revealed that the HACH board of commissioners had been derelict in exercising oversight, and that federally funded programs to benefit low-income residents at San Felipe Courts were suppressed so that the HACH staff could use the funds and property for personal purposes. Blum was convicted and sent to federal prison, and four of the five members of the board of commissioners resigned.[8]

By early 1956 a third of San Felipe Court's 1,000 units were vacant. Eligible white families opted not to live there because of the complex's isolation from schools, churches, and shopping.[9] There was no dearth of African American families who would have been happy to live there; all-black Cuney Homes and Kelly Courts were fully occupied and had waiting lists of qualified applicants needing housing. In 1956 the NAACP called on HACH to integrate San Felipe Courts. The housing authority refused to rent any of the 340 vacant apartments at San Felipe Courts to African Americans, claiming that to do so would cause an exodus of white families into substandard market housing.[10]

HACH in the Seventies

When Lyndon B. Johnson signed the Housing and Urban Development Act of 1968, the nation committed itself to providing 26 million new or substantially rehabilitated housing units over the next decade,[11] and HACH resumed activity after its long nap with the 1975 opening of the Sharpstown-area Bellerive project for the elderly with HUD support.[12] Johnson's Civil Rights Act of 1964 ensured that Bellerive would be a racially integrated project. During the next seven years, all the rest of Houston's 11 low-income housing projects would be built.

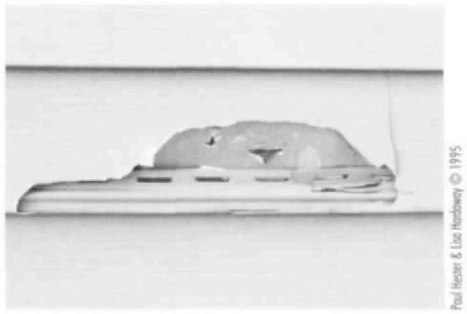
Despite the Civil Rights Act, HACH still engaged in racial policies — just less overtly. When integration was mandated, HACH opened up some apartments to African Americans in Allen Parkway Village (which by then accounted for roughly a quarter of all Houston public housing), but reserved a significant number of units for whites, even though it often meant the units lay empty. HACH eventually dropped that policy in the late sixties and early seventies, and Allen Parkway Village became predominantly African American. Then — and only then — was it suggested that maintaining a housing project on that site was not a good idea. As HACH director Robert Moore explained in a November 1977 letter to HUD proposing demolition of the project, "[Allen Parkway Village's land values have] escalated beyond a cost where housing is the highest and best use."[13] HACH began to make plans for the sale of the project.

Selling the land along Allen Parkway would provide a cash windfall for HACH while encouraging major private-sector development — always one of City Hall's primary goals. A secret September 1977 housing authority report sent from Mayor Fred Hofheinz's office to HUD, tantalizingly entitled "Project S," discussed a possible $3.5 million relocation of Allen Parkway Village residents and sale of the project to private interests. The money thus gained, Houston officials argued, would fund a subsequent $27.8 million building program to create new public housing and a $40.5 million program to rehabilitate existing housing stock — all at no cost to the federal government.[14]

But Patricia Roberts Harris, HUD secretary under President Jimmy Carter, opposed the plan as part of a policy against disposing of low-income property if the property could be salvaged. Countering the HACH proposal, HUD authorized $10 million in 1979 for the modernization of Allen Parkway Village. But both the Project S proposal and the modernization plan went nowhere.[15]

During this period, HACH developed an odd new strategy for raising money. In 1979 it created affiliated subsidiary companies, the Houston Apartment Housing Corporation and Houtex, whose mission was to raise money for HACH by purchasing troubled apartment complexes, repairing them, and renting units at market rates — essentially functioning as a private, for-profit developer, but financing the venture with tax-free notes.[16] The housing corporation's first project was to buy the 327-unit St. Regis apartment complex at San Felipe and Midlane for $8 million, with another $4 million spent on renovations.[17] Far from making

Right: Forest Green Townhouses (Ford & Heesch) were built in 1978 in far northeast Houston, east of 59 between Little York and Tidwell. In 1989–90, HACH demolished the original patio houses and built new houses (designed by Atlanta architects Bradfield, Richards & Associates) on their slabs. The 1990 houses are now falling apart. Although the townhouse residents were promised aluminum siding, what they got was plastic. Any impact shatters the siding, which tears the insulation and allows water to seep into the units.



