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KANSAS CITY, MISSOURI'S MUNICIPAL IMPACT ON HOUSING  
SEGREGATION

A Thesis Submitted to the Graduate School  
in Partial Fulfillment of the Requirements  
for the Degree of  
Master of Arts

Robert Neil Cooper

Pittsburg State University

Pittsburg, Kansas

May, 2016

KANSAS CITY, MISSOURI'S MUNICIPAL IMPACT ON HOUSING  
SEGREGATION

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# KANSAS CITY, MISSOURI'S MUNICIPAL IMPACT ON HOUSING SEGREGATION

An Abstract of the Thesis by:  
Robert Neil Cooper

Throughout Kansas City Missouri's history, the parks and boulevards system, restrictive covenants, real estate and lending practices, urban redevelopment, public housing, and racial steering have contributed to the establishment and continuance of housing segregation. Although historians have studied these main types of housing segregation and the federal government's actions thoroughly, little work exists to show how Kansas City, Missouri's municipal government has influenced housing segregation. By examining Kansas City's municipal response to the aforementioned types of segregation, it is clear that city officials have taken steps to both aid and discourage segregationist housing practices. Although municipal agencies, like the Commission on Human Relations, have discouraged segregation through their support of FOCUS and educational programs, other agencies, such as the City Plan Commission, have encouraged it through urban renewal and public housing policies. Kansas City's municipal response to segregated housing demonstrates that municipal agencies have contributed to the continuation of housing segregation by displacing residents through urban renewal projects and by fostering racial stereotypes. In addition, Kansas City's municipal government has allowed private segregationist efforts to persist through the reactive nature of its discriminatory law and human rights agencies.

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## CHAPTER I

### INTRODUCTION

Residential housing segregation has been a central issue within Kansas City since the onset of the twentieth century. The increase of white suburbanization has left both city cores with disproportionate numbers of black residents while suburban communities have remained primarily white throughout their history. Although affecting Kansas City, Kansas and Kansas City, Missouri, the primary focus of this study centers on Kansas City, Missouri's political structure, which held considerably more control over the implementation of urban and suburban politics because of its annexation efforts and home rule charter. In addition, Kansas City, Missouri has remained more residential and retains a larger political and tax structure than Kansas City, Kansas.

Adna Weber's *The Growth of Cities in the Nineteenth Century a Study in Statistics* (1899) was among the first works to examine American suburbanization. However, scholars did not begin to explore how suburban growth affected racial concentration within metropolitan areas until the emergence of the civil rights movement in the 1950s. Charles Abram's *Forbidden Neighbors* (1955) comprehensively studied the role of realtors, homeowner's associations, and federal policies in the creation of segregated housing, arguing that FHA policy drove white suburbanization and that public



housing represents segregation, not social reform.<sup>1</sup> Scholarship in the 1960s and 1970s expanded upon Abram's work by arguing that additional factors led to suburbanization, yet these works all suggested that federal policy supported segregation in public housing.

Views on the racial impact of public housing did not change until the 1980s. Historian Kevin Gotham argues that Heywood Sanders' *Urban Renewal and the Revitalized City* (1980), Arnold Hirsh's *Making the Second Ghetto* (1983), and Nancy Kleniewski's *From Industrial to Corporate City* (1984), "have shown that urban renewal was never a single, national program, as researchers and policy analysts contended during the 1960s and 1970s."<sup>2</sup> Since the 1980s, contemporary research has continued to place increased emphasis on the role of municipal governments within the housing market. Although works such as Charles Lamb's *Housing Segregation in Suburban America since 1960* (2005) view segregated housing through the lens of national policy, Lamb acknowledges that "federal, state, and local governments have all contributed to housing segregation."<sup>3</sup> In addition, other researchers include multiple metropolitan areas within their case studies to magnify the differences in the implementation of federal policy at the municipal and state level. For example, Edward Goetz's *New Deal Ruins* (2013) shows these disparities by including studies conducted on Chicago, New Orleans, and Atlanta.

Historian Louis Woods argues that the main thesis presented in Charles Abram's *Forbidden Neighbors* (1955) remained prevalent until challenged by Stephen Meyer's *As*

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<sup>1</sup> Louis Woods, "Historiographic Essay: Suburbanization and Post-War American Life," (Murfreesboro: Middle Tennessee State University, 2010), 7.

<sup>2</sup> Kevin Gotham, *Race, Real Estate, and Uneven Development: The Kansas City Experience, 1900-2010* 2<sup>nd</sup> ed. (Albany: State University of New York Press, 2014), 92.

<sup>3</sup> Charles M. Lamb, *Housing Segregation in Suburban America Since 1960: Presidential and Judicial Politics* (Cambridge: Cambridge University Press, 2005), 11.

*Long as They Don't Move Next Door* (2000).<sup>4</sup> While Abram argued that government policy and private industry created segregated suburbanization, Meyer argues that this suburbanization manifested from deep-seated racial prejudice.<sup>5</sup> Since Meyer's work, historians who argue that suburbanization and housing segregation stemmed from racial prejudice use one of three theories: class, voluntary segregation, or involuntary segregation. While the voluntary segregation theory argues that racial and class groups choose to live in cohesive neighborhoods, class and involuntary segregation theorists argue that housing segregation occurs because of longstanding economic barriers between different racial groups with disproportionate income levels.<sup>6</sup>

Although each theory applies to differing situations of housing segregation, together all three only begin to explain Kansas City's housing problem. Factors such as class, race, education, and community all played a decisive role in the creation and continuance of housing segregation. While it is clear that several scholars have studied the effect that government policy, private industry, and racial bigotry had on suburbanization and segregation within housing markets, few have conducted comprehensive studies that solely examine segregated housing within the metropolitan area of Kansas City, Missouri. Furthermore, even fewer have studied how Kansas City, Missouri's municipal government affected housing segregation within the city.

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<sup>4</sup> Wood, 13.

<sup>5</sup> Stephen G. Meyer, *As Long as They Don't Move Next Door: Segregation and Racial Conflict in American Neighborhoods* (New York: Rowman & Littlefield Publishers Inc., 2000), viii.

<sup>6</sup> John M. Goering, ed., *Housing Desegregation and Federal Policy* (Chapel Hill: The University of North Carolina Press, 1986), 120.

Only three recent works examine Kansas City's housing segregation directly: Kevin Gotham's *Race, Real Estate, and Uneven Development* (2014), Sherry Schirmer's *A City Divided* (2002), and James Shortridge's *Kansas City and How it Grew* (2012). Although these works cover similar events, their main focal points contrast. For example, Schirmer's work, *A City Divided*, primarily focuses on Kansas City's racial and social composition of the 1920s in the attempt to explain white racial mentality within Kansas City, why racial stereotypes have become institutionalized, and how Kansas City's black population worked as a collective to reshape racial perceptions.<sup>7</sup> In contrast, James Shortridge's *Kansas City and How it Grew* focuses on the evolving geography of Kansas City's metropolitan area. Shortridge examines how major geographical changes like the parks and boulevards system, the growth of Kansas City's business district, and urban renewal have affected the city's physical and racial landscape.<sup>8</sup> While Shortridge touches on several events that had a direct impact on housing segregation within Kansas City, his primary focus remains on geographical growth and movement while rarely mentioning municipal policies.

Kevin Gotham's *Race, Real Estate, and Uneven Development* is the most definitive work covering segregation within Kansas City's housing market. Although Gotham provides an in-depth examination of both public and private housing segregation, his work examines "the role of the real estate industry and federal housing policy in the development of racial residential segregation and uneven development, focusing on the

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<sup>7</sup> Sherry L. Schirmer, *A City Divided: The Racial Landscape of Kansas City: 1900-1960* (Columbia: University of Missouri Press, 2002), 8.

<sup>8</sup> James R. Shortridge, *Kansas City and How it Grew, 1822-2011* (Lawrence: University Press of Kansas, 2012), 1.

case study of metropolitan Kansas City.”<sup>9</sup> Gotham does provide some insight as to how municipal politics have influenced Kansas City’s racial housing segregation; however, his focus on the real estate industry limits this topic. Generally, Gotham only provides discussions on municipal policies if they affected the real estate market directly.

Together, Shortridge, Schirmer, and Gotham provide a basic outline of how Kansas City, Missouri’s municipal agencies created racially segregated neighborhoods through their urban renewal programs, yet they do not attempt to explain why Kansas City’s municipal government chose not to interfere with the private segregation efforts of community builders, homeowners associations, lenders, or real estate interests. Although Gotham and Shortridge mention the anti-segregation attempts of the Human Relations Commission and Kansas City’s Direct Housing Allowance, they neglect to explain why these organizations failed to produce positive results. Furthermore, these authors fail to highlight the decisive role that Kansas City, Missouri’s municipal government has had in the creation of housing segregation and the continuation of racial stereotyping.

This thesis addresses this gap in scholarship by examining how Kansas City, Missouri’s municipal government has worked at cross-purposes to both aid and discourage the growth of residential segregation. Kansas City, Missouri’s municipal response to segregationist efforts in the private and political realms reveals that its reactionary anti-segregation law has allowed the perpetuation of racial steering and the adverse effects of urban renewal. Although Kansas City’s municipal government plays a direct role in the continuance of some private and public segregation, it does not hold the authority to interfere with other public and private organizations that encourage housing

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<sup>9</sup> Gotham, *Race, Real Estate, and Uneven Development*, 1.

segregation. Furthermore, Kansas City's municipal response to segregated housing demonstrates that municipal agencies have contributed to the continuation of housing segregation by displacing residents through urban renewal projects and by fostering racial stereotypes that have led to increased housing segregation. Although some of Kansas City's municipal agencies have attempted to discourage segregationist efforts through their support of the Human Relations Commission and anti-discriminatory law, others have neglected to implement anti-segregation practices, and therefore, these organizations have both aided and discouraged the continuance of housing segregation.

### Housing Segregation: An Overview

Residential segregation within Kansas City was not evident until the late 1800s, when Kansas City's elite began to move south because of the constriction of property within the inner city. Although elite suburbanization influenced the growth of racial enclaves, Sherry Schirmer argues that these concentrations of minorities grew because of social class and work proximity.<sup>10</sup> While social elites began to build residential housing south of the city, Kansas City's municipal government began city beautification efforts that would place parks and boulevards around elite neighborhoods while displacing low-income residents who sought housing within preexisting enclaves.

Although Schirmer argues that elite movement south and the growth of racial enclaves were the result of class differences, racially homogeneous neighborhoods began to exclude homebuyers by race at the start of the twentieth century. Eventually, this exclusion led to legally enforceable racial deed restrictions, also known as racially

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<sup>10</sup> Schirmer, 34.

restrictive covenants, to become Kansas City's main form of segregation.<sup>11</sup> These covenants, later backed by homeowners associations, successfully excluded black residents from white neighborhoods well after the Supreme Court ruled them unenforceable in 1946.<sup>12</sup> Although Kansas City, Missouri's municipal government held the power to enforce the Supreme Court's ruling, real estate efforts, paired with a lack of municipal initiative, allowed their continuation.

