

Sargent Shriver National Center on Poverty Law
Final Report to Barbara McDowell and Gerald S. Hartman Foundation
July 2017

The Sargent Shriver National Center on Poverty Law (Shriver Center) is very grateful to the Barbara McDowell and Gerald S. Hartman Foundation for its support of the *Paul Lambert et al., v. Alexander County Housing Authority, et al.* litigation. **The litigation was formally settled in June 2017 and includes a confidentiality clause where the settlement terms cannot be shared with members of the media or posted on the internet. The parties can release information to foundations, among others, for purposes of information sharing.**

Background

The Shriver Center, along with co-counsel Hughes Socol Piers Resnick Dym, Ltd., filed a class action lawsuit in the late spring of 2016 in federal court against the Alexander County Housing Authority (ACHA) in Illinois. The lawsuit, *Paul Lambert et al., v. Alexander County Housing Authority, et al.*, contended that the ACHA intentionally segregated its public housing by race and failed to maintain the predominantly African-American developments over the last decade, violating the Fair Housing Act, 42 U.S.C. § 3604, Title VI of the Civil Rights Act of 1964, and the Illinois Civil Rights Act of 2003. The plaintiffs also alleged violations of the residential lease and the commission of certain torts.

Specifically, the lawsuit asserted that the ACHA engaged in the practice of offering only two housing developments to African-American families, whereas white families were offered housing in other developments. Further, the plaintiffs alleged that certain developments were illegally designated as “senior housing” to keep out African-American families. Finally, the case claimed that the two developments occupied by African-American tenants were deprived of critical upkeep, maintenance, and security measures, leading to serious health, safety, and environmental hazards for their residents and that, in contrast, the ACHA regularly provided resources toward maintenance and security measures at the predominantly white public housing developments.

The goals of the litigation were to obtain fair and equal living conditions for all individuals residing in public housing under the ACHA and to remedy the segregation and discrimination it has practiced to date.

Litigation Update

Thanks to grant support from the Barbara McDowell and Gerald S. Hartman Foundation and the Impact Fund, the Shriver Center retained two experts for the case: a disparate impact expert and an expert on housing conditions and the physical harm it poses for the residents. The housing conditions expert identified the presence of lead-based paint and open and exposed asbestos. The U.S. Department of Housing and Urban Development (HUD) later confirmed these findings and separately identified the presence of lead in the water due to antiquated pipes. These findings were crucial to moving the parties toward settlement. Grant funds also supported the significant staff time and travel expenses related to the litigation, including preparing for and defending more than 30 depositions.

Due to the continued deteriorating condition of the residential units and the findings of lead and asbestos, the Shriver Center engaged U.S. Senator Dick Durbin and HUD for more immediate relief on future housing for residents. This case provides a model for advocacy in various ways, including creating a template for legal aid offices to systemically challenge discriminatory housing practices that trigger horrible housing conditions.

The Shriver Center is very grateful to the Barbara McDowell and Gerald S. Hartman Foundation for its support of this litigation. Shriver Center staff would be happy to provide a financial report on the use of grant funds and to discuss the case in greater detail with the foundation or others in the legal aid community for the purpose of information sharing.

Attorney Contact Information:

Kate Walz, Director of Housing Justice
katewalz@povertylaw.org
(312) 368-2679