Clayton Homes.

money to subsidize low-income housing, the St. Regis cost the HACH subsidiary close to $2.5 million over a six-year period. The complex was sold in 1990.[18]

HACH in the Eighties

In 1981, with Ronald Reagan newly inaugurated and a free-market revolution sweeping America, the timing seemed perfect for a second attempt by HACH — working under Mayor Jim McConn — to sell Allen Parkway Village. HACH would receive cash for new entrepreneurial projects, and the city would get credit for sparking a massive development project that would extend downtown Houston halfway up Allen Parkway toward River Oaks. In short, the mayor could join the ranks of the private developers who have shaped large chunks of the city. Accordingly, HACH sent another confidential memo to HUD requesting permission to demolish Allen Parkway Village.

McConn admitted later that Kenneth Schnitzer — who developed Allen Center, Greenway Plaza, and the Summit — was the developer most interested in acquiring Allen Parkway Village from the city. Schnitzer confirmed that he had arranged to purchase the land for $63 million. A confidential housing authority study conducted in 1982 estimated the value of Allen Parkway Village at more than $250 million, so McConn would have had a friend for life in Kenneth Schnitzer if the deal had been completed.[19]

Statman went public with the results of a damaging HUD audit, dated 10 July 1981, which showed that in 1979, 1980, and 1981, HACH failed to record checks totaling $1.3 million and recorded another $2.5 million worth of checks twice.

Neither City Hall nor Houston's news media launched major investigations to discover who had received the $1.3 million HACH disbursed via unrecorded checks.

Meanwhile, in Washington, assistant housing secretary Philip Winn, later to figure prominently in the HUD scandals of the 1980s, approved the secret HACH request to demolish Allen Parkway Village. But Irving Statman, then head of the Dallas regional office of HUD, and his deputy, Elbert Winn (no relation to Philip), disturbed that HUD investigators had uncovered monumental mismanagement at HACH, pestered Mayor McConn for months to clean up the agency. "I told them, 'You've got a terribly run, fiscally irresponsible staff here,'" Statman told reporters. "I made my plea to the [HACH] board. They turned a deaf ear on me."[20]

Furthermore, the general fund cash balance was off by more than $800,000. This was not unusual for HACH: the audit disclosed that the agency had failed to balance its bank statements since 1977.[21]

HUD's auditors concluded that HACH had no viable cash controls and no accounting system adequate to support an audit. Further, they found that HACH had no routine maintenance program for low-income projects, and that HACH had not done the required modernization and repairs at Allen Parkway Village, having improperly used designated modernization funds for other purposes. HACH had spent $564,632 of the $10 million available through HUD for preparation of a complete set of construction documents to modernize Allen Parkway Village. The only money actually spent on the complex went for boarding up vacant units. Despite an initial uproar about the HACH scandal, neither City Hall nor Houston's news media launched major investigations to discover who had received the $1.3 million HACH disbursed via unrecorded checks.

In November 1981, Kathryn J. Whitmire defeated Jim McConn and immediately moved to clean house at HACH. As in 1953, all members of the board of commissioners resigned. Whitmire's new board was chaired first by H. J. Tollett, Jr., and then by Gerry Pate, a Houston engineer who was one of the new mayor's top fundraisers. HACH tried to build three new scattered-site garden-apartment projects under Pate but in each case was stymied by neighborhood groups.[22]

Mayor Whitmire hired Earl Phillips to be HACH's executive director, ostensibly because of his "insider" connections to HUD assistant secretary Jim Baugh. (Baugh was later indicted on federal conspiracy, bribery, and conflict-of-interest charges.)[23] Given a mandate to clean house at HACH, Phillips started by firing HACH official George N. Kyle in May 1983 for various swindles that included soliciting fake bids from contractors and collecting $2.4 million in excess rents. Oddly, the dismissal did not trigger a broader investigation.[24]

In September 1983, HACH released a report on Allen Parkway Village and Fourth Ward that was endorsed by a blue-ribbon commission of citizens including Gladys M. House, Jew Don Boney, George Greanias, James Ketelson, and Robert Mosbacher, Jr. The report recommended demolition of Allen Parkway Village and preparation of a comprehensive redevelopment program that would reshape Fourth Ward, although it did not address the concerns of historical preservationists.