As community builders and real estate officials continued to pursue legal means of excluding minority residents from suburban areas, Kansas City, Missouri's municipal government began efforts to create public housing and enact urban renewal projects that sought to eradicate urban slums. Municipal agencies generally placed both urban renewal and public housing within the city's urban core, driving displaced low-income minorities into inner city neighborhoods. Although conducted through both federal and state policies, Kansas City, Missouri's municipal government had a decisive role in determining the amount of participation and the placement of said projects.<sup>13</sup>

While urban renewal and public housing drove minorities into Kansas City's urban core, the effort of Kansas City, Missouri's School District to maintain racial segregation began to drive white residents into suburban areas.<sup>14</sup> Taking advantage of the effects of school desegregation, real estate agencies also fueled racial movement within

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<sup>11</sup> Gotham, *Race, Real Estate, and Uneven Development*, 42-48.

<sup>12</sup> Richard R.W. Brooks, "Covenants without Courts: Enforcing Residential Segregation with Legally Unenforceable Agreements," *The American Economic Review* 101 no. 3 (May 2011): 360.

<sup>13</sup> Kansas City Commission on Human Relations, *Report on Relocation Practices of the Land Clearance for Redevelopment Authority* (Kansas City, 1974), 11.

<sup>14</sup> Shortridge, 116.

Kansas City by their increased participation in blockbusting. Although Kansas City, Missouri's municipal government had implemented policies against blockbusting and racial steering, its efforts were mostly reactive and gave enforcement agencies little power.<sup>15</sup>

While municipal efforts attempted to curb housing segregation within the city as early as the 1950s, Kansas City, Missouri's municipal government has yet to implement a proactive housing policy.<sup>16</sup> Discussion on united housing policy has begun to surface within Kansas City while the suburbanization of minorities becomes more prevalent. However, the city's urban core remains disproportionately black, and most suburban areas remain disproportionately white.<sup>17</sup> In conclusion, the municipal government has both aided and discouraged housing segregation within Kansas City to varying degrees through its response to suburbanization, urban renewal, public housing, school desegregation, and racial steering. Since Kansas City lacked any united housing policy and held a mostly reactive stance on segregation, its municipal agencies have conducted a confusing and often contradictory array of efforts to combat segregation, allowing private and political segregation attempts to flourish throughout the twentieth century.

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<sup>15</sup>Gotham, *Race, Real Estate, and Uneven Development*, 149-50.

<sup>16</sup> Office of the City Auditor, *Special Report: Kansas City Needs a Housing Policy* (Kansas City, 2000).

<sup>17</sup> Shortridge, 188.

## CHAPTER II

### THE BOARD OF PUBLIC WELFARE AND THE PARKS AND BOULEVARDS SYSTEM

Kansas City began rapidly expanding in the 1880s, primarily because of a real estate boom that attracted outside investors to the city. At the onset of 1880, Kansas City had an assessed value of thirteen million dollars, with real estate sales valued at five million for the year. During the peak boom year of 1887, this number had risen to an average of eighty-nine million in yearly real estate sales, driven by a host of outside investors who bought and sold property. The development of the Goodrich addition, located between Baltimore and Broadway and spanning from Seventeenth to Twenty-First Street, is one example of construction during this lucrative period. Acquired for eight hundred thousand dollars by a real estate firm in 1886 and divided into sub-plots, Goodrich sold for a total profit of one million dollars in less than a year's time.<sup>18</sup> Although subdivisions were rare prior to 1880, expansions plotted during the mid-1880s paved the way for further land development when real estate firms and individuals realized how lucrative subdividing could be. Kansas City land developers assumed the task of subdividing after the bottom fell out of the real estate market in 1888, leaving land

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<sup>18</sup> Henry C. Haskell and Richard B. Fowler, *City of the Future: A Narrative History of Kansas City, 1850-1950* (Kansas City: Frank Glenn Publishing Company, 1950), 63.



prices below reasonable value and detouring further land purchases from outside investors.<sup>19</sup>

### Early Racial Enclaves and Affluent Neighborhoods

Although census data shows that African Americans lived throughout Kansas City's wards during the 1880s and 1890s, both class and racial enclaves were prevalent.<sup>20</sup> Quality Hill, located near the West Bottoms, was the preferred choice for affluent whites during this period. Other affluent neighborhoods included Gladstone, extending from Highland Avenue to Gladstone Boulevard along Independence Avenue, and a development along Troost Avenue, spanning south of Twenty-Sixth Street, later known as Millionaire's Row.<sup>21</sup>

Located just west of Quality Hill, Hell's Half Acre stood as one of Kansas City's oldest black enclaves. Originating in the late 1860s, Hell's Half Acre grew alongside Kansas City's population in the 1880s, attracting unskilled laborers because of its proximity to Kansas City's rail yards and packinghouses. Although Hell's Half Acre housed a higher percentage of blacks than most Kansas City neighborhoods, the black population was still a minority, constituting only 33% of the total occupants.<sup>22</sup>

A second black enclave, known as Church Hill and financed by Kersey Coats, was located between Eighth and Twelfth Street, Holmes and Troost. Only African

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<sup>19</sup> Ibid., 64.

<sup>20</sup> Schirmer, 32.

<sup>21</sup> Shortridge, 50-53.

<sup>22</sup> Schirmer, 34-35.

Americans bought property in areas of Church Hill until 1870.<sup>23</sup> Church Hill housed approximately 15% of Kansas City's black population by 1900, most of whom worked as domestic laborers for the adjacent upper class neighborhoods; however, the area remained integrated in both class and race.<sup>24</sup>

Other black enclaves during the late 1800s included Belvidere and Hicks Hollow, north of Independence Avenue and east of Troost, and the Vine Street corridor, located between Troost and Woodland from Twelfth to Twenty-Fifth Street. Having first served as an encampment for Exodusters who fled to the north after the federal withdrawal of troops from southern states in 1877, Belvidere and Hicks Hollow grew rapidly after 1890 by attracting blacks who could afford to leave Hell's Half Acre and the surrounding West Bottoms. Although Belvidere and Hicks provided better accommodations than Hell's Half Acre, these neighborhoods were in disrepair, containing poorly built houses and few sanitation facilities. By 1900, Kansas City, Kansas also received an influx black residents who could afford to leave the West Bottoms and Hell's Half Acre for better housing. James Shortridge argues that these blacks choose Kansas City, Kansas over Missouri because of Kansas' racially progressive views spurred by black civic leaders within the state.<sup>25</sup>

Much like Church Hill, the Vine Street corridor surpassed most racial enclaves of the late 1800s. Also known as Negro Quality Hill, the Vine Street corridor was full of spacious two-story homes constructed during the boom years of 1880 through 1887. Real estate agents and homeowners sold these mostly vacant homes to anyone who was

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<sup>23</sup>Shortridge, 54.

<sup>24</sup> Schirmer, 36-37.

<sup>25</sup> Shortridge, 93-95.

willing to buy them, regardless of color, after the collapse of the real estate market in 1888.<sup>26</sup> Although these racial enclaves housed large portions of Kansas City's black population during the late 1800s, Sherry Schirmer argues that these areas most likely formed around social class and a need for work proximity, not involuntary segregation efforts.<sup>27</sup> Although this may be the case, the racial enclaves later grew to be homogeneous, housing nearly all of Kansas City's black residents.

As racial enclaves expanded during the late-1800s, affluent neighborhoods became increasingly constricted. Since zoning laws were not a factor within Kansas City, slums developed adjacent to upper-class neighborhoods such as Quality Hill and Gladstone, while working class neighborhoods began to surround the affluent community of Troost. The growth of industry in the West Bottoms also approached Quality Hill's borders, drastically lowering property values. Because of this constriction, upper class residents began seeking neighborhoods that would allow for expansion while retaining exclusivity. Restrained by the Missouri border to the west, rapid expansion to the east, and the Missouri River to the north, land developers began to push south beyond city limits.<sup>28</sup>

Originally a resident of Quality Hill, Charles Morse spearheaded an elite movement south after he and several associates secured 160 acres located between Thirty-Fourth and Fortieth Street and bound by Broadway and Oak. With the help of developer Frank Baird, architect Henry Van Brunt, and landscaper George Kessler,

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<sup>26</sup> Schirmer, 37-39.

<sup>27</sup> Ibid., 34.

<sup>28</sup> Shortridge, 78.

Morse's Hyde Park became an instant success; he moved his family there in 1887. His triumph immediately drew the attention of land developers who created similar areas such as the Kenwood Addition, plotted just east of Hyde Park between Oak and Holmes. The same year Morse subdivided Hyde Park, William Rockhill Nelson began building his home between Forty-Fourth and Forty-Seventh Street. After purchasing the property adjacent to his own, Nelson founded Southmoreland, a subdivision smaller than Hyde Park but more exclusive. By 1915, Hyde Park and its surrounding area would house nearly two-thirds of Kansas City's social elite.<sup>29</sup> (Refer to Appendix B)

### The Parks and Boulevards System

William Nelson came to Kansas City in 1880 and founded the *Kansas City Star*, undercutting the prices of Kansas City's established news sources, the *Kansas City Journal* and the *Kansas City Times*. With the help of investors, the *Kansas City Star* soon became Kansas City's largest news source in both assets and circulation, with Nelson placing heavy interest in a growing movement to increase public works and city beautification.<sup>30</sup> Originally gaining little support from Kansas City's powerless municipal government, lawyer John Cravens drafted a parks and boulevards bill and introduced it to the state legislature upon Nelson's request. The bill died in committee, but he redrafted and introduced it again two years later. Although Nelson's second bill passed the Missouri Legislature, the Missouri State Supreme Court declared it unconstitutional since it required a tax assessed upon Missouri residents who would

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<sup>29</sup> Ibid., 79.

<sup>30</sup> Haskell and Fowler, 65-67.

receive no benefits from the proposed parks and boulevards system. While Nelson pushed for a parks and boulevards system at the state level, Kansas City adopted its first home-rule charter in 1889. Although the new charter recognized the need for city beautification and created provisions for a Board of Park Commissioners, it did not specify how the city could purchase or use land.

