

McKinstry: White House hurting the poor

May 3, 2012 by GERALD MCKINSTRY



When former Westchester County Executive Andrew Spano agreed to the now-famous housing settlement with [President Barack Obama's](#) administration in 2009, he figured it would be an easy sell.

Build affordable housing. Use county money to do it. Do it quickly.

After all, it was only 750 units over seven years and Westchester had been a leader in providing such housing, the [Democrat](#) figured.

"We already had \$50 million set aside for housing," Spano told me earlier this week. "Once we agreed, the thing was to do it as fast as possible . . . This is a minuscule problem, building this housing."

Settling was far better than going to court, possibly losing, and paying hundreds of millions in fines. Spend it on housing, not lawyers. It was sound logic.

So he thought.

But now it's up to County Executive [Rob Astorino](#) -- a [Republican](#) who was fundamentally against the deal, ran on the issue as part of a broader tax platform, and soundly beat Spano -- to implement. It's part of *his* legacy.

[Astorino](#) says he'll abide by the terms, which dictate that Westchester spend \$51.6 million to help build the units across 31 of the county's more affluent and white communities

such as Bedford, Bronxville, Larchmont and Armonk.

When the settlement was announced, it was said to be historic, part of a national vision -- a new model of inclusion. The lesson was, if a community accepts money from the U.S. Department of Housing and Urban Development to build affordable housing -- Westchester had accepted tens of millions from HUD over the years -- it must deliver on that promise.

So it's ironic that, now that Westchester is building affordable housing -- it is in fact well ahead of the settlement-determined schedule -- HUD is penalizing the county. Notably, by withholding federal funding.

HUD has withheld a second year of community development block grant money: \$12 million for 2011 and 2012, because of an ongoing legal stalemate.

The withheld money is for affordable housing, new sidewalks, and nonprofits like A-Home (\$30,000), Westchester Residential Opportunities (\$145,000) and the Housing Action Council (\$120,000) that are working with the county to meet its obligations under the settlement.

It's also money for homelessness prevention, scholarships for disadvantaged youth, summer evening programs for teens and a medical van for seniors. It affects communities that aren't even part of the settlement.

HUD is using the money as leverage while it battles [Astorino's](#) administration in court over zoning issues the federal government views as prohibiting progress, as well as an income discrimination law the county executive vetoed. While a lower court sided with

Astorino on the veto, the U.S. State District Court on Thursday ruled that he had to promote the legislation. (He plans to appeal.)

So as the legal fight continues and buildings go up, HUD is hanging on to the very funds it provides to help communities.

Even though HUD has a right to hang onto to the funds they should cut a check.

If this historic decree is about removing housing barriers and creating opportunities, the dollars would go a long way toward meeting that end, regardless of the ongoing legal wrangling. And withholding funds hurts already diverse communities that are not part of the settlement like Peekskill, Greenburgh, [Mount Kisco](#), Ossining and Mamaroneck that are having block grants stripped away.

A huge challenge going forward is explaining to communities exactly what this means to them and dispelling misconceptions, said Geoffrey Anderson, executive director of Westchester Residential

Opportunities, which is charged with doing that. The big problem: HUD dollars haven't come through and we're three years into the seven year deal.

Last year, Anderson's organization was able to secure funds from private donors and foundations. This year, Anderson isn't so sure that'll happen.

Astorino once said he figured the housing would be built long before the paperwork and legal matters were sorted out. He might be right. And that's too bad, especially since this is supposed to be the national model.

Like Astorino, Spano said he didn't think the county did anything wrong: The whole case was based on a technicality, he said.

"The arrangement we got was OK," Spano said. "\$50 million and 750 units."

If only it were that simple.

Gerald McKinstry is a member of the Newsday editorial board.