But the timing was wrong. The most ambitious developer interested in the area at this point was Mayor Whitmire. Savvy commercial real estate developers already knew that the market in Houston for new, large-scale developments had disappeared in a glut of new office space, apartments, and other construction that

was still under way as the bottom fell out of the international oil market and Houston's economy. Kenneth Schnitzer and other major developers publicly downplayed the value of Allen Parkway Village and of Fourth Ward redevelopment in general, in response to the city's plans.[25] In 1985, Whitmire's planning department director, Efraím García, acting as broker for a consortium of Fourth Ward property owners, offered the whole neighborhood for a publicly subsidized, privately undertaken redevelopment package. Fourth Ward activist Gladys House succeeded in having nearly half the neighborhood designated as a National Register Historic District, complicating García's plans to use federal funds to relocate Fourth Ward residents. The crash in Houston's real estate market took care of the rest. There was no developer interest in a massive city-sponsored, urban-renewal-style redevelopment of Fourth Ward.

Yet the city's manifold problems with Allen Parkway Village and Fourth Ward redevelopment had not quenched the housing authority's thirst for real estate development. In late 1986, HACH board of commissioners chairman Gerry Pate unveiled plans for a public-private partnership to rehabilitate the former Holiday Inn on Memorial Drive, across Buffalo Bayou from Allen Parkway Village, to provide low-income housing for the elderly.[26] Robert A. Mosbacher, Jr., who enjoyed remarkable connections in the Reagan administration, lobbied HUD on behalf of the project, and HUD promised $18 million in subsidies for the redevelopment as another public-private partnership.[27]

By 1989, however, this project too had soured. It was over budget by $2.2 million, prompting local papers to complain that no budgets or reliable accounting information were available from HACH for the project.[28] Although this was the identical problem that had caused the McConn-era HACH scandal to erupt, and although Whitmire, Pate, and Phillips had all promised to clean HACH's house, the agency still lacked basic accounting systems. HUD pulled out of the Holiday Inn redevelopment project, which then fell apart in May 1989. The old hotel remains an empty hulk to this day.[29]

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HACH sank more than $2 million into this former Holiday Inn on Memorial Parkway, even though it never owned the building. The public-private project was abandoned in 1989.

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Cuney Homes was HACH's first public housing project (Stayton Nunn-Milton McGinty, architects, 1940; first phase of ongoing modernization completed 1993, Bradfield, Richards & Associates). Located in Third Ward across from Texas Southern University, it was a blacks-only complex until the Civil Rights Act of 1964 mandated desegregation.

HACH in the Nineties

The bursting of the great Texas real estate bubble of the 1980s took with it many of the state's banks, savings and loans, and developers, rendering any potential Fourth Ward development plan by the city worse than redundant. The downturn also caused further problems for HACH's "entrepreneurial" ventures.

In 1990, HACH's 1970s investments in unsubsidized housing in the form of suburban apartment complexes, such as the St. Regis and four others, unraveled, costing the FDIC $7 million; blame was pinned on the downturn in the rental market.[30] And HACH was still unable to manage its basic accounting. HUD forced the unrepentant agency to disgorge refunds amounting to $270,000 to public housing residents for "overcharges."[31]

Undeterred by market realities, American General and Cullen Center, two corporations interested in Fourth Ward redevelopment since 1987, announced plans in 1990 for Founders Park, a 600-acre development of upscale townhouses and apartment buildings along with shopping, offices, and a series of town squares, parks, and small lakes — all to be built in Fourth Ward and on the site of Allen Parkway Village.[32] This plan was predicated on HACH's sale of Allen Parkway Village to private-sector interests.

In response, Allen Parkway Village Resident Council president Lenwood E. Johnson proposed rehabilitation of Allen Parkway Village "followed by emergence of small community businesses that would result in gradual economic development." Working with University of Houston architecture instructor Nia Dorian Becnel, Johnson and Fourth Ward residents began to make a counterproposal, based on grassroots improvements rather than displacement and redevelopment, called the Allen Parkway Community Campus concept. Improved housing and sweat equity would enable Fourth Ward residents to redevelop their neighborhood to meet their own needs. Because of HACH's inability to sell the Allen Parkway Village property, the Founders Park plan would never leave the drawing boards. The community campus plan is still being cited in current negotiations, as the wrangling continues between saving the public housing project versus commercial development. (See "Update: Allen Parkway Village," p. 14.)

As of 1991, HACH was administering far fewer public housing units than San Antonio, Newark, Baltimore, and other much smaller cities.[33] It had a system-wide vacancy rate of 32 percent, largely because of the number of units it was holding vacant at Allen Parkway Village, a number that had increased substantially after HACH began systematic depopulation in 1983. Moreover, HACH had received roughly $16.8 million in subsidies and other funds generated by the operation of units in Allen Parkway Village up to 1991 (the figure is calculated by multiplying the per-unit subsidy figures reported in court records by the number of years from 1983 to 1991). This money was to have been spent on maintenance and repair. HACH's own consultants noted in a 1991 report that HACH records showed there had been no major repairs at Allen Parkway Village since 1981. If HACH did not spend the money on modernization, where did it go? Who, specifically, received it? Are there records?