Working closely with William Nelson and George Kessler, who was a major supporter of Nelson's proposed efforts, lawyer Delbert J. Haff devised a tax system in which a special assessment placed on abutting properties would provide the funding for park projects.<sup>31</sup> This system ensured that the most affluent parts of the city would receive the most benefit.<sup>32</sup> Haff submitted his plan as a city charter amendment in 1895. With the help of Nelson's campaign through the *Kansas City Star*, the proposed tax assessment won by a vote of seven to one. Like Nelson's prior proposal, the Missouri Supreme Court reviewed the new city charter, upholding it at every level of the court system.<sup>33</sup>

The original park board appointed by Mayor Ben Holmes in 1892 included William Van Brunt, Hammerslough, S.B. Armor, and William Glass, all wealthy advocates of the park system.<sup>34</sup> The park board was to be headed by August Meyer, a park advocate who worked closely with Nelson. Meyer hired George Kessler, also in Nelson's circle, to create the landscape plan that would become the parks and boulevards

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<sup>31</sup> Ibid., 73-76.

<sup>32</sup> Howard E. Huselton, "Kansas City's Parks and Boulevards," *Art and Progress* 3, no. 1 (November 1911): 386-87.

<sup>33</sup> Haskell and Fowler, 76.

<sup>34</sup> Ibid., 73.

system.<sup>35</sup> Kessler's original design, proposed in 1893, included Independence, Benton, Linwood, Armour, Broadway, and Paseo boulevards, which connected to three proposed parks: North Terrace, West Terrace, and Penn Valley.<sup>36</sup>

At the onset of his plan, Kessler argued that the parks and boulevards system would "give a permanent character to certain sections of the city" and secure "the best and most valuable property."<sup>37</sup> Whereas the boulevard system proposal would retain high property values, the park proposal would provide 'breathing spaces' for the working class. By appealing to both the elite and working class, Kessler was attempting to secure public approval for the assessment of taxes.<sup>38</sup> Kessler's plan also extended well beyond the developed urban core, and the city's limits; it would dictate future patterns of urban growth.<sup>39</sup>

The parks and boulevards system proposal would not only retain property values by placing boulevards around elite areas, but it would also target blighted areas and curb the expansion of established racial enclaves. Although northern elite residential areas, such as Quality Hill and Independence Avenue, had lost their status by 1900, the Board of Park Commissioners placed parks and boulevards in these areas to stop the

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<sup>35</sup> Shortridge, 63.

<sup>36</sup> Patrick Alley and Dona Boley, *Kansas City's Parks and Boulevards* (Charleston: Arcadia Publishing, 2014), 35.

<sup>37</sup> *Report of the Board of Commissioners of Parks and Boulevards* (Kansas City: Board of Commissioner of Parks and Boulevards, 1893).

<sup>38</sup> William Worley, *J.C. Nichols and the Shaping of Kansas City: Innovation in Planned Residential Communities* (Columbia: University of Missouri Press, 1990), 56.

<sup>39</sup> Robert Pearson and Brad Pearson, *The J.C. Nichols Chronicle: The Authorized Story of the Man, His Company, and His Legacy 1880-1994* (Kansas City: Country Club Plaza Press, 1994), 27.

encroachment of surrounding slums and maintain preexisting racial enclaves. One example of this was West Terrace Park, which replaced the slums that lay between Quality Hill and the West Bottoms.<sup>40</sup> Other racial enclaves such as Belvedere and Hicks Hollow, which were restricted by the Missouri River to the north, were now restricted to the south by Independence and Admiral Boulevards and to the east by Maple Park. Likewise, the Vine Street corridor bordered Paseo Boulevard and Parade Park, the construction of which cleared several black occupied homes on Grove and Flora.<sup>41</sup> In addition, the creation of Penn Valley Park, which contained roughly three hundred homes before its conception, shows similar slum clearance efforts.<sup>42</sup> Pleased with the early slum clearance efforts of the parks and boulevards system, city leaders then convinced railroad companies to abandon Union Depot in the West Bottoms and construct Union Station to the southeast. The construction of Union Station and its surrounding park, meant to stop slum encroachment, also displaced a large number of poor residents in the area.<sup>43</sup>

Historian William Redding argues that the parks and boulevards system would not have been possible if not for the aid of Kansas City's political bosses such as Mike Rose and Jim Pendergast, who supported the system because of the jobs it provided to their constituents, including both black and white working class residents.<sup>44</sup> Mayor Holmes' successor, James Reed, saw the parks system as an extravagant luxury and

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<sup>40</sup> Shortridge, 62.

<sup>41</sup> Ibid., 62-64.

<sup>42</sup> Alley and Boley, 51.

<sup>43</sup> Schirmer, 16-17.

<sup>44</sup> William M. Redding, *Tom's Town: Kansas City and the Pendergast Legend* (New York: J.B. Lippincott Company, 1947), 45-46.

opposed it from its conception, appointing a completely new park board in 1900.

However, the parks and boulevards system continued its rapid growth throughout the early 1900s with several of the city's residents requesting parks in their area.<sup>45</sup> This became more prevalent with the rise of homeowner's associations in the 1920s. Several associations would band together to request the placement of parks and boulevards in their area to act as a buffer to encroaching properties. Opposition from white residents, who would either not benefit from a proposed park or boulevard or whose land would be condemned to build these attractions, often inhibited the efforts of homeowner's associations. Although the Board of Park Commissioners generally sympathized with the intent of most homeowner's associations, it also acknowledged the opposition and, in most cases, denied boulevards requested by homeowner's associations, stating that property owners should handle such matters through mutual agreements.<sup>46</sup>

Where the parks and boulevards system did not extend, land developers financed and built their own. The Kenwood Addition, where Arthur Stilwell had built his home in 1892, is one such example. Stilwell financed a boulevard that included trees and fountains running the length of his property, which he subdivided into lots and later sold.<sup>47</sup> By 1911, developers and property owners spent over ten million dollars on the parks and boulevards system with no expense to the municipality.<sup>48</sup> Contemporaries in 1911 claimed, "the enhancement of land values directly attributed to the establishment of

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<sup>45</sup> Haskell and Fowler, 95.

<sup>46</sup> Schirmer, 113-14.

<sup>47</sup> Worley, 58.

<sup>48</sup> Huselton, 368.



the parks and boulevards to-day exceeds the cost of the entire system.”<sup>49</sup> Although the parks and boulevards system affected residential patterns until the close of World War II, it did not prevent the eventual decline of property values.<sup>50</sup>

Because of this degradation of property values and the implementation of Jim Crow Laws in Kansas City, real estate agencies began turning away black customers as early as 1907. Through racial steering practices, real estate agents began leading African American homebuyers to preexisting racial enclaves such as the Vine Street corridor.<sup>51</sup> Racial steering practices paired with the slum clearance efforts of the Commissioners of Parks and Boulevards, which displaced several of Kansas City’s black residents, caused an influx of African Americans into areas like Vine Street and Belvidere. Although these racial enclaves were growing in population, the parks and boulevards encompassed and restricted them, causing overcrowding and property degradation. Through the creation of the parks and boulevards system, Kansas City’s municipal government bolstered the idea among affluent residents that the retention of property value was necessary; it also fueled the growth of racial enclaves through its slum clearance and city beautification efforts.

#### The Board of Public Welfare

While the development of the parks and boulevards system steadily grew throughout the early 1900s, Kansas City’s municipal government created the Board of Public Welfare via ordinance number 4253 on April 14, 1910 to investigate Kansas

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<sup>49</sup> Ibid., 387.

<sup>50</sup> Worley, 57.

<sup>51</sup> Schirmer, 43-45.

City's growing slums, previously recognized by the Board of Commissioners of Parks and Boulevards. This was the first public welfare agency of its kind in any American city. Created in response to striking unemployed laborers who marched on the office of the mayor demanding that the city furnish sufficient work to provide them with food and lodging, the Board of Public Welfare took the place of the city's Board of Pardons and Paroles. Although designed to investigate and disperse Kansas City's slums, the Board of Public Welfare focused on unemployment at its onset, spending the majority of its early resources on such matters.<sup>52</sup>

Asa Martin's master's thesis, "Our Negro Population," provides the first in depth look at the Negro housing conditions that spurred the creation of the Board of Public Welfare. As aforementioned, the creation of the parks and boulevards system, paired with racial steering practices, forced many working class residents, mostly African Americans, to live in the racial enclaves of Hicks Hollow, Belvedere, or the Vine Street corridor. Because of this overcrowding, Martin states that residents within such enclaves paid exorbitant rent for limited housing. Martin also points out that Kansas City's blacks, as a whole, owned disproportionate amounts of land compared to their white counterparts. While Kansas City, Missouri's white residents owned \$123,037,780 of real property, blacks owned 1.4 million as of 1911.<sup>53</sup> Furthermore, Martin describes the tenant situation within these racial enclaves, stating that the city did little for black communities and that "the streets and walks are poorly kept, and no provision whatever is

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<sup>52</sup> Theodore A. Brown, *The Politics of Reform: Kansas City's Municipal Government 1925-1950* (Kansas City: Community Studies, 1958), 285-91.

<sup>53</sup> Asa E. Martin, "Our Negro Population: A Sociological Study of the Negroes of Kansas City, Missouri" (Master's thesis, William Jewell College, 1913), 29.

made for parks, playgrounds, or public baths.”<sup>54</sup> In addition, half of the houses in the districts of Belvidere and Hicks Hollow had no running water, while three-fourths were without proper bath or toilet accommodations as of 1911. Although a city ordinance mandated that one toilet or outhouse must exist for every twenty persons, the city made no effort to enforce such codes in poor black communities.<sup>55</sup>

In addition to the city’s neglectfulness of public works in these communities, owners of black occupied properties also neglected their maintenance and upkeep. Robert Weaver argues that this, in part, resulted from the high demand for black housing. Essentially, property owners within Negro districts did not have to maintain their properties in order to attract potential renters.<sup>56</sup> Weaver asserts that overcrowding always forces degradation regardless of color. He states, “While there is far from agreement as to the initial influence of [blacks] upon property values, there is no doubt of the physical decay which occurred.”<sup>57</sup>

Although the Board of Public Welfare’s purpose was to investigate and eliminate the causes of blight detailed in Martin’s work, it generally worked as an extension to preexisting charities, advising them on how to use funds to repel poverty. These organizations included Catholic and Protestant charities, the Young Men’s Christian Association, and the National Civic Federation.<sup>58</sup> However, most charities that received

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<sup>54</sup> Ibid., 36.

<sup>55</sup> Ibid., 92-93.

<sup>56</sup> Robert C. Weaver, “Race Restrictive Housing Covenants,” *The Journal of Land & Public Utility Economics* 20, no.3 (August 1944): 183.

<sup>57</sup> Ibid., 183.

