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Suburban Housing Inspectors Crack Down on Latinos

Cover Page Footnote
This article is from an earlier iteration of Diálogo which had the subtitle "A Bilingual Journal." The publication is now titled "Diálogo: An Interdisciplinary Studies Journal."

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Aniceto de la Paz lives alone, not by choice, but because his family is too large.

In 1993, after 22 years in northwest suburban Elgin, de la Paz bought his first home, a white, two-story wood frame house on the city's east side. Four months later, building inspectors cited the 51-year-old laborer for violating the city's overcrowding ordinance.

Unable to comply and faced with mounting expenses, de la Paz said he had no choice but to send his wife and six children to a home he owned in Otlatepec, Mexico.

"This house is 70 years old," said an angry de la Paz.

"Why did all these defects surface when a Latino bought this house? Why didn't they see them before?"

Latino groups charge that local officials are using building, occupancy and zoning laws to intimidate Hispanics, many of whom, like de la Paz, are first-time home buyers.

"They're inheriting the problems that the previous owners had, who were never harassed," said Jane Barbosa of the Elgin Hispanic Network, an advocacy group.

Elgin officials say they are enforcing laws that are crucial to maintaining home values and ensuring public safety.

"We are committed to revitalization and gentrification in our neighborhoods," said Elgin Mayor Kevin Kelly.

"If it's a property that needs work, then we're going to enforce the codes regardless of who owns the property."

Hispanics may get more citations because they are buying homes in older parts of town, Kelly said.

The Chicago Reporter analyzed thousands of building code violations, tracked court cases and interviewed dozens of homeowners in six suburbs where the Latino population doubled in the 1980s: Addison, Cicero, Elgin, Franklin Park, Melrose Park and Northlake.

In Elgin, city officials issued a housing citation for every 35 housing units in majority Latino neighborhoods, compared to one violation for every 59 units in white areas, the Reporter found. Elgin is 19 percent Hispanic.

In Melrose Park, where Hispanics are 30 percent of the population, residents with Latino surnames have received 55 percent of the citations for overcrowded housing and illegal apartments since 1992, the analysis shows.

The pattern has not gone unnoticed by the U.S. Department of Justice. In 1993, federal officials sued the Town of Cicero, charging that its occupancy ordinance was discriminatory. And in July, the department challenged the Village of Addison over a redevelopment plan that displaced hundreds of Latino families.

"We have seen a substantial increase in Hispanic complaints and about 45 percent of those come from the suburbs," said Edward Voci, general counsel for the Leadership Council on Metropolitan Open Communities, a housing advocacy group. The Leadership Council is currently involved in the suit against Addison.

But the government also has turned down cases in Northlake and Franklin Park, despite evidence of discrimination uncovered by the U.S. Department of Housing and Urban Development, the Reporter found.

Beyond the cries of racism and the defense of community standards is a perplexing problem: how to bridge the cultural gap between established white residents and their new Latino neighbors.

"When you have a standard of a quiet little neighborhood block where everybody folds up the sidewalk at 10 o'clock and goes to bed, and now in comes a culture that likes to play guitars until midnight and have a beer on the porch... there are complaints," said Joel Webb, Elgin's former code administration director. "It's not that one is right and one is wrong. It's a coming together of two different ways of living."

Code Enforcement

On a Monday morning last summer, homeowners filed into Elgin's housing court and slid into the wooden pews. Many were Mexican Americans, who kept the court-appointed translator busy.

Some of the homeowners faced simple tasks, such as fixing broken windows or removing unsightly garbage from their yards. Others, like de la Paz, have been ordered to relieve overcrowded housing and illegal apartments.

Latinos are hit hardest by occupancy infractions, according to the Reporter's analysis of more than 8,800 citations issued since 1992.

Elgin is divided into 79 inspection districts, and Latinos are a majority
in six. Those districts comprise 8.6 percent of Elgin's housing units, but they received 13.1 percent of all housing code violations and 15 percent of the citations for overcrowding and illegal apartments.

Majority white districts account for 79 percent of all housing units but received 70 percent of the violations and 62.5 percent of the occupancy citations. Officials deny they are engaged in selective enforcement. "We are not interested in harassing people or nitpicking them, but at the same time there are codes that have to be enforced," said Clay Pearson, Elgin's code administration director.

