

**HOUSING LAW SYLLABUS**  
**THURSDAY 1:30-3:20 PM**

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**Overview:**

This 2 credit class focuses on housing law and policy. We will cover many but not all the topics that could be covered in such a class. Our focus is largely on federal housing policies and on market forces. Topics covered include: the housing crisis, housing finance, the role of housing in the national economy, tax benefits of homeownership, the Low Income Housing Tax Credit, public housing, suburbanization, gentrification, the Fair Housing Act, homelessness, evictions, tenant rights, inclusionary zoning, and housing vouchers. Select guest speakers will highlight important matters in the practice of housing law.

**Expectations:**

The expectation is that you will come to class on time, prepared to discuss the readings and prepared to participate actively and respectfully in discussions. You are also expected to check MyWCL for course related announcements. You can expect that I will do my best to answer any questions you have during class or in the subsequent class.

In order to ensure an engaged classroom dynamic, you must come to class prepared throughout the semester. Most days the reading load is very manageable, though there are two weeks in which we will be covering important recent books. Although there can be limited exceptions, in general I do not record classes and I do not permit unauthorized recording of the class. I reserve the right to bump up or down final grades that are bordering between two grades for classroom participation and involvement, for example a borderline B+/A- can become an A- based on strong classroom participation and involvement. Finally, attendance will be taken and students who miss too many classes will be asked to withdraw.

**Learning Outcomes:**

- Students will learn about the major changes in U.S. housing policy.
- Students will demonstrate an ability to produce an original, high quality research paper.
- Students will demonstrate an ability to give constructive feedback on the work of their peers.
- Students will engage in critical analysis of the relationship between housing law and policy and issues of race, poverty, and economic development.

## **Assignments and Grading:**

Your final grade will be based primarily on a research paper on a topic of your choosing. The topic must be approved in advance by your professor. Papers must be well written, well edited, with all authorities properly cited using footnotes, not endnotes. They should be roughly 25-35 pages long, double spaced, Times New Roman 12 font. It is anticipated that most papers, if done properly, will satisfy the ULWR (which is based on a 7000 word count, excluding footnotes, minimum standard). A rough draft of the final paper, to be shared with two classmates, is due on at the end of Spring Break and the final paper is due by 5:00 pm on May 10, 2017. Please include a word count at the end of your paper.

## **READINGS**

The required books are:

ALEX F. SCHWARTZ, HOUSING POLICY IN THE UNITED STATES (3rd ed. 2014).

RICHARD ROTHSTEIN, THE COLOR OF LAW: A FORGOTTEN HISTORY OF HOW OUR GOVERNMENT SEGREGATED AMERICA (2017).

MATTHEW DESMOND, EVICTED (2016).

This syllabus includes required readings and a list of supplemental readings for those interested in going deeper into any of the topics will be posted to MyWCL but you are not responsible for supplemental readings.

## **REQUIRED READINGS**

### **Jan. 11: Housing Overview**

ALEX F. SCHWARTZ, HOUSING POLICY IN THE UNITED STATES Ch. 1 & Ch. 2.

### **Jan. 18: Housing Finance and the Housing Crisis**

ALEX F. SCHWARTZ, HOUSING POLICY IN THE UNITED STATES Ch. 3 & Ch. 13.

### **Jan. 25: Race and Housing Development**

RICHARD ROTHSTEIN, THE COLOR OF LAW: A FORGOTTEN HISTORY OF HOW OUR GOVERNMENT SEGREGATED AMERICA (2017).

### **Feb. 1: Outward Development -- Suburbanization**

ALEX F. SCHWARTZ, HOUSING POLICY IN THE UNITED STATES Ch. 4.

Congressional Budget Office, *An Overview of Federal Support for Housing*, Econ. & Budget Issue Brief, Nov. 3, 2009,  
<http://www.cbo.gov/sites/default/files/cbofiles/ftpdocs/105xx/doc10525/11-03-housingprograms.pdf>.

Jon Gertner, *Chasing Ground*, New York Times Magazine, Oct. 16, 2005,  
<http://www.nytimes.com/2005/10/16/magazine/16brothers.html>.

### **Feb 8: Fair Housing**

Required:

ALEX F. SCHWARTZ, HOUSING POLICY IN THE UNITED STATES Ch. 11.

Ovetta Wiggins, Carol Morello & Dan Keating, *Prince George's County: Growing, and Growing More Segregated, Census Shows*, Washington Post, Oct. 30, 2011,  
[http://www.washingtonpost.com/local/prince-georges-county-growing-and-growing-more-segregated-census-shows/2011/10/14/gIQAAbCc1TM\\_story.html](http://www.washingtonpost.com/local/prince-georges-county-growing-and-growing-more-segregated-census-shows/2011/10/14/gIQAAbCc1TM_story.html).