<sup>58</sup> Brown, 285.

funding from the Board of Public Welfare, with the exception of the Provident Association, did not benefit black residents. In fact, less than 1% of all charities within Kansas City, Missouri had programs for assisting black residents, who comprised 9.5% of Kansas City's population in 1910. This was in part because of a lack of interest among some wealthy black families.<sup>59</sup>

This lack of aid to poverty-stricken black communities did not result from a lack of knowledge by the Board of Public Welfare. The board's Research Bureau conducted studies recounted in two reports, the *Report on Housing* (1912) and *Social Prospectus of Kansas City* (1913). Although these studies recognized the need for aid among Kansas City's black residents, Kevin Gotham argues that they failed to "distinguish between character and environment." Instead, "these housing surveys provided ostensibly objective and scientific evidence to reinforce emerging prejudice and stereotypes that made it appear that blacks were responsible for social problems found in their neighborhoods."<sup>60</sup> Sherry Schirmer supports Gotham's statement, claiming that the reports blamed minorities for slum conditions.<sup>61</sup> Contemporaries such as Asa Martin also similarly claim, "social workers say that no class of people with whom they have to deal is so shiftless, indolent, and lazy as the Negro."<sup>62</sup>

In addition to their reports, the Board of Public Welfare's failure to directly aid poverty-stricken blacks stemmed from a few factors. The first was that only one out of

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<sup>59</sup> Martin, 106.

<sup>60</sup> Gotham, *Race, Real Estate, and Uneven Development*, 37.

<sup>61</sup> Schirmer, 71.

<sup>62</sup> Martin, 106.

every three black residents of Kansas City paid any form of taxes as of 1910. Although African Americans constituted 9.55 of Kansas City, Missouri's population, they only contributed to .0125% of the city's total tax revenue when the Board of Public Welfare was first established.<sup>63</sup> This lack of tax revenue undoubtedly turned welfare efforts away from blacks because of their minor contribution to city coffers.

The Board of Public Welfare's lack of direct Negro aid was also a result of the structure of the board itself. Since the Board of Pardons and Paroles was essentially absorbed into the Board of Public Welfare, a majority of the board's focus remained on parolees. Divisions of work among the Board of Public Welfare included the superintendence office, the Social Service Department, the Department for the Homeless and Unemployed, the Welfare Loan Agency, the Municipal Farm, the Women's Reformatory, the Parole Department, the Recreation Department, the Legal Aid Bureau, and the Research Bureau.<sup>64</sup> From 1910 to 1916, the Board of Public Welfare spent the majority of its funds on penal institutions such as the Women's Reformatory and the Municipal Farm, as well as unemployment efforts rather than the diffusion of slums.<sup>65</sup> In addition, authors such as Jason Roe argue that city council failed to adequately fund the Board of Public Welfare, which increasingly fell under municipal control after president William Volker lost all influence in 1918. Roe states, "City politicians gradually gained control of the board and allocated its benefits to win political patronage rather than for

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<sup>63</sup> Ibid., 33-34.

<sup>64</sup> Fred R. Johnson, "Functions and Services of the Kansas City Board of Public Welfare: 1910-1911," *The Survey* (December 1911): 1363-65.

<sup>65</sup> Brown, 293.

the purpose of eliminating poverty.”<sup>66</sup> Because of these increased efforts to gain political patronage, the majority of the Board of Public Welfare’s staff changed with each new municipal administration, adding to the instability of welfare programs.<sup>67</sup>

It is difficult to make conclusions about the Board of Public Welfare’s efforts after Volker left the organization. Because of interdepartmental differences, annual reports stopped after 1918 and few records of communication between the Board of Public Welfare and other municipal agencies still exist.<sup>68</sup> However, the Board of Public Welfare clearly continued to focus on penal institutions. By 1923, the agency dropped both the Social Service Department and the Department for the Homeless and Unemployed.<sup>69</sup> As of 1925, the municipal charter of Kansas City simply stated that the Commissioner of Social Services “shall manage all penal, corrective, and reformatory institutions of the city and shall have charge of all work of the city having to do with social services and welfare.”<sup>70</sup> Other than specific guidelines governing the management of penal institutions, there is no definition or even suggestion on how the Board of Public Welfare should implement welfare services. This, paired with frequent staff changes, low funding, and political influence, greatly contributed to the board’s lack of non-penal social services. In 1938, contemporary Walter Matscheck claimed that the Board of

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<sup>66</sup> Jason Roe, “To Promote the General Welfare,” The Kansas City Public Library. <http://www.kclibrary.org/blog/week-kansas-city-history/promote-general-welfare> (accessed August 20, 2015).

<sup>67</sup> Stuart A. Queen, “The Kansas City Board of Public Welfare,” *Journal of Social Forces* 1 no.2 (January 1923): 125-26.

<sup>68</sup> Brown, 298.

<sup>69</sup> Queen, 125-26.

<sup>70</sup> *Charter of Kansas City, Missouri*, Article XIV: Section 40, Kansas City, 1925.

Public Welfare ranked among the lowest of city activities, stating, “It (the Board of Public Welfare) is almost wholly without staff trained in public welfare.” <sup>71</sup>

### Conclusions

Although racial enclaves preceded the Board of Commissioners of Parks and Boulevards and the Board of Public Welfare, the establishment of these organizations drove working class families, primarily black, into these communities, which became overcrowded and increasingly restricted. While the parks and boulevards system cleared slums, displacing many black residents, racial steering led them into established black neighborhoods. Board of Park Commissioners efforts to secure property values paired with Board of Public Welfare reports helped create a stereotype that would flourish in the 1920s and endure for many decades. Although the Board of Public Welfare attempted to aid some working class citizens, the charities that produced those limited efforts mainly worked to benefit white communities.

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<sup>71</sup> Walter Matscheck, “Kansas City: Where the Manager Plan Has Failed,” *Annals of the American Academy of Political Social Science* 199, no. 1 (September 1938): 61.

## CHAPTER III

### RESTRICTIVE COVENANTS AND HOMEOWNERS ASSOCIATIONS

Starting at the turn of the century, most Midwestern cities experienced a rapid growth in black population. Kansas City, Missouri was no exception to this trend, experiencing a growth from 17,567 black residents in 1900 to 23,566 in 1910 and 30,719 in 1920.<sup>72</sup> In part, the Great Migration of southern and rural blacks into northern and midwestern cities caused this rapid growth. Rising tensions within the southern sharecropping system, agricultural unemployment resulting from boll weevil infestations, and a loss of industrial laborers in the northern states during World War I all contributed to the migration.<sup>73</sup> This influx of black residents, paired with rising racial tensions through the implementation Jim Crow laws and the fear of a loss in property values attributed to growing racial enclaves, caused neighborhoods within Kansas City to search for additional ways to exclude black residents. This manifested in racially restrictive covenants and deed restrictions within Kansas City's neighborhoods, which remained intact until the Fair Housing Act of 1968 despite the Supreme Court's 1948 decision declaring restrictive covenants unenforceable.

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<sup>72</sup> Gotham, *Race, Real Estate, and Uneven Development*, 34.

<sup>73</sup> Michael Jones-Correa, "The Origins and Diffusion of Racial Restrictive Covenants," *Political Science Quarterly* 115, no. 4 (Winter 2000-2001): 550.



Before restrictive covenants became the primary form of residential segregation, many major American cities used methods such as harassment, racial zoning, and nuisance laws to control racial movement. During the first few decades of the twentieth century, Kansas City saw fewer cases of physical harassment as a means to exclude black residents from its neighborhoods than most major cities. Nevertheless, physical harassment did occur, mainly in the form of bombings. In one instance, bombers destroyed seven black homes on Montgall Avenue between April 1910 and November 1911.<sup>74</sup> Such bombings became common in Kansas City throughout the early decades of the twentieth century. The *Kansas City Call* reports that one black resident, H.M. Williams, who moved into an all-white neighborhood was visited by “a delegation of white men who told him (Williams) he would have to move or suffer consequences.”<sup>75</sup> One month after these threats, the perpetrators followed through with their plan and bombed Williams’ home.<sup>76</sup> Although these bombings certainly steered African Americans away from such neighborhoods, they also steered white property buyers away from neighborhoods where bombings damaged adjacent properties, making harassment an unattractive form of segregation.

The downfall of harassment efforts within Kansas City coincides with the appeal of said efforts. Although harassment is cheap and requires little coordination with others, it is usually ineffective “without the approbation or at least acquiescence of other

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<sup>74</sup> Meyer, 20.

<sup>75</sup> “Home Owners Dared to Live in House at Park and 21<sup>st</sup>,” *Kansas City Call*, April 29, 1922.

<sup>76</sup> “Williams’ Home Blown Up A Month after Promised of Destruction,” *Kansas City Call*, May 13, 1922.

neighbors” that can undermine acts of harassment.<sup>77</sup> In the case of H.M. Williams, the *Kansas City Call* reports that harassment attempts did not sway Williams, who continued to occupy his residence with the support of fellow community members.<sup>78</sup>

Kansas City, Missouri never enacted nuisance laws or racial zoning efforts. Nuisance laws require neighbors to consider their surrounding neighbors, restricting them from harming neighborhood cohesion: a modern example of a nuisance law would include noise ordinances. In *Fallon v. Schilling* (1883), the Kansas Supreme Court declared that property owners could consider race as a nuisance; in that case, the plaintiff sued the adjacent property owner for renting to Negroes. Although the *Fallon v. Schilling* decision became the norm in most state courts, historians Richard Brooks and Carol Rose argue that municipalities rarely ever used nuisance laws to exclude race.<sup>79</sup>

Racial zoning laws came under serious consideration after Alderman C.J. Gilman proposed a city ordinance that would restrict blacks from racially homogeneous white neighborhoods in 1911. Gilman’s proposal passed in the lower chamber of city council, yet the upper chamber overturned it because of a Maryland Supreme Court decision that ruled against the Baltimore ordinance on which Gilman had based his proposal.<sup>80</sup> Steven Meyer argues that the emerging Prendergast machine, representing the Negro populated West Bottoms, could have also influenced Kansas City’s decision to not implement racial

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<sup>77</sup> Richard R. W. Brooks and Carol M. Rose, *Saving the Neighborhood: Racially Restrictive Covenants, Law, and Social Norms* (Cambridge, Massachusetts: Harvard University Press, 2013), 95-96.

<sup>78</sup> “Williams’ Home Blown Up A Month After Promised of Destruction,” *Kansas City Call*, May 13, 1922.

<sup>79</sup> Brooks and Rose, 31-33.

<sup>80</sup> Schirmer, 74.

zoning laws.<sup>81</sup> By 1917, the Supreme Court decision of *Buchanan V. Warley* ruled racial zoning laws unconstitutional. Kansas City did not enact zoning laws of any type until 1923.<sup>82</sup>

### Restrictive Covenants

Although racial zoning or nuisance laws were not a factor in the restriction of Kansas City's growing African American population, blacks continued to populate the urban core of Kansas City while white residents continued to migrate south. A young land developer named J.C. Nichols now headed this southern migration, originally led by Charles Morse. Nichols acquired one thousand acres of land, known as the country club district, south of the Morse's Hyde Park in 1908 after gaining financial backing from Hugh Ward and William Kemper, head of the Commerce Trust Company. Nichols lobbied successfully for city annexation of his property, therefore providing access to city maintained water, sewer, and streets. Following the work of his predecessors, Nichols plotted Sunset Hill west of the existing Kansas City Country Club, along Brush Creek, for Kansas City's elite and Mission Hills, directly west of Sunset Hill, in Kansas City, Kansas.<sup>83</sup> Although most of Kansas City's affluent suburbs were within Missouri, Kansas City, Kansas's cheap land provided for the development of middle-class subdivisions including: Mission Woods, Fairway, and Prairie Village.<sup>84</sup>

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<sup>81</sup> Meyer, 20.

