

Public Interest Law Center of Philadelphia

The Public Interest Law Center of Philadelphia (PILCOP) was founded in 1974 by leaders of the Philadelphia Bar Association as the successor to the Philadelphia Chapter of the Lawyers' Committee for Civil Rights Under Law. PILCOP's mission over the past 14 years has been to serve individuals and community groups who traditionally have been without access to legal assistance, to increase their economic and physical well-being through provision of a full range of legal services.

Volume 5, No. 3

July, 1988

Affordability is Key Issue in New Housing Study

W. Jeffrey Garson
Chairman of the Board

Kyra A. Goidich
Barry F. Schwartz
Vice-Chairs

Edwin D. Wolf
Executive Director
1974-1976

Michael Churchill
Chief Counsel

Jerome Balter
Timothy M. Cook
Judith A. Gran
Frank J. Laski
Lisa M. Rau
Staff Attorneys

Peter Stevens
Newsletter Editor

On June 2nd the Law Center released a special study, "Housing in Philadelphia," prepared by Cushing Dolbeare. The study is the first comprehensive review in a generation, and Edward Schwartz, Director of Housing and Community Development for Philadelphia, called it "as important a document on housing as I have seen."

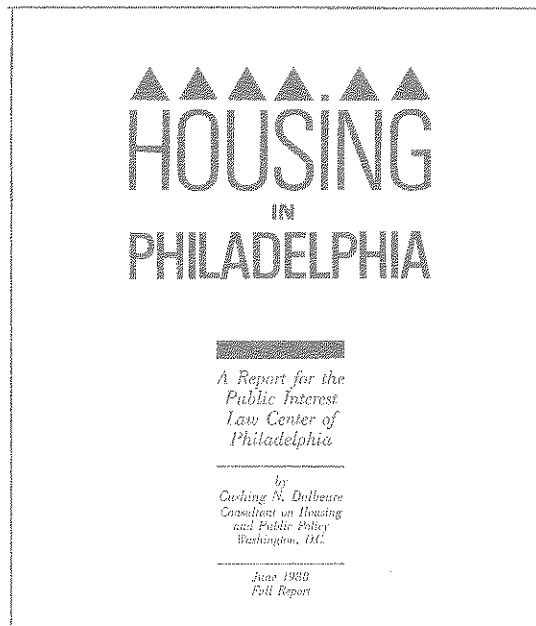
The Report reveals that more than 40% of all renters (and more than 50% of black renters) in Philadelphia pay in excess of half their monthly income for housing. There are 129,000 families paying more than 60% of their income for housing (rent and utilities or mortgage, taxes and utilities). While there are 71,000 Philadelphia families who can afford to spend at most \$125 a month on rent, there are only 5,000 units in that price range.

This "affordability gap," rather than a housing shortage, is the city's biggest housing problem according to the Report. It is at the root of homelessness and much of the city's housing deterioration. 172,000 rental units in the city are substandard.

City programs, if carried out at their present rate, will not provide housing assistance to all Philadelphians who need it until the year 2100, even if the housing situation does not grow any worse.

The Report concludes that doubling the amount of money currently spent on housing would effectively eliminate the housing problem in Philadelphia in the next ten years. Currently,

continued on page 2



To place orders for the Housing Report, please call the Law Center at (215) 627-7100 and ask for Peter Stevens. The Full Report is \$5.00. The Appendix is also \$5.00. The Summary Report (the first 53 pages of the Full Report) is \$2.50.

125 S. 9th Street
Philadelphia
Pennsylvania 19107
(215) 627-7100

The work of the Law Center is made possible through the generous contributions of its many friends. PILCOP receives no government subsidies. If you agree that our work is important, please contribute to our support, by completing and mailing in the form on the back of the Newsletter and enclosing your check.

continued from page 1

about one-half billion dollars are available for various forms of housing assistance in Philadelphia annually.

The Report makes nine specific recommendations for action, with the closing of the "affordability gap" given top priority. Other recommendations include setting aside for housing assistance 10% of the additional revenue generated by current taxes; City leadership in lobbying for increased federal and state funding for housing; rehabilitation of occupied units rather than abandoned units; increasing the amount of housing stock under public control; and reorganization of the City's housing agencies.

The Report calls for increased state and federal funding, including increases in public assistance programs. It notes that for the 115,000 families receiving public assistance in Philadelphia, median housing costs were one-third of welfare payments in 1970, but today are 90% of total welfare payments.

Michael Churchill, the Law Center's Chief Counsel, noted: "After the study we can no longer think of Philadelphia's housing problems in terms of 20,000 abandoned houses and 5,000 homeless families. The problem is that 50% of the renters are paying more than half of their income for shelter. Fortunately, Mrs. Dolbeare also gives us many solutions to this problem."