The entire political landscape in Houston changed when Bob Lanier defeated Kathy Whitmire and took over at City Hall in November 1991. Neither candidate made Allen Parkway Village or HACH a major issue.

Bob Lanier was a supporter of the Founders Park plan for Fourth Ward–Allen Parkway Village redevelopment, which died because HACH could not finesse the demolition and "disposition" of Allen Parkway Village. But Lanier did not offer to enter into a public-private partnership with his fellow real estate developers. Founders Park advocates assumed that the area's strategic importance would be bolstered by Metro rail proposals given great visibility in the late 1980s, and by a possible statewide high-speed bullet train with a terminal in the redevelopment zone. It turned out that Bob Lanier hated rail. Founders Park, Metro rail, and bullet trains all disappeared into the dustbin of history, along with the comprehensive planning and zoning that Whitmire had touted.

Lanier has done little to undo HACH's dismal record. Houston now ranks last among all large American cities in housing assistance to poor families.[34] HUD auditors have recommended that HACH repay $1.5 million for "misused housing funds." HUD auditors found that HACH still has no credible maintenance program and that 89 percent of all units inspected did not meet quality standards. HUD found that the poor condition of the housing projects was caused not by tenant abuse, but rather by poor maintenance.[35]

In other words, nothing had changed at HACH since the 1952 scandal. A succession of Houston mayors has failed to administer HACH in a responsible manner, allowing millions of dollars to disappear without a trace. Neither taxpayers nor public housing residents have benefited from this type of public housing authority. ■

Allen Parkway Village, built in 1943 and designed by a group of architects led by MacKie & Kamrath.

The daycare center at Clayton Homes. El Mercado del Sol is visible in the background.

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Timeline of HACH Projects

(All complexes are conventional public housing family developments unless otherwise noted.)

19 January 1938 — HACH established by Houston City Council

1940 — Cuney Homes, 3260 Truxillo, 564 units

1941 — Kelly Village, 1119 Grove, 333 units

1942 — Irvinton Village, 2901 Fulton, 318 units

1943 — Allen Parkway Village, 1600 Allen Parkway, 1,000 units

1952 — Clayton Homes, 1919 Runnels, 348 units

1975 — 75 Lyerly, 200 units (Section 23 leased elderly development)

1975 — 7225 Bellerive, 210 units (Section 23 leased elderly development)

1976 (major rehabilitation 1986) — Lincoln Park, 790 West Little York, 264 units

1977 — Oxford Place Apartments, 605 Berry Road, 230 units

1978 (reconstructed 1989) — Forest Green Townhouses, 8906 Forest Hollow, 100 units

1978 — 6000 Telephone Road, 200 units (Section 8 new construction elderly development)

1979 — Ewing Apartments, 1815 Ewing, 42 units

1981 — Long Drive Townhomes, 6767 Long Drive, 100 units (Section 8 new construction elderly development)

1982 — Kennedy Place, 505 Bayou, 60 units

1983 — Wilmington House, 4000 Wilmington, 108 units

Update: Allen Parkway Village

Brad Tyer

For the last 18 years, Allen Parkway Village has been the stakes in a see-saw game of poker between various development interests and a loose-knit advocacy group spearheaded by the Allen Parkway Village Resident Council and the council's president, Lenwood E. Johnson. At issue: whether to tear down the 55-year-old, historically and architecturally significant 1,000-unit complex and let developers in to start from scratch, or to rehabilitate the existing

There is no faith among the residents that the land will retain any but token use as public housing if the complex is demolished.

property, after years of neglect, so it can serve its original purpose, as low-income public housing. The battle is being and has been fought on many fronts, generating myriad peripheral issues. Allen Parkway Village now symbolizes not just housing issues but racial issues, class issues, accountability issues, architectural and historical issues, policy issues, administrative issues, and political issues, not least of which is the fate of the adjacent Fourth Ward neighborhood of Freedmen's Town, whose future is widely expected to track that of Allen Parkway Village. Emotions have run high, for those on the front lines and to a lesser extent for the city at large. But the public emotion has begun to give way to tired, confused, eyes-glazed-over apathy.