<sup>82</sup> Gotham, *Race, Real Estate, and Uneven Development*, 39.

<sup>83</sup> Shortridge, 81-83.

<sup>84</sup> Ibid., 126.

To protect Sunset Hill from the encroachment of Negroes and declining property values, Nichols used a series of screens that would surround his elite property. Drawing off the contemporary trend of using parks and boulevards as racial barriers, Nichols successfully lobbied to extend a boulevard from Penn Valley Park to Sunset Hill and created two boulevards of his own: Brookside Boulevard, bordering the east of Sunset Hill, and Ward Parkway, through his property's center.<sup>85</sup> To get the city to participate in the construction of boulevards that would connect his property to the existing boulevards system and draw potential buyers, Nichols offered to pay for all boulevard construction. However, residents paid for such boulevards indirectly through higher land prices.<sup>86</sup>

In addition to these boulevards, Nichols created Mission Hills Country Club to the north of his property and similar country clubs to the west and south. These spacious properties completely encompassed Sunset Hill since the existing Kansas City Country Club already bordered to the east. The Kansas City Country Club would later come up for sale in 1922 with the speculation that community builders would clear it for suburban housing. Fearing an adjoining property and the loss of a land barrier to the east, Nichols promptly foresaw the purchase of the Kansas City Country Club that later became Jacob L. Loose Memorial Park.<sup>87</sup> In addition to Mission Hills Country Club to the north, Nichols created the Country Club Plaza in 1923. Although the automobile allowed Sunset Hill's southern location, Nichols feared that its remoteness from the urban core might limit its appeal. To combat this, Nichols purchased forty acres where Mill Creek

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<sup>85</sup> Ibid., 83.

<sup>86</sup> Worley, 104-5.

<sup>87</sup> Shortridge, 83.

Parkway met both Brookside Boulevard and Ward Parkway to create the Country Club Plaza, a shopping district that would be as upscale as its clientele would be.<sup>88</sup>

Mission Hills and Sunset Hill were not only protected from encroaching properties via the use of land, but also by deed restrictions governing how the land could be used, the types of buildings to be constructed, and to whom these properties could be rented or sold.<sup>89</sup> Although property restrictions meant to exclude race existed in Kansas City prior to Nichols, he amended the application of these restrictions in Kansas City's communities in 1914 when he instituted a clause within his Mission Hills deeds that automatically renewed deed restrictions unless the majority of landowners took action to revoke them. Originally filed for twenty-five years, these restrictions renewed upon expiration. Before this, most deed restrictions on properties lasted for ten to twenty-five years, at which time they were no longer effective.<sup>90</sup> In addition to agreeing to deed restrictions before the purchase of land, Nichols required purchasers to join the Mission Hills Homes Company, the first true homeowners association founded by Nichols.<sup>91</sup>

The role of the homeowners association was to enforce deed restrictions, including racial restrictions, by fines or means of legal action. To combat the transfer of properties to Negroes and promote racially homogeneous neighborhoods, later efforts by homeowners associations included purchasing land from preexisting black residents or

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<sup>88</sup> Ibid., 85.

<sup>89</sup> Worley, 70.

<sup>90</sup> Ibid., 129-30.

<sup>91</sup> Ibid., 131.

acquiring vacant homes so that the association could control land sales.<sup>92</sup> Nichols was the first to back his deed restrictions via a homeowners association.<sup>93</sup> He soon added structured homeowners associations to Sunset Hill via the Country Club District Homes Association, and Armour Hills, a middle class subdivision south of the Country Club District.<sup>94</sup> Deed restrictions, backed by a homeowners association, became one of Nichols' biggest draws. By 1930, Sunset Hill and Mission Hills housed 59% of Kansas City's elite. In 1930, 90% of Kansas City's elite resided in Hyde Park, Southmoreland, Sunset Hill, and Mission Hills, all of which employed deed restrictions.<sup>95</sup> The Missouri Supreme Court upheld restrictions prohibiting the sale, lease, or rental of property to blacks in 1918.<sup>96</sup> Similarly, in the case of *Corrigan V. Buckley* (1926), the United States Supreme Court ruled that, "the individual citizen, whether he be black or white, may refuse to sell or lease his property to any particular individual or class of individuals."<sup>97</sup>

The success of innovation in the enforcement of deed restrictions, paired with the decisions of both the U.S. and Missouri supreme courts, caused most Kansas City land developers to employ restrictions of their own. In addition to land developers writing restrictions into original deeds, preexisting Kansas City neighborhoods also attempted to alter their deeds or create homeowners associations to restrict blacks. In 1923, the Southeast Home Protective Association (SHPA) announced its presence just south of the

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<sup>92</sup> Gotham, *Race, Real Estate, and Uneven Development*, 45.

<sup>93</sup> Schirmer, 110.

<sup>94</sup> Ibid., 109.

<sup>95</sup> Shortridge, 84-85.

<sup>96</sup> Worley, 145.

<sup>97</sup> *Corrigan V. Buckley* 271 U.S. 323 (1926).

predominantly black eastside and vowed to protect the property values of the preexisting houses between Thirteenth and Twentieth Street, and Euclid Avenue to Benton Boulevard. Although the SHPA made provisions for neighborhood maintenance and beautification, its primary purpose was to “prevent the encroachment of Negroes by shunning property owners, real estate agents, and lenders that enabled African Americans to move into the area.”<sup>98</sup> To accomplish this goal, the SHPA pressured its residents to enter covenants that would legally restrict blacks from purchasing homes. Unlike Nichols’ properties, the original deeds did not contain those restrictions. Instead, the property owner had to affix a restriction at the registrar’s office or get a notarized agreement with the homeowners association.<sup>99</sup> Although restrictive covenants like these were not bound to an original deed, “they were still legally enforceable if the proper methods had been taken to register with the city government” - usually done by means of a “junction.”<sup>100</sup> The *Kansas City Call* stated, “What the city council and state legislatures cannot do, that is segregate blacks and whites, a notary with a seal can do, or at least has made a show of in Kansas City.”<sup>101</sup>

Other land developers tried to appeal to Kansas City’s black residents by offering them similar restrictive covenants. For example, in 1941 city council approved Wirtham Realty Company’s plan to construct an all-black community that was restricted via a covenant for thirty years. Initially building twenty-five dwellings, then later adding an

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<sup>98</sup> Schirmer, 110.

<sup>99</sup> Ibid.

<sup>100</sup> Clement E. Vose, *Caucasians Only: The Supreme Court, the NAACP, and the Restrictive Covenant Cases* (Berkeley: University of California Press, 1959), 12.

<sup>101</sup> *Kansas City Call*, March 2, 1923, quoted in Schirmer, 111.

additional forty-six homes, Wirtham Reality Company's all black subdivision was located around Twenty-fifth Street and Paseo, the heart of the Negro community.<sup>102</sup> Since most of Kansas City's black residents did not fear living in racially mixed neighborhoods, it is reasonable to assume that efforts by real estate agents to create restricted black neighborhoods were only meager attempts to turn a profit.

Aside from the fact that restrictive covenants were fueled by the fear of diminishing property values and growing racial tensions, both local and national real estate boards pushed for racial restrictions, while the federal government's creation of the Federal Home Loan Bank Act of 1932 and Federal Housing Administration (FHA) in 1934 contributed to their growth. By 1924, the National Association of Real Estate Brokers (NAREB) began to endorse racial steering, incorporating such practices into their guidelines. Three years later, in 1927, the NAREB wrote a standard restrictive covenant document that encouraged homeowners associations to enforce such covenants.<sup>103</sup> Michael Jones-Corra argues that most realtors found it in their interest to follow national guidelines since the NAREB and Kansas City's local real estate board often expelled or ostracized members that did not follow them. The result was a loss of networking and information "critical to the practice of the real estate broker."<sup>104</sup> After the NAREB endorsed restrictive covenants in 1927, Kansas City neighborhoods gained the aid of the Kansas City Real Estate Board in applying for restrictive covenants. At the

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<sup>102</sup> Thomas A. Webster, "Community Planning to Improve the Housing Conditions of the Negro Population of Kansas City, Missouri, 1940-1947," (Master's thesis, University of Kansas, 1949), 49-52.

<sup>103</sup> Jones-Corra, 554-56.

<sup>104</sup> Ibid., 564.



time, Kansas City's realtors also encouraged the use of posters and public advertisements to steer black residents away from white communities.<sup>105</sup>

During the 1920s, the NAREB held considerable power to influence real estate law through lobbying efforts. This influence resulted in *A Standard City Planning Enabling Act*, which helped legitimize public control of subdivision development. During the Great Depression, home foreclosure peaked while new constructions and sales decreased, leading the federal government to become actively involved in the real estate industry. Seeking to rejuvenate the home and community building industry, the federal government thus began to work with the NAREB to form a plan that would stabilize and protect property values while increasing consumer demand. Real estate brokers and mortgage bankers both pushed for a federally regulated home financing system where mortgages would consist of a low down payment and a long-term pay period, resulting in the creation of the Federal Housing Administration in 1932 and the Housing Act of 1934.<sup>106</sup>

In response to the Great Depression, the FHA created the Home Owners Loan Corporation (1933) to provide advances to lending institutions as well as credit extensions to borrowers with defaulted mortgages.<sup>107</sup> In order to create a new mortgage system, the FHA relied on HOLC to assign the ratings for the creditworthiness of housing. Instead of giving a credit score to an individual person, HOLC assigned whole neighborhoods a credit score based on their value, which gave neighborhoods a rating

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<sup>105</sup> Gotham, *Race, Real Estate, and Uneven Development*, 45.

<sup>106</sup> Ibid., 54-65.

<sup>107</sup> Meyer.

from A to D and placed priority on the retention of land values.<sup>108</sup> While racially homogeneous white neighborhoods received the highest credit rating, minority neighborhoods received the lowest. This meant that whites wishing to buy homes in racially mixed neighborhoods could not receive FHA benefits.<sup>109</sup> Similarly, blacks living in racially mixed, or all-black neighborhoods, were generally ineligible for FHA home loans.

To justify the use of this new system, the Federal Housing Act of 1934 simply stated that racially homogeneous neighborhoods led to stability, providing further legal sanction for restrictive covenants.<sup>110</sup> Not only did FHA insured loans require a high rating through the HOLC system, they also required new housing to meet strict property standards in design, building materials, appraisals, and the location of the building site. Since the FHA required minimum property standards, community builders now had the perfect means for real estate control.