The Law Center requested the study knowing there was no recent report which thoroughly reviewed what the City is doing in its housing programs and which then related that review to the need. The multitude of small programs, each with little impact on the overall problem, was cited in the report, which counted 22 programs each contributing less than 2% of current housing production.

The Law Center will convene community groups during the summer to consider the Report's recommended actions.

The Housing Report cost \$30,000, and was funded by the Law Center from its general fund. A grant of \$5,000 was made by the Thomas Skelton Harrison Foundation toward the dissemination of the Report. Copies have been sent to City and State public officials, and to many community and neighborhood housing groups.

140,000 developmentally disabled persons are institutionalized in this country. The Law Center is a leading participant in a national effort to end the historical segregation of the disabled, by providing them with community level residences and skilled nursing care and therapy. Court orders in Pennsylvania, Connecticut and Oklahoma are leading to expanded community service systems to replace large institutions for the mentally disabled.

The State of Illinois is near the bottom (46th) in fiscal support for small family-scale residential programs. Moreover, the state has no major expansion plans. There are 12,000 persons currently under the care of the state, including 4,500 in state-operated facilities, 3,200 in nursing homes, and 2,000 in ICF/DD facilities.

At the invitation of the Illinois Association for Retarded Citizens, the Law Center in March 1988 filed a statewide class action lawsuit on behalf of the 3,200 disabled residents in nursing facilities. Our investigations revealed that the great majority of those nursing home residents do not have medical needs sufficient to warrant their nursing home placement. Most have severe retardation and require highly structured residential programs and intense support services.

The same harmful conditions which we have found in other state retardation institutions exist in Illinois nursing homes: dehumanizing and unsanitary physical environments, restraints, lack of therapy and behavioral programs, idleness and regression. Most Illinois nursing facilities make no pretense that any services are provided.

Since Illinois has one of the largest state programs for the mentally disabled, obtaining court orders there to move 12,000 persons to small-scale residences will strengthen the efforts of national coalitions to win federal enactments establishing the right of persons with developmental disabilities to live in the least restrictive environment.

A Report on Current Law Center Cases and Programs

The criterion for each case is that it must secure for clients real and effective services vital to the quality of their lives, not mere symbolic or procedural changes, and that the changes brought about must benefit significant numbers of people.

The Law Center's legal services include training in advocacy, technical assistance, negotiation with governmental bodies, and when necessary, litigation. Many of the matters undertaken with clients take years to bring to accomplishment. The Law Center's staying power has permitted it to bring cases which have lasted over 8 years.

The Disabilities Project mission: to move residents of remote institutions for the mentally disabled to small-scale community living arrangements; to improve the quality of education programs for mentally disabled children and improve the quality of vocational rehabilitation services and public transportation for all disabled persons; and to challenge efforts to weaken federal laws protecting handicapped persons' rights. Current cases:

- In April the U.S. Supreme Court left intact a lower court ruling that said that the City of Philadelphia must make the Columbia Avenue subway station at Temple University accessible to persons in wheelchairs. The Law Center's client, Disabled in Action of Pennsylvania, sued the City in 1986 when renovations requiring \$5.3 million in federal funds did not include elevators to allow mobility-impaired persons to reach the subway platforms. The apparent impact of the ruling is that all future station renovations must incorporate accessibility.
- In a related case, the U.S. Architectural and Transportation Barriers Compliance Board (ATBCB) in March found massive violations of the federal accessibility standards in connection with alterations and reconstruction previously completed at 19 stations on the Broad Street Subway and Market-Frankford Elevated. The rulings were made in response to a complaint filed by Disabled in Action in 1986, and will require that SEPTA install elevators or ramps at 13 of the 19 stations.
- When in 1986 the U.S. Department of Transportation (USDOT) issued revised regulations relaxing requirements for making public transportation systems accessible, a coalition of 12 national and regional disabilities organizations filed suit (*ADAPT v. U.S. Department of Transportation*), and won a ruling that new regulations must be drafted by USDOT, allowing each transportation system to determine whether to provide fully accessible transportation or comparable paratransit. The Law Center filed a brief in May calling for a requirement that all busses be made accessible.

- The Law Center is challenging an FBI rule prohibiting persons with diabetes from being special agents. A four-day trial was conducted before Federal Judge Van Artsdalen in March.

The Employment and Civil Rights Project addresses discriminatory practices in minority employment, housing and City management practices and policies. Current cases and actions:

- The Law Center is challenging the police department's policy of dismissals. The first case involved Marilyn Streeter, who was dismissed from the Police Academy for reasons unrelated to her ability to perform as a police officer. The City has filed a motion to dismiss the Law Center's federal lawsuit and in addition to responding to their motion, the Law Center has requested hearings on four other dismissals.
- The Law Center is representing 8 former employees and one present employee of SEPTA, who are complaining that they were disciplined, terminated, and offered promotions, transfers and attendant compensation by SEPTA on a basis different than white workers because of their race. Both racial discrimination and sexual harassment are alleged by the plaintiffs. Trial is expected to begin in the Fall.