Many towns follow standard occupancy limits set by Building Officials & Code Administrator International Inc., an industry group. Under those limits, for example, two people must have a living area that is at least 250 square feet.

Officials acknowledge they stepped up inspections in 1992 after pressure from neighborhood groups, such as Clean Up and Restore Elgin.

"We want to improve the quality of life," said CURE President Greg Guerrero. "We're not a Gestapo organization.

Guerrero, who is Latino, said Hispanics need to educate themselves about city codes. "We've got to lift ourselves by our own bootstraps," he said.

That's what de la Paz said he was doing when he bought the house. But on July 1, 1993, Elgin inspectors told him he had exceeded the occupancy limit by three people. De la Paz, his wife and their six children lived downstairs in an 870-square foot apartment. His oldest, Juan, lived upstairs in a 505-square foot apartment with his wife and four children.

Faced with a mortgage on the house and $5,000 in repairs, de la Paz said it was cheaper to send his family back to relatives in Mexico than to rent an apartment for them in Elgin. He has since moved in with a niece and rented out his Elgin house.

Elgin gave de la Paz 30 days to comply with the ordinance, enough time to find a new home, Mayor Kelly said. "They would need to find living arrangements in the same way they found the place they were living that was overcrowded," Kelly said. "If you can find one place to live, you can find another.

Summer Kitchens

In the days before air conditioning, many Italian Americans built second kitchens in their basements for cooking and canning, leaving the upstairs cool and comfortable.

Many of those summer kitchens still can be found in Melrose Park. But when Latinos moved into the area, they turned the kitchens into separate apartments, village officials say.

In recent years, the village has hired inspectors to enforce its codes, said Building Commissioner Constantine Stamatakos. "We have single homes and some people will buy a home and then start putting people in the basement and the second floor and whatnot," he said.

Latinos, who make up 30 percent of the village's residents, received about one-third of the building code violations, according to the Reporter's analysis of 1,491 citations since 1992.

But 45 percent of the Latino violations are for overcrowded conditions and illegal apartments, compared to just 18 percent for white homeowners.

"I know they have caught a lot of Latinos who have been renting out the basement... and I understand that it is illegal," said Carmen Arevalos, treasurer of Latinos Unidos con Voz, a Melrose Park group. "From what the people tell me is that they enforce it more with the Latinos because they see a lot of overcrowding.

Nearly one-third of Latinos in Melrose Park live in overcrowded conditions, which the U.S. Census Bureau defines as anything more than one person per room. Less than 2 percent of the town's white residents live in such conditions.

Anriana Garza said her husband often works in the basement of their home at 1112 N. 23rd Ave. "Somebody called and said there was a light on in the basement and we got an inspection," she said. She did not receive a citation.

Mayor C. August Taddeo insists that all homeowners are treated the same, and Latino activists credit him for meeting with them regularly and listening to their complaints.

"We know we have a long way to go because we've just started talking, but he has been helping," Arevalos said.

Turned Down

In 1993, federal officials sued Cicero, the first time a government had challenged a town's occupancy law for discriminating on the basis of national origin. In July, the Justice Department also filed suit against Addison, charging that a village plan to bulldoze two predominantly Latino apartment complexes was discriminatory.

But the department has not taken similar action as a result of HUD investigations of Franklin Park and Northlake. In August 1992, Franklin Park building officials and police inspected Villa Alegre, a neighborhood of apartments west of Mannheim Road and home to 58 percent of the village's Latino population.

"The inspectors told everyone that we had to move," said Wanda Guerra, a resident. "They didn't tell us why they were inspecting. They said,"Oh, you have too many people.

"One inspector told me that they wanted all the Mexicans out of here. That it's a bad neighborhood. That it's bad for Franklin Park," she said.

After the incident, Guerra and nine other families filed a joint discrimination complaint with HUD. The agency responded by analyzing 2,688 property inspections between 1989 and 1992. Twenty-eight per-
percent of the inspections were conducted in Villa Alegre.