Before the creation of the FHA, most home loans required one-third down payment and short payment durations of five to seven years. New FHA laws only required a 20% down payment and a thirty-year fixed mortgage.<sup>111</sup> Federally insured loans were most likely to be granted within subdivisions where “land use regulations would guarantee ‘relative economic stability’ and ‘protection against adverse

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<sup>108</sup> Gotham, *Race, Real Estate, and Uneven Development*, 54-65.

<sup>109</sup> Jeannine Bell, *Hate Thy Neighbor: Move-In Violence and the Persistence of Racial Segregation in American Housing* (New York: New York University Press, 2013), 23-25.

<sup>110</sup> Gotham, *Race, Real Estate, and Uneven Development*, 54-65.

<sup>111</sup> Brooks and Rose, 108.

influences.”<sup>112</sup> Key members of the real estate and banking industry who “dominated the congressional hearings on the 1934 Housing Act and were directly involved in drafting the final housing legislation” primarily directed FHA policy.<sup>113</sup> J.C. Nichols and other community builders, who could now secure government subsidies, benefited the most. FHA policies also encouraged community builders to implement restrictive covenants and homeowners associations in order to attract homebuyers that sought low down payments and long-term mortgages. The Federal Housing Administration’s 1938 *Underwriting Manual* stated, “If a neighborhood is to retain stability, it is necessary that properties shall continue to be occupied by the same social and racial classes.”<sup>114</sup>

Between 1934 and 1962, the FHA insured roughly 77,000 homes in the Kansas City area, with only 1% of its insured mortgages going to black families.<sup>115</sup> The FHA’s efforts to support racially homogeneous neighborhoods continued until the passage of the Fair Housing Act of 1968. Richard Brooks and Carol Rose state, “As late as 1962, in a U.S. Civil Rights Commission report on the Washington housing market, the authors complained that the FHA was simply passive about real estate professionals’ measures to perpetuate neighborhood segregation.”<sup>116</sup>

Kevin Gotham claims that, “In Kansas City, the origin of racially segregated neighborhoods was not the foreordained consequence of decades of an unchanging racial

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<sup>112</sup> Gotham, *Race, Real Estate, and Uneven Development*, 60.

<sup>113</sup> Ibid., 57.

<sup>114</sup> Federal Housing Administration, *Underwriting Manual*, 1938 Sec. 937, quoted in Jones-Correa, 565.

<sup>115</sup> Gotham, *Race, Real Estate, and Uneven Development*, 66.

<sup>116</sup> Brooks and Rose, 171.

prejudice or overt discrimination by ordinary white residents, instead discriminatory acts were cultivated and disseminated through the organized efforts of elite real estate interests, community builders, and homeowners associations.”<sup>117</sup> Although this may be the case, restrictive covenants failed to completely stem the growth of black enclaves into white neighborhoods. Real estate blockbusting efforts, which began in 1922, stood in the way. Realtor Fortune Weaver was among the first to profit from panic selling by offering to pay cash for houses in lots of twenty-five. Other realtors sold single properties within white neighborhoods to blacks in hopes that white residents might then sell their properties at a discount. Real estate agents then sold these properties at inflated prices to blacks attempting to leave the slums. Blockbusting attempts also succeeded in locations where residents used physical harassment to rid encroaching blacks. As demonstrated by several bombing and arson cases that occurred during blockbusting attempts east of the Vine Street corridor, bombing attempts affected neighboring white residents as much as their targeted audience.<sup>118</sup>

In 1923, neighbors sued one Kansas City property owner for breaking his restrictive covenant and selling to a black family. The case, unprecedented in Missouri, made it to the Missouri Supreme Court, which ruled that covenants were unenforceable in neighborhoods where the conditions of said covenant had already been broken.<sup>119</sup> Because of this ruling, a restrictive covenant could only be effective if all residents abided by their contract, or if the homeowners association could afford to buy housing

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<sup>117</sup> Gotham, *Race, Real Estate, and Uneven Development*, 49.

<sup>118</sup> Schirmer, 100-2.

<sup>119</sup> Ibid., 111.

from residents who wished to move. As mentioned earlier, community builders such as J.C. Nichols had self-perpetuating restrictions that required a majority vote to be changed. If a member broke this restriction, he would be in breach of his private contract, established as enforceable in *Corrigan V. Buckley*.<sup>120</sup> Nevertheless, restrictive covenants formed in existing neighborhoods ran the risk of having community members who were unwilling to attach restrictions to their deeds or members who could remove restrictions via an affidavit.

Homeowners associations created in preexisting developments had a higher risk of encroaching black neighborhoods than their suburban counterparts did because preexisting homes or structures and a lack of capital prevented the construction of buffer zones. Although several homeowners associations often banded together to request the construction of parks and boulevards on the edges of their community, the Board of Parks Commissioners rarely acted upon such requests. Parks and boulevards proposed by homeowners associations often met opposition from white residents who had to pay assessments without benefitting from the park as well as those whose land might be condemned for park use. Linwood Improvement Association's (LIA) request to condemn the area between Troost and Spring Valley parks to create a solid barrier to the north is one such example. Although the Board of Park Commissioners sympathized with LIA's cause, it concluded that it "could not afford to build a park that would serve as nothing but a 'deadline' to black movement."<sup>121</sup> Although the Board of Park Commissioners stated that a new park's cost did not justify a racial buffer, Sherry Schirmer argues that

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<sup>120</sup> Jones-Correa, 554.

<sup>121</sup> Schirmer, 113.

opposition had forced the park board's conclusion. That opposition came from small-property owners who were unwilling to pay a park assessment, white residents who would lose their homes to park construction, and residents who believed that Linwood would not retain property value regardless of racial buffers because of middle class movement south and the age of its homes.<sup>122</sup>

*Shelley v. Kraemer*

An official ruling on the legality of restrictive covenants did not emerge until the mid-1940s. In 1945, an African American St. Louis resident, J.D. Shelley, bought a house bound by a racially restrictive covenant. Backed by a homeowners association and the St. Louis Real Estate Exchange, neighbors Louis and Fern Kraemer filed a lawsuit against Shelley for purchasing a home within a restricted neighborhood. In response, Shelley drew support of black real estate brokers to pursue the case. Meanwhile, African Americans Orsel and Minnie McGhee, who were facing a similar lawsuit in Detroit, sought the aid of the NAACP. Both the Missouri and Michigan Supreme Courts upheld the legality of restrictive covenants, but the combined efforts of Shelley and McGhee forced the case to the United States Supreme Court.<sup>123</sup> The resulting case, *Shelley v. Kraemer* (1948), reversed the decisions of the state courts and ruled that based on the fourteenth amendment and the 1866 Civil Rights Act, courts could not enforce racially restrictive covenants.<sup>124</sup> However, brokers and lawyers supported the continuance of

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<sup>122</sup> Ibid., 116.

<sup>123</sup> Brooks and Rose, 140-43.

<sup>124</sup> Louis Lautier, "Housing Restrictions Outlawed," *Kansas City Call*, May 7, 1948.

racially restrictive covenants, stating that these covenants were still legal if voluntarily followed.<sup>125</sup>

Although *Shelley v. Kraemer* ruled racially restrictive covenants unenforceable, realtors, community builders, banks, and government agencies still encouraged restrictions governing the race of potential homebuyers.<sup>126</sup> Kansas City, Missouri, which recorded 1,243 racially restrictive covenants between 1948 and 1960, was no exception. Jackson County recorded 957 of these covenants. The fact that this same county only recorded 148 restrictive covenants prior to the *Shelley v. Kraemer* ruling shows that restrictive covenants not only persisted *Shelley v. Kraemer*, but they became more prevalent in some areas.<sup>127</sup>

One method of maintaining racially restrictive covenants after 1948 was to rewrite covenant agreements so that they did not include race-based language. New agreements may have required a certain number of neighbors to “approve” of a property buyer before a sale was finalized. Other covenant agreements gave the homeowners association the ability to vote on incumbent neighbors.<sup>128</sup> Similarly, while the federal government forced the FHA to remove any reference to racial covenants from their underwriting manual, the agency continued to encourage methods of maintaining homogeneous neighborhoods.<sup>129</sup>

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<sup>125</sup> Brooks and Rose, 171.

<sup>126</sup> Brooks, 360.

<sup>127</sup> Gotham, *Race, Real Estate, and Uneven Development*, 40-41.

<sup>128</sup> Vose, 229-30.

<sup>129</sup> Gotham, *Race, Real Estate, and Uneven Development*, 73.

After *Shelley v. Kraemer*, several states held court hearings against homeowners who violated racially restrictive agreements via damage actions. Although most states denied damage claims, Missouri upheld them.<sup>130</sup> The Missouri Supreme Court supported Missouri residents who sought damage claims because it believed that minorities lowered property values. It asserted that the Fourteenth Amendment held no stance on private conduct, and therefore, “these contracts could be enforced by law by awarding damages, for that remedy would not injure the right of Negroes to obtain property under equal conditions as whites.”<sup>131</sup> The case of *Barrow v. Jackson* (1953) later ruled damage claims granted to restrictive covenants unenforceable.<sup>132</sup>

Although cases such as *Shelley v. Kraemer* and *Barrow v. Jackson* created the opportunity for African Americans to move outside of racial enclaves, Richard Brooks and Carol Rose argue that most minorities did not wish to become “pioneers” because of the threat of violence and the cost of legal action.<sup>133</sup> The use of restrictive covenants had also enforced social norms that made white residents reluctant to sell their homes to blacks and further made blacks reluctant to buy them. Brooks states, “Blacks were as discouraged by unenforceable covenants as segregationists were emboldened by them.”<sup>134</sup> Although blockbusting - placing black residents in previously all white neighborhoods - became increasingly common after 1948, most whites moved from

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<sup>130</sup> Brooks and Rose, 175.

<sup>131</sup> Vose, 231.

<sup>132</sup> Ibid., 233.

<sup>133</sup> Brooks and Rose, 189.

<sup>134</sup> Brooks, 364.



busted neighborhoods, and therefore, these neighborhoods became solely populated by minorities.<sup>135</sup>

### Machine Politics and Blockbusting

It is unclear why the municipal government of Kansas City did not take any action against blockbusting or restrictive covenants during the first half of the twentieth century. Michael Jones-Corra argues that the lack of municipal involvement often resulted from the simple fact that municipal agencies saw no need for intervention, stating, “Metropolitan governments often had neither the inclination nor the resources to address the structural issues underlying civil disturbances.”<sup>136</sup> Although Kansas City, Missouri’s municipal government may have not have been inclined to curb these forms of housing segregation, Sherry Schirmer and William Redding argue that city leaders, particularly Tom Pendergast, had the power to lower color barriers. Sherry Schirmer states, “A timely word from Tom Pendergast could have righted matters, but as long as African Americans continued to give him their votes, the boss had scant reason to challenge the prejudices of his white constituents on their behalf.”<sup>137</sup>

Pendergast, who certainly held the power to implement racial changes within Kansas City, vowed to aid the Negro community. Although he attempted to do so, William Redding, Van William Hutchison, and Lyle Dorsett argue that his efforts were meager attempts to retain black voters, who had become increasingly Democratic in the

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<sup>135</sup> Brooks and Rose, 190.

