

HOUSING DISCRIMINATION COMPLAINT

Case Number:

1. Complainants:

The Hill District Consensus Group
1835 Centre Ave.
Pittsburgh, PA 15219

Representing Complainant:
Donald Driscoll
Kevin Quisenberry
The Community Justice Project
429 Forbes Ave. Suite 800
Pittsburgh, PA 15219

2. Other Aggrieved Parties:

To be determined.

3. The following is alleged to have occurred or is about to occur:

Otherwise deny or make housing unavailable
Failure to Affirmatively Further Fair Housing

4. The alleged violation occurred because of:

Race (Black/African American)

5. Address and location of the property in question (or if no property is involved, the city and state where the discrimination occurred):

The area immediately north of 1001 Fifth Ave, Pittsburgh, PA 15219

6. Respondents:

The City of Pittsburgh
c/o The Honorable William Peduto, Mayor
512 City-County Bldg.
414 Grant Street
Pittsburgh, PA 15219

City of Pittsburgh Planning Commission
c/o Christine Mondor, Chairwoman

200 Ross Street, 4th Floor
Pittsburgh, PA 15219

The Pittsburgh Urban Redevelopment Authority
c/o Robert Rubenstein, Acting Executive Director
200 Ross Street
Pittsburgh, PA 15219

The Sports and Entertainment Authority of Pittsburgh and Allegheny County
c/o Mary Conturo, Executive Director
171 10th Street, 2nd Floor
Pittsburgh, PA 15222

7. The following is a brief and concise statement of the facts regarding the alleged violation:

Complainant, Hill District Consensus Group (HDCG), which is a membership organization consisting largely of low income African American residents of Pittsburgh's Hill District with a mission to advance racial and economic justice, including access to affordable housing, in the Hill District, alleges that Respondents City of Pittsburgh, City of Pittsburgh Planning Commission (CPC), Pittsburgh Urban Redevelopment Authority (URA), and Sports and Entertainment Authority of Pittsburgh and Allegheny County (SEA) are denying housing to the Hill District's African-American residents and other African American residents in the City of Pittsburgh on the basis of their race by failing to provide low income housing in the redevelopment of the Lower Hill. The Complainant alleges that the Respondents' action frustrated their mission of advancing racial equality in housing.

Complainant alleges the Sports and Entertainment Authority and Urban Redevelopment Authority own the land that the Pittsburgh Civic Arena (Mellon Arena) once occupied (subject property).

Sec. 804. [42 U.S.C. 3604] Making Housing Unavailable

Complainant alleges that from 2008 through 2011, the Respondents participated in the development and approval of a Hill District Master Plan, which contained requirements for the inclusion, to the greatest extent feasible, of at least 30% of units available to very low income households (below 50% AMI) and, to the greatest extent feasible, at least 50% available to extremely low income households (below 30% AMI) if public funding is used.

Complainant alleges that throughout this time it and other community organizations advocated substantially in order to inform the City, its entities, and the Pittsburgh Arena Real Estate Development LP of the importance of the availability of low-income housing in providing African-American residents an opportunity to live in this future community.

Complainant alleges that according to the 2014 American Community Survey, the median household income of African Americans in the City of Pittsburgh is less than 50% of the median household income of White residents in both the City and all of Allegheny County (median incomes less by 56% and 53% respectively).

Complainant alleges that despite the specifications of the Hill District Master Plan, and with the knowledge that fewer affordable housing units, and a lack of housing units affordable to very low and extremely low income households, would exclude housing opportunities for African-Americans, the Pittsburgh Planning Commission provided conditional approval on December 2, 2014 of the Pittsburgh Arena Real Estate Development LP's development plan, which provides substantially less affordable housing than contemplated by the agreement and fails to provide a single housing unit that would be affordable to very low or extremely low income households.

Complainant alleges that the Pittsburgh Planning Commission's decision, and the City's oversight, compliance, and participation in this process, to circumvent its previously agreed to plan and City Zoning Code, which requires that developments comply with City plans and policy documents to obtain approval, the Pittsburgh Planning Commission was made aware and had knowledge that such a decision would deprive African-Americans of housing opportunities.

Additionally, Complainant alleges that, as owners of the subject property, the Urban Redevelopment Authority and Sports and Entertainment's decision to allow Pittsburgh Arena Real Estate Development LP to move forward on a plan with less affordable housing units than the approved Hill District Master Plan were made aware and had knowledge that less affordable housing will result in fewer housing opportunities for African-American residents.

Complainant also alleges that regardless of the intent of the aforementioned entities, their decisions to approve, support, and participate in the development of the subject property under Pittsburgh Arena Real Estate Development LP's December 2014 conditionally approved plan has a disparate impact with respect to denying housing opportunities in that community for the African-American residents of the city. Complainant alleges that according to census and HUD data, it is greater than five times as likely that very low income families in the Pittsburgh Metropolitan area are African American, and therefore, the lack of affordable housing for very low income city residents will disproportionality limit African American housing opportunities in the subject property.

Finally, Complainant alleges that the City of Pittsburgh and Urban Redevelopment Authority, as recipients and sub-recipients of Community Development Block Grant funding have, in their oversight, approval, support, ownership, and participation in the development process at the subject property, failed to affirmatively further fair housing in violation of the Fair Housing Act, and discriminated on the basis of race in violation of Title VI of the Civil Rights Act of 1964 and Section 109 of the Housing and Community

Development Act of 1973.

8. The most recent date on which the alleged discrimination occurred:

December 2, 2014, and is continuing.

9. Types of Federal Funding Identified:

Community Development Block Grant

HOME and Transportation Investment Generating Economic Activity Funds

10. The acts alleged in this complaint, if proven, may constitute a violation of the following sections:

804(a) and 808 of Title VIII of the Civil Rights Act of 1968 as amended by the Fair Housing Amendments Act of 1988.

Title VI of the Civil Rights Act of 1964.

Section 109 of the Housing and Community Development Act of 1974.

Please sign and date this form:

I declare under penalty of perjury that I have read this complaint (including any attachments) and that it is true and correct.

Pauline P.

2.26.2016

_____ on behalf of HDCG Date

NOTE: HUD WILL FURNISH A COPY OF THIS COMPLAINT TO THE PERSON OR ORGANIZATION AGAINST WHOM IT IS FILED.