A list of sore points between the two camps — preservationist versus developer, resident versus government — would run for pages. Cutting through the thicket of protagonists, hearings, and relevant legislation, one key issue emerges: distrust. The Allen Parkway Village Resident Council has come to distrust the Department of Housing and Urban Development (HUD), whose secretary, Henry Cisneros, assured them in 1994 that no Allen Parkway Village land would be sold for commercial development and that the council would participate on an equal footing with HUD and the Housing Authority of the City of Houston (HACH) in developing an

acceptable proposal for the property.[1] According to Johnson and his supporters, these assurances have been steadily eroded and contradicted, in a fashion described by architectural historian and Allen Parkway Village advocate Stephen Fox as "remarkable for its lies, distortions, and misrepresentations."

On the other side of the fence, HACH executive director Joy Fitzgerald claims that the "partnership" proposed by Cisneros remains intact, and that "in the last 18 months, both HUD and HACH have met with the residents consistently for the purpose of developing guiding principles."

Yet HACH, and apparently HUD, do not trust Johnson and the Resident Coucil to make "best use" of the land without HACH oversight. The council's proposed alternative to demolition is what has been called a "community campus plan," first presented by the late University of Houston architecture professor V. Nia Dorian Becnel in 1989 and supported since 1992 by Catherine M. Roberts. Embraced and refined by the Resident Coucil, it calls for rehabilitation of existing units and provision of educational, vocational, and medical services geared towards self-sufficiency for the residents of the project and neighboring Fourth Ward. HACH, while indicating that the community campus plan will be studied by its recently hired master planners for feasibility,[2] has at the same time, according to Johnson, been instrumental in delaying a $300,000 HUD grant to the Resident Coucil for planning and development of the campus plan. Fitzgerald presents the delay in a different light. She asserted in a September interview that "I developed a contract [for awarding the grant] and sent it to the residents two months ago. I had no written or verbal comment until August 30, when they asked me to sit down and explain the contract. I said I would be happy to, and I haven't heard back."

The embryonic HACH plan — which, Fitzgerald explains, is unformed and dependent upon feasibility studies being carried out by HACH's master-planning team — sounds similar in some respects to the community campus plan, including a proposed mixed-use ratio of one-third traditional public housing, one-third "affordable" housing, and one-third housing for the elderly. Fitzgerald insists that HACH itself has no plans and that the master planner will be responsible for formulating HACH's plans. However, the HACH plan is so far vague and noncommittal, and the residents believe there will be only a token amount of public housing if demolition takes place.

The lack of a thoroughly documented plan for replacement housing did not stop HACH from submitting an application in May 1995 for federal approval under Section 106 of the National Historic Preservation Act of 1966 to demolish the greater part of Allen Parkway Village. The initial application called for the razing of all but 13 buildings — only 220 of the site's 1,000 units would remain standing. Charlene Vaughn, representative of the federal Advisory Council on Historic Preservation (which is responsible for advising HUD on any demolition proposal), has suggested maintaining 20 of the 82 buildings (comprising 358 units) as a compromise with architectural historians and preservationists, although this has not been agreed to by either party.[3] Federal law mandates one-for-one replacement of demolished public housing within six years of demolition, and HACH has suggested that replacement housing could be built on the present Allen Parkway Village site, in neighboring Fourth Ward, or at other undetermined sites around Houston, while at the same time not ruling out options like "long-term commercial leasing" of the property.[4] HACH has provided no master-planning specifics, either to the Allen Parkway Village Resident Council or the public at large. According to Sissy Farenthold, former member of the Texas Legislature and current member of the Resident Council Board of Advisers, "The part that we're so suspicious of is that they have six years to create replacement housing, and it's just very unlikely that there will be any. The problem is that there isn't any accountability, except to the mayor." (The HACH executive director is appointed by the HACH board of commissioners, who are in turn appointed by Mayor Bob Lanier.)

In early May, without yet having received federal permission to proceed with demolition, the city began negotiations with a planning team with political ties to Mayor Bob Lanier, despite the fact that the team — Tise, Hurwitz & Diamond of Boston, in association with Houston developer and Lanier campaign supporter Wayne Duddlesten — had presented no "graphic perspectives," or artists' renderings, of the development, a prerequisite for consideration in the awarding of the HACH master-planning contract under HACH's own guidelines.[5] After local media outlets, including the generally pro-HACH *Houston Chronicle*, questioned the ethics of the negotiations, Duddlesten removed himself from the team, and on 31 September HACH passed a resolution selecting Tise, Hurwitz & Diamond to be the project's master planner.[6] Lenwood Johnson believes that these actions constitute a breach of the partnership assurances received from HUD director Cisneros last year, and as such suggest a possible avenue of legal challenge to demolition.