<sup>136</sup> Jones-Corra, 563.

<sup>137</sup> Schirmer, 166.

early 1900s. A local black news source, *The Rising Sun*, pushed some black voters to the Democratic Party after it condemned the Republican Party for Roosevelt's discharge of black soldiers at Brownsville and the "lily-white" movement behind Taft's 1908 nomination. In addition to the black voters becoming increasing Democratic, blacks tended to lean toward machine Democrats rather than anti-boss independents, who used race-baiting political maneuvers. This secured the black vote for Pendergast as he became one of Kansas City's most powerful bosses.<sup>138</sup>

Most of Pendergast's attempts to improve the African American community fell short of his intentions. If anything, he only fueled racial stereotypes. His major contribution to the black community came after 1925, when the Missouri Supreme Court declared it unconstitutional to require a city to fund a police department without having direct control over it. This resulted in a Pendergast-led purge of the Kansas City Police Department. Although this did lower police brutality rates against the black community, Pendergast's main reason for the purge was to gain control over Kansas City's vice trade.<sup>139</sup> He was not new to the vice trade in 1925; his older brother, First Ward Alderman Jim Pendergast, had also promoted gambling in Kansas City's West Bottoms and north end throughout the 1890s.<sup>140</sup>

Growing concerns over Kansas City's vice trade led the Pendergast-controlled Board of Police Commissioners to enact a policy of vice containment designed to keep

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<sup>138</sup> Van William Hutchison, "Greater Kansas City and the Urban Crisis, 1830-1968" (PhD Diss., Kansas State University, 2013), 66-69.

<sup>139</sup> Schirmer, 161.

<sup>140</sup> Lyle W. Dorsett, *The Pendergast Machine* (New York: Oxford University Press, 1968), 16.

vice at Kansas City's north end, within the Vine Street racial enclave and away from white middle class and affluent neighborhoods. Although some white moral crusaders moved to eradicate Kansas City's vice trade entirely, groups such as the Society for the Suppression of Commercialized Vice (SFSCV) ultimately failed in their efforts. The SFSCV did manage to sue Kansas City's brothels as public nuisances, only to have the case thrown out by the Missouri Supreme Court.<sup>141</sup> In its early stages, some blacks also opposed the restraint of the vice trade to the Vine Street corridor, yet most supported the vice trade because it provided jobs.<sup>142</sup> Unfortunately, that confinement fueled growing racial stereotypes via a self-fulfilling prophecy of unlawful behavior. Historian James Shortridge also argues that the city's decision to place a garbage reduction plant near the black commercial district in 1926 influenced the stereotype that poor sanitation could be associated with African Americans.<sup>143</sup>

Outside of the vice trade, Pendergast provided municipal work for African Americans. Under his purview, the number of blacks on the city's payroll had risen from eighty-nine in 1924 to 438 in 1938. However, Sherry Schirmer argues that this increase was not an effort to provide work for Kansas City blacks but instead a weak effort to retain black votes.<sup>144</sup> During Pendergast's reign, his organization also pledged to improve healthcare within the black community. Accordingly, Kansas City's Department of Hygiene and Communicable Diseases announced the plans for a new Negro hospital

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<sup>141</sup> Hutchison, 59-62.

<sup>142</sup> Shortridge, 87.

<sup>143</sup> Ibid., 88.

<sup>144</sup> Shortridge, 166.

on Hospital Hill next to the leading white hospitals. Knowing that some elites would protest the location of the hospital, City Manager Henry McElroy stalled plans for two years before he gave his approval. General Hospital No. 2 opened in February, 1930 as the most up-to-date black hospital in the United States. Although well equipped, political battles within the Pendergast organization caused staffing problems at the hospital, and General Hospital No. 2 became a public embarrassment. The public believed that its association with blacks caused the hospital's failure.<sup>145</sup>

Although William Redding, Van William Hutchison, and Lyle Dorsett argue that Pendergast only aided blacks to gain their votes, he did create more African American jobs and the nation's best-equipped Negro hospital. As a direct consequence of the city's effort to confine the vice trade to Negro districts and the lack of care for its Negro facilities, Pendergast's policies led to increased racial stereotypes. Since the Pendergast machine relied so heavily on both black and white votes and patronage, Pendergast did try to aid Negroes in some ways, but he would not dare to make a bold risk that would alienate his white patrons by trying to rid Kansas City of racial barriers such as restrictive covenants.

Like Pendergast, Harry Truman, a member of the Pendergast machine, enjoyed the support of black voters in local elections. Although Truman backed anti-lynching laws and the anti-discrimination amendment to the Selective Service Act, Truman, like Pendergast, made it clear that he did not wish to foster social equality for blacks.<sup>146</sup> As

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<sup>145</sup> Schirmer, 162-64.

<sup>146</sup> Meyer, 82.

president, Truman's Committee on Civil Rights did support FHA's abandonment of racial covenants from their doctrine, yet it did nothing when those practices continued.<sup>147</sup>

The strong involvement of realtors and community builders in Kansas City politics also explains why Kansas City's municipal government did not make a move to dampen racially restrictive covenants. Kansas City's largest community builder and innovator of deed restrictions, J.C. Nichols, held considerable power to influence municipal policy. He served on municipal committees such as the Committee of One Hundred, selected to build the Liberty Memorial. Nichols was also active in city water projects, founding and heading the Committee of Twenty-five, which pushed for a larger water facility by enlisting the support of the Chamber of Commerce and campaigning for the passage of water bonds in 1921.<sup>148</sup> In addition, Nichols served as the president of the Kansas City Art Institute from 1920-27, the chair of the public building committee in 1931, and as a member of the school board from 1918-26.<sup>149</sup> He and his company also made considerable land gifts to the city. In 1925, Nichols donated a large fountain on the corner of Meyer Boulevard and Ward Parkway.<sup>150</sup>

In addition to holding several municipal and influential positions, authors Robert and Brad Pearson argue that Nichols and Pendergast were friends. When Nichols' wife, Jessie, felt that Kansas City needed a clean milk ordinance but could not get the city to consider her proposal, J.C. Nichols simply went to Pendergast's office to discuss the

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<sup>147</sup> Vose, 225.

<sup>148</sup> Pearson and Pearson, 82.

<sup>149</sup> Ibid., 180.

<sup>150</sup> Ibid., 87.

matter. Jessie's proposed ordinance passed at the next city council meeting.<sup>151</sup> This incident, although small, shows the influence that J.C. Nichols had over Tom Pendergast, a man who held nearly total control over Kansas City's municipal government.

Historians such as William Redding also argue that Kansas City's 1925 home rule charter catered to business and real estate interests through patronage, especially under Pendergast.<sup>152</sup> Because of the patronage system, civic organizations held little influence over Pendergast's policies. Contemporaries report that although organizations such as the Civic Research Institute wished to increase decentralization efforts within Negro communities, such organizations had "lost most of their ability to secure direct results in improved procedures, the [Civic Research] Institute having become, as far as city affairs are concerned, chiefly an organization for dispensing incorrect information about city operations."<sup>153</sup>

### Conclusions

Restrictive covenants and their adjoining homeowners associations became a primary means of segregating black and white residents within Kansas City's real estate market during the first half of the twentieth century. Although Kansas City's political bosses held the power to limit racial steering within the real estate industry, they placed few limits on such practices. Kansas City's most powerful boss, Tom Pendergast, vowed to aid Negroes, yet his efforts were only meant to secure black voters who were already

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<sup>151</sup> Ibid., 141.

<sup>152</sup> Redding, 370.

<sup>153</sup> Matscheck, 62.

leaning toward his machine. Moreover, bosses such as Pendergast fueled racial stereotypes through their support of the vice trade. Meanwhile, the federal government's New Deal policies found in the Federal Home Loan Bank Act of 1932 and the Federal Housing administration of 1934 gave municipal governments little reason to pursue anti-segregation efforts within housing. Although *Shelley v. Kraemer* ruled restrictive covenants unenforceable in 1948, the federal and local real estate industry supported restrictive covenants and racially homogeneous neighborhoods, contributing to the continuance of housing segregation within Kansas City. Only with the passage of the Fair Housing Act of 1968 was there significant change.

## CHAPTER IV

### URBAN REDEVELOPMENT AND THE COMMISSION ON HUMAN RELATIONS

After the passage of the Federal Housing Act of 1934, the National Association of Real Estate Brokers began to lobby for state action that would allow private enterprise the ability to clear slum areas within cities since these areas negatively affected adjacent property values. By 1936, the National Association of Real Estate Brokers' Committee on Housing publicly suggested that local governments should have the ability to acquire and demolish slum properties, selling them back to private firms for reconstruction. As lobbying efforts continued, the NAREB formed the Urban Land Institute (ULI) in 1939, headed by Kansas City's J.C. Nichols, to research the cause and effect of urban blight in hopes of creating policy directed towards the revitalization of the urban core.<sup>154</sup>

As early as 1940, members of Kansas City's Municipal Government, such as City Planner Harland Bartholomew, spoke out against decentralization and the effects that it had on the financial structure of the city. He condemned FHA policy, which he saw as the abandonment of blighted areas. Perry Cookingham, City Manager from 1940-1959, shared Bartholomew's views, stating that decentralization had adverse effects on Kansas City's business district. In addition to municipal support, Kansas City's business and real estate elites linked to downtown interests openly endorsed the NAREB policy that would

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<sup>154</sup> Gotham, *Race, Real Estate, and Uneven Development*, 75-79.



create partnerships between municipal and private efforts to reverse urban decay and the spread of suburbs. Following trends set by the NAREB, the *Kansas City Realtor*, the official publication of the Kansas City, Missouri Real Estate Board, published articles warning fellow realtors about the effects that decentralization and slum properties had on urban property values. Although the private sector previously took on the task of clearing slums within Kansas City, it sought the support of the municipal government, since most land developers and realtors held no legal right to acquire and clear slum properties and lacked the means of financing large-scale revitalization. Since most cities did not possess the capital or legal right to clear slums, many turned to public housing as a means to redevelop the urban core.<sup>155</sup>

### The Creation of Public Housing

Public housing found its origins with progressive activists, who wished to replace blighted areas with publicly owned and operated housing. Since progressives sought increased urban renewal, Edward Goetz states, “Public housing for those in the Progressive movement was therefore meant to eliminate the adverse conditions of the slum and to provide much needed affordable housing for the neediest.”<sup>156</sup> The progressive Modern Housing Association called for government-subsidized housing for the working class, including union based organizations and cooperatives.