The Environmental Project seeks to improve public health by reducing human exposure to carcinogenic and other toxic substances. We educate citizens about the dangers of toxic air pollution, assist them in negotiations with polluters, and represent them in legal actions. Some current cases are:

- T.R.A.S.H. is a coalition of Plymouth Township citizens opposed to the plans for construction of trash combustors in their township. The Law Center's Jerry Balter spent 15 days at a trial before the Environmental Hearing Board, representing the concerns of T.R.A.S.H. and seeking rejection of a license for the Dravo Corporation to build the combustors, until the operator applies the best available technology and restricts emissions to the same levels as Dravo plants now in operation in Maine and California.
- In April a federal appeals court upheld contempt citations against the City of Philadelphia for continued disregard of court orders barring the city from operating the Northeast Sewage Treatment Plant in violation of state Air Pollution Control regulations. The City must pay \$60,000 in fines. A study by an out-of-state engineering firm has recommended housekeeping and maintenance steps to eliminate the odors which have caused citizens complaints.

Non-Profit Org.
U.S. Postage
PAID
Permit 24
Phila., PA

Public Interest Law Center of Philadelphia
125 S. 9th Street
Philadelphia, PA 19107

Become a Law Center Contributor

We welcome your gift in support of the Law Center's operations. Please complete this form and mail it in. Your gift, added to those of many other friends, helps us to expand our work as counsel to community and neighborhood organizations protecting the rights of Philadelphia citizens.

I/we wish to make a gift to the Law Center, and enclose my check payable to PILCOP

in the amount of

\$

Please continue to send me the newsletters.

Name

Address

Board Sets Priorities for Expanded Law Center Program

"The Agenda for the Nineties" was the subject of lengthy discussion by 27 Law Center Board members and staff at an all-day meeting in April. Four initiatives were adopted, each embodying current and future programs, and each offering an action plan for the next three years:

Children of Poverty: Address the needs of Philadelphia's poor and disadvantaged children, with emphasis on access to services which foster achievement, including effective public education.

The Disabled and Elderly: Increase accessibility to public transportation; attack blanket ruling which foster discriminatory employment policies; continue efforts to close remote segregated institutions and move elderly and mentally disabled residents to small-scale homes; expand support for home services.

Health, Safety and Pollution: Empower citizens to enforce environmental laws by expanding their right to monitor polluting facilities; foster and support citizens' coalitions to increase the effectiveness of their advocacy for stricter enforcement of environmental regulations; win, as a corollary to the Right to Know, citizens' Right to Act.

Employment Skills and Opportunities: Improve job-readiness training, minority recruitment, vocational rehabilitation for disabled citizens; and eliminate in those programs vestiges of race, disability and gender discrimination.

In the coming year the Law Center will seek greater support from the private sector, including law firms, corporations, foundations and individuals. The "Agenda for the Nineties" will provide prospective donors with a focussed summary of Law Center initiatives. Board Chair Jeffrey Garson, in his remarks at the April meeting, observed: "Over the past 14 years the Law Center has brought great credit to the Philadelphia bar through the high quality of its legal programs assisting Philadelphia's most disadvantaged citizens. Now we are preparing to meet new challenges. The opportunities facing us, as we enter the Nineties, require an expanded staff, a Board with renewed commitment, and increased financial resources. We must define the challenges, and call upon both our Board and our community to support these new initiatives."

Board Elections

At the Annual Meeting of its Board of Directors, the Law Center elected 7 new directors and a new Vice Chair, and named a new member of its Executive Committee.

The newly elected directors are Mrs. Delores Brisbon, Acting Executive Director, Medical College of Pennsylvania; William Epstein, Assistant to the President, University of Pennsylvania; Richard C. Glazer, Cozen & O'Connor; Jeffrey W. Golan, Schnader, Harrison, Segal & Lewis; Peter A. McGrath, President, American Hydro Power Company; Joseph A. Tate, Schnader, Harr-

ison, Segal & Lewis; and Charles F. Thomson, Editorial Director, KYW-TV and News Radio.

Kyra A. Goidich, Associate Director, Center for Greater Philadelphia, was elected Vice Chair of the Board of Directors, and David T. Walker, Senior Vice President and General Counsel, First Pennsylvania Bank, was elected to the Law Center's Executive Committee. Re-elected as Board Chair and Vice Chair were W. Jeffrey Garson, Saul, Ewing, Remick & Saul, and Barry F. Schwartz, Wolf, Block, Schorr & Solis-Cohen, respectively.