### **Feb 15: Public Housing and Hope VI**

ALEX F. SCHWARTZ, HOUSING POLICY IN THE UNITED STATES Ch. 6.

### **Feb 22: Inclusionary Zoning**

ALEX F. SCHWARTZ, HOUSING POLICY IN THE UNITED STATES pp. 283-291 & Ch. 14

Andrew Rice, *The Suburban Solution*, New York Times Magazine, Mar. 5, 2005,  
[http://www.nytimes.com/2006/03/05/magazine/305affordable\\_rice.1.html](http://www.nytimes.com/2006/03/05/magazine/305affordable_rice.1.html).

Douglas Massey, *Lessons from Suburbia*, Pathways, Spring 2013,  
[http://www.stanford.edu/group/scspi/\\_media/pdf/pathways/spring\\_2013/Pathways\\_Spring\\_2013\\_Massey.pdf](http://www.stanford.edu/group/scspi/_media/pdf/pathways/spring_2013/Pathways_Spring_2013_Massey.pdf).

### **Mar. 1: Initial Thoughts on Research and Community Profile**

No readings but must present an overview of a selected community in the D.C. area. The overview involves a brief ten minute maximum presentation on your selected community, including the nature of housing in the area, major demographic and economic drivers, and the future direction of the community. We will also discuss your research paper and the choices you are making in your work. These presentations are likely to continue into future classes.

## **Mar. 8: Inward Development – Gentrification and Racial Geography**

Garance Franke-Ruta, *The Politics of the Urban Comeback: Gentrification and Culture in D.C.*, The Atlantic, Aug. 10, 2012, <http://www.theatlantic.com/politics/archive/2012/08/the-politics-of-the-urban-comeback-gentrification-and-culture-in-dc/260741/>.

Sabrina Tavernise, *A Population Changes, Uneasily*, N.Y. Times, July 17, 2011, <http://www.nytimes.com/2011/07/18/us/18dc.html>.

Kim Mai-Cutler, *How Burrowing Owls Lead To Vomiting Anarchists (Or SF's Housing Crisis Explained)*, TECH CRUNCH, Apr. 14, 2014, <https://techcrunch.com/2014/04/14/sf-housing/>

Conor Dougherty, *In Cramped and Costly Bay Area, Cries to Build, Baby, Build*, N.Y. Times, Apr. 16, 2016, <http://www.nytimes.com/2016/04/17/business/economy/san-francisco-housing-tech-boom-sf-barf.html>.

## **Mar. 22: Vouchers**

ALEX F. SCHWARTZ, HOUSING POLICY IN THE UNITED STATES Ch. 8.

Robert C. Ellickson, *The False Promise of the Mixed-Income Housing Project*, 57 UCLA L. Rev. 983 (2010), <http://uclalawreview.org/pdf/57-4-3.pdf>.

Hanna Rosen, *American Murder Mystery*, The Atlantic, Jul. 1, 2008, [http://www.theatlantic.com/magazine/archive/2008/07/american-murder-mystery/306872/?single\\_page=true](http://www.theatlantic.com/magazine/archive/2008/07/american-murder-mystery/306872/?single_page=true).

## **Mar. 29: LIHTC & Preserving Affordable Housing**

ALEX F. SCHWARTZ, HOUSING POLICY IN THE UNITED STATES Ch. 5 & Ch. 7.

## **Apr. 5: Homelessness and Rights of Tenants**

Washington Legal Clinic for the Homeless, *Homelessness and Poverty Fact Sheet*, Oct. 2016.

Andrea Elliot, *Invisible Child*, New York Times, Dec. 2013, <http://nytimes.com/invisiblechild>.

Barbara Bezdek, *Silence in the Court: Participation and Subordination of Poor Tenants' Voices in Legal Process*, 20 HOFSTRA L. REV. 533 (1992).

## **Apr. 12: Evictions**

MATTHEW DESMOND, *EVICTED* (2016)

Terrence McCoy, *As the Nation's Capital Booms, Poor Tenants Face Eviction Over as Little as \$25*, WASH. POST, Aug. 8, 2016,  
<http://www.washingtonpost.com/sf/local/wp/2016/08/08/2016/08/08/as-the-nations-capital-booms-poor-tenants-face-eviction-over-as-little-as-25/>.

**Apr. 19: Future Directions**

ALEX F. SCHWARTZ, HOUSING POLICY IN THE UNITED STATES Ch. 14.

WHITE HOUSE, HOUSING DEVELOPMENT TOOLKIT (Sept. 2016),  
[https://www.whitehouse.gov/sites/whitehouse.gov/files/images/Housing\\_Development\\_Toolkit%20f.2.pdf](https://www.whitehouse.gov/sites/whitehouse.gov/files/images/Housing_Development_Toolkit%20f.2.pdf)

**Apr. 24: Research Presentations & Catch-Up on Past Weeks**

No reading.

**END**