Of the 44 inspections for overcrowding, 43 were in Villa Alegre, 37 between May 1992 and November 1992, HUD found.

When presented with HUD's analysis, Justice Department officials said they carefully reviewed the case and decided not to take further action.

But HUD's inspection file, obtained by the Reporter, offers more than statistics. Christina Drouet, who was Franklin Park's acting public works commissioner in 1992, told HUD that Villa Alegre had been targeted because it was predominantly Hispanic, the file shows.

Drouet said the inspection was driven by politics after the neighborhood had been neglected by the city for years.

"The crime is that it took that long for something to happen and that so many people were living in such poor conditions," Drouet told the Reporter. She resigned in 1993 and now works for the Federal Aviation Administration.

Trustee Daniel Pritchett, a rival of Mayor Jack B. Williams, wanted to see the area "cleaned up," and pushed for stricter enforcement, Drouet told HUD.

"Our program is being implemented in all four corners of the village and I can swear to that," Pritchett said.

And Williams said, "I certainly abhor any use of a law against a particular group. That is not my policy."

The HUD file also reveals that on May 13, 1992, village officials took Blue Island City Clerk Pam Frasor and Building Commissioner John DeRango on a tour of Franklin Park, including Villa Alegre. Blue Island is 25 percent Latino and 44 percent black.

"It was raised that, well... Blue Island's is with blacks and our is with Hispanics," Drouet said.

Two days later, Franklin Park began inspecting Villa Alegre.

Frasor said race was never discussed. Franklin Park wanted to "compare notes and see if there was anything we were doing that could help them with some apartments they were having that were going slammed real quick."

**Keep Out**

In July, Franklin Park homeowner Bonnie Gottfried filed a complaint with HUD about a new village ordinance that regulates the sale of homes with additional living spaces, sometimes called "mother-in-law" apartments.

When Gottfried, who is white, wanted to sell her house last February, village inspectors ordered her to remove two walls and an extra kitchen in the basement.

The changes would have cost Gottfried as much as $10,000 and would lower the value of her home between $10,000 and $15,000, she said. HUD is investigating her complaint.

"They're not willing to let us sell our home the same way we bought it five years ago," Gottfried.

"We've had comments made to us by different [village officials] saying the reason why they put this code in is to keep out the Mexican population," Gottfried said.

Pritchett dismissed the charges. "Where are we keeping anybody out?" he asked. "I don't follow this at all. The town is open to anybody that can afford it and lives legally here," he said.

Former Northlake resident Sonia Paz can relate to Gottfried's plight.

In 1992, Paz was cited for having a multiple-family unit in a single-family zone and ordered to evict her tenants. Paz said she purchased the property in 1989 with the idea of renting out the second floor, just as the white owners had before her.

She filed a housing discrimination complaint with HUD in October 1992.

HUD investigators found Paz's name on a utility list compiled by the city. Northlake officials, who said they were looking for unauthorized water meters but never found any, highlighted 23 names on the list and picked 16 for inspection.

Eleven of the 16 had Latino surnames, and 10 of the 11 Latinos were cited for code violations, including Paz. Only one non-Latino was cited, the HUD file shows.

Paz converted her two-flat to a single-family home and moved to Pembroke Pines, Fla. She now rents the Northlake home to a white family.

Mayor Reid M. Paxson did not return numerous telephone calls.

In May, the Justice Department announced it would not file suit.

**Family Values**

Municipal housing codes are used to make minorities feel different from white Americans, said Ellen J. Pader, a Rockefeller Fellow in Legal Humanities at Stanford University, who has studied living arrangements in the United States and Mexico.

"You make them 'the other,' " she said. "And you use yourself as the benchmark of what is right and appropriate, be it good taste or morals or whatever."

It is that sense of "other" that creates friction between neighbors and leads them to report on one another.

Local officials have legal right to enforce their codes, they also should consider cultural differences, said Aurie Pennick, president of the Leadership Council.

"It is probably true that Hispanic families are larger than the traditional families that have been in those areas," Pennick said. But, she added, "the codes themselves are not sensitive to different cultures and different populations."

Interns Manuel Herrera, Lori Lessner, Natalie Moore, Natalie Taylor and Brian Rogal helped research this article.

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