In the event that HUD approves the HACH request for permission to demolish most of Allen Parkway Village — and the political climate in the Republican-controlled Congress has many observers guessing that this, the fifth such application since 1977, will finally be successful — Johnson and the Allen Parkway Village Resident Council have vowed to continue the fight with legal action on one or more fronts, assuming that as-yet-unsecured legal counsel can be procured on the residents' behalf. That's a big if. Community commitment to the residents' cause, says Johnson, has lagged over the course of the contentious battle, and some prior sources of financial support have dried up, leaving the residents' ability to secure legal representation highly uncertain. The Resident Coucil has twice before sued HUD using public service pro bono lawyers, but at present no one has stepped forward to take the residents' case.

02-28-1995 11:55AM FROM HACH EXEC OFF TO 12024812378 P.02

HOUSING AUTHORITY OF THE CITY OF HOUSTON
P.O. BOX 2971 • HOUSTON, TEXAS 77252-2971 • (713) 260-0800

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JOY FITZGERALD
Executive Director

February 28, 1995

Kevin Marchman
Deputy Assistant Secretary
Office of Distressed Public Housing
U.S. Department of Housing
and Urban Development
451 Seventh St., S.W.
Washington D.C. 20410

Dear Assistant Secretary Marchman:

By this letter be advised that on February 27, 1995 the Board of Commissioners of the Housing Authority of the City of Houston (HACH) voted unanimously to seek the approval of the Department of Housing and Urban Development to demolish 850 units at Allen Parkway Village.

An application for demolition is being finalized and will be submitted to your office by March 17, 1995.

Sincerely,

Joy Fitzgerald
Executive Director

If they can get a lawyer, one challenge to demolition may be raised over Allen Parkway Village's 1988 listing in the National Register of Historic Places, which necessitates the Section 106 historical preservation review prior to demolition. HACH initiated the review process with the Texas Historical Commission, but Johnson claims that the review's mandate for public involvement has been bypassed by a commission friendly to HACH and hostile to the Resident Council. Allen Parkway Village was nominated in 1993 as a state archaeological landmark, but this was tabled indefinitely by the Texas Historical Commission after Lieutenant Governor Bob Bullock (at Mayor Lanier's request) called in the staff of the commission for a consultation. Johnson points to this in support of his suspicion that the democratic process is being subverted in order to hasten demolition.[7] The Frost-Leland congressional amendment of 1987, which prohibits the use of federal funds for demolition, may also provide grounds for a legal challenge.

And so the 18-year conflict continues, with HACH pursuing the city's decades-long agenda of demolition and Johnson and the Allen Parkway Village residents fighting tooth and nail for rehabilitation. According to Fitzgerald, HACH expected a completed Section 106 memorandum of agreement by mid-September to spell out how much of the complex HACH will be legally required to preserve, but as of press time HACH had not heard back from the Historical Commission. To go back to the poker metaphor, the game's not over yet; but longtime activist Farenthold says, "I have never seen an example [of HACH's many attempts at demolition] where they have all the bases covered like this." While Fitzgerald points out that no plans will be finalized until a memorandum of agreement is completed, she also suggests that demolition at the site could begin as early as December.

A 29 April 1995 *Houston Chronicle* editorial accurately if cynically mirrored that sentiment, declaring that "the housing authority now holds all the best cards." Whether they got the cards fairly, or even legally, is likely to be challenged at least once again. In the meantime, the bulldozers wait for their cue. ■

1 Telephone interview with Lenwood Johnson, 4 September 1995.

2 Telephone interview with Joy Fitzgerald, 7 September 1995.

3 James Robinson, "Housing Pact Could Beef Up Renovations," *Houston Chronicle*, 12 August 1995.

4 Telephone interview with Sissy Farenthold, 6 September 1995.

5 James Robinson, "Allen Parkway Village's Contract Talks Questioned," *Houston Chronicle*, 11 May 1995.

6 Ibid.; James Robinson, "Smell Test: Housing Authority Rules Not Meant to Be Broken," *Houston Chronicle*, 12 May 1995; Tim Fleck, "Lanier Village: The Mayor's Hands Are All Over the APV Redevelopment Plan," *Houston Press*, 11 May 1995.

7 Stephen Fox, "Allen Parkway Village, Houston, Texas, USA," *DOCOMOMO*, Journal 13, June 1995.