The Federal Emergency Relief Act (1933) allowed the federal government to make loans to limited-dividend partners for the construction of low-income housing.

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<sup>155</sup> Ibid.

<sup>156</sup> Edward G. Goetz, *New Deal Ruins: Race, Economic Justice, and Public Housing Policy* (Ithaca: Cornell University Press, 2013), 25.

Because of a lack of private interest, the guidelines for the program (later placed under the Public Works Administration) changed in 1934 to allow the federal government to construct public housing on cleared slum areas. In *United States v. Certain Land in the City of Louisville* (1935), the Supreme Court ruled the federal government's use of eminent domain for slum clearance unconstitutional. Subsequently, the Roosevelt administration encouraged states to enable legislation allowing for slum clearance and public housing construction. Advocates for public housing thus focused their efforts on a federal program that would operate through state-chartered agencies.<sup>157</sup>

Although legislative efforts to establish a permanent housing program continued throughout the mid-1930s, Progressive reformers and modern housing supporters backed competing bills that the Department of Interior and the Department of Commerce generally opposed.<sup>158</sup> Because of these opposing views, new housing legislation did not pass until the Housing Act of 1937, which gave localities the ability to create housing authorities with the power of eminent domain.<sup>159</sup> Stipulations within the 1937 housing legislation not only limited the income of public housing tenants and the cost of housing construction, but it also mandated that a substandard or slum unit must be destroyed for every unit of public housing built in order to keep public housing efforts from interfering with the private market. Overall, the plan was that communities would build public housing on land that otherwise held little value.

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<sup>157</sup> Ibid., 26-28.

<sup>158</sup> Ibid., 27.

<sup>159</sup> Gotham, *Race, Real Estate, and Uneven Development*, 79.

### Implementation of Public Housing in Kansas City

Although Kansas City could have applied for slum clearance funds as early as 1939 under state bill H.B. 6, Pendergast's City Manager Henry McElroy wished to be excluded from any urban renewal efforts, making Kansas City one of the few major cities that did not participate in public housing during the late 1930s.<sup>160</sup> Unlike McElroy, Perry Cookingham, McElroy's successor, heavily supported urban renewal efforts and strongly sponsored the creation of the Housing Authority of Kansas City (HAKC), established July 14, 1941 via city ordinance.<sup>161</sup> Plans for public housing, such as the proposed Vine-Paseo Homes that would be in the heart of the Vine Street corridor between Twenty-fifth and Twenty-Seventh Street, were in progress within Kansas City by late 1941. Although HAKC sought to construct public housing immediately, the Federal Public Housing Administration (FPHA) forced HAKC to postpone operations for the duration of World War II because of restrictions placed upon the use of building materials.<sup>162</sup> In November of 1942, HAKC voted to suspend operations on Public Law 412.<sup>163</sup>

Although HAKC suspended its operations for the duration of World War II, Kansas City Missouri's municipal government continued its push for public housing, creating its first low-income housing units under the 1943 HOLC conversion program

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<sup>160</sup> Webster, 29.

<sup>161</sup> The Housing Authority of Kansas City, Missouri, "HAKC History," [http://www.hakc.org/about\\_hakc/hakc\\_history.aspx](http://www.hakc.org/about_hakc/hakc_history.aspx) (accessed September 14, 2015).

<sup>162</sup> "Approve Plan for Vine-Paseo: War May Hold up Building," *Kansas City Call*, November 12, 1941.

<sup>163</sup> Webster, 39.

that allowed government subsidies and secured loans for the conversion of private buildings into cheap apartments. Within the first year of the program, the Kansas City Plan Commission converted eight buildings into a hundred and sixty-two units while the private sector converted eleven buildings into eighty-four units.<sup>164</sup> Although these efforts added much-needed Negro housing within Kansas City, revitalized units were primarily located downtown along Troost or Paseo, which housed 29,000 of Kansas City's 41,574 Negroes in 1940, adding more black families to the overpopulated Troost-Paseo district.<sup>165</sup> Later outlined in Section 220 of the National Housing Act, FHA sponsored conversion programs continued throughout the mid-twentieth century, the era during which historian Raymond Schwartz argues that most cities sold land to private developers who then applied for FHA assistance.<sup>166</sup> Although this may be the case in other American cities, Kansas City's private sector made no strong efforts to engage in rehabilitation because of its high failure rates and lack of money-making potential. Instead, urban renewal programs in Kansas City bought and revitalized buildings under HAKC; continually placing rehabilitated housing in the inner city where urban renewal efforts were concentrated.<sup>167</sup>

During HAKC's suspended operations, conflict between public housing advocates and real estate interests manifested itself within Kansas City. While real estate elites

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<sup>164</sup> Ibid., 55-57.

<sup>165</sup> Ibid., 13.

<sup>166</sup> Raymond J. Schwartz, "The Federal Housing Authority and Urban Planning," *The Phylon Quarterly* 19, no.1 (1958): 89-90.

<sup>167</sup> Metropolitan Planning Commission, *A Decent Home for All: Housing Action in the Kansas City Metropolitan Region* (Kansas City, 1971), 36.

argued that the Housing Act of 1937 only granted housing authorities the right to clear slums for private redevelopment, Progressive supporters believed that government organizations would build and maintain the housing.<sup>168</sup> Although reactivated March 11, 1946 to provide emergency housing for returning veterans, debates over public housing at the national, state, and local level hindered HAKC from providing any form of housing until 1949. In addition, the Missouri Supreme Court struggled to rule on whether public housing operations were charitable bodies and therefore tax-exempt. Because of this delay and pressures by NAREB and Progressive lobbyists, Missouri failed to amend its enabling act for public housing operations until 1951.<sup>169</sup> Kevin Gotham argues that the NAREB's fear of competing with government programs within the real estate market caused these debates between the NAREB and federal housing advocates. In addition, the debates resulted from the NAREB perception of "public housing as the opening wedge of a campaign to attack housing discrimination, reduce class and racial residential segregation, and in effect, challenge the institutional foundations of the segregationist private housing market."<sup>170</sup>

Kansas City's City Planner, Perry Cookingham, shifted the city's primary focus to urban redevelopment in 1946, introducing Kansas City's Urban Redevelopment Ordinance and proposing several urban redevelopment projects, including a comprehensive highway system that would connect Kansas City, Missouri, Kansas City,

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<sup>168</sup> Gotham, *Race, Real Estate, and Uneven Development*, 79-80.

<sup>169</sup> Webster, 41-42.

<sup>170</sup> Gotham, *Race, Real Estate, and Uneven Development*, 81.

Kansas, and North Kansas City in anticipation of a federal highway system.<sup>171</sup> By 1947, Cookingham's City Plan Commission fully embraced urban renewal, informing city council that "the provision of housing, and the redevelopment of the city's blighted areas are of primary importance."<sup>172</sup>

From its onset, urban redevelopment within Kansas City targeted minority concentrated areas, demonstrated through City Plan Commission's first proposed redevelopment project known as Rosary Plaza in 1946. Rosary Plaza was to replace a large portion of the Belvidere area, which remained primarily black throughout the 1940s. Although seventy-three preexisting units occupied the proposed area, redevelopment plans suggested removing all but one, replacing them with two hundred and eight white, owner-occupied, single-family dwellings.<sup>173</sup> Although the Rosary Plaza plan does not mention the fate of displaced residents, it states that municipal programs would assist residents to "whatever extent becomes necessary to ensure satisfactory relocation."<sup>174</sup> Because of this, members of city council ultimately rejected the proposed Rosary Plaza, since they did not believe that this redevelopment project met Section VII paragraph "e" of the Urban Redevelopment Ordinance governing housing accommodations for displaced residents.<sup>175</sup>

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<sup>171</sup> Shortridge, 106.

<sup>172</sup> City Plan Commission, *Honorable Mayor William E. Kemp and Member of the City Council* (Kansas City, 1947), 1.

<sup>173</sup> Ibid., 1-9.

<sup>174</sup> Ibid., 14-15.

<sup>175</sup> City Plan Commission, *Honorable Mayor William E. Kemp and Member of the City Council* (Kansas City, 1947), 2.

Although the Rosary Plaza project never materialized, it shows early efforts to target minority occupied areas in accordance with Section VII of the Urban Redevelopment Ordinance. This regulation established the city's definition for blighted areas through "data pertaining to topography, vacant land, existing land use, rental values, land values, tax delinquency, the availability of adequate services such as streets, sewers, and water, population density, overcrowding, and the location of areas occupied largely by minority groups."<sup>176</sup> An examination of Section VII of the Urban Redevelopment Ordinance and the proposed placement of Rosary Plaza reveals that Kansas City's urban redevelopment projects intended to target minority occupied neighborhoods. These neighborhoods generally suffered from low property and rental values primarily resulting from real estate efforts combined with the modern mortgage system, high tax delinquency, overcrowding, and a lack of street, sewer, and water maintenance.

Kansas City's standard definition of blight never deviated from the basic criteria found in the original Urban Redevelopment Ordinance. *Community Renewal Report 1* (1967) outlines the same principals for blight measurement, stating that blight within Kansas City would be defined by poor building arrangement, a lack of sanitary facilities, depreciated land values, and areas where "absentee owners are indifferent to the conditions of their property and are willing to profit from overcrowding."<sup>177</sup> Generally, these blighted areas suffered from structures where the cost of renovation exceeded the

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<sup>176</sup> City Plan Commission, *Proposed Rosary Plaza Development Plan* (Kansas City, 1946), 6.

<sup>177</sup> City Development Department Kansas City, Missouri, *The Causes of Blight and Criteria and Standards for Measurement* (Kansas City, 1967), 5-7.

cost of new construction, where multiple families occupied “standard” single-family homes, or where properties did not meet housing code requiring adequate heat, plumbing, and the condition of building materials.<sup>178</sup> Although Kansas City’s definition of blight cites specific areas of the city as standards for blight, its measurement is broad, leaving much to the city’s discretion.

Kansas City’s 1967 definition of blight clearly identified overcrowded and dilapidated buildings owned by people living outside of the city and profiting from high rents. Edward Goetz argues that the municipal government’s tendency to target minority-populated areas was the result of the area’s declining condition, the need for improved housing within black communities, resistance from white middle class communities, and the fear of being in direct competition with private real estate developers. He states, “When white middle class communities resisted the placement of public housing in their midst, local elected officials steered projects into black slums.”<sup>179</sup>

As debate continued at the federal level, Congress passed the Housing Act of 1949, providing federal subsidies for property acquisition and authorizing the creation of 810 thousand public housing units over ten years. However, HUD only built 250 thousand units by 1960 because of lobbying efforts by the NAREB.<sup>180</sup> It was under the Housing Act of 1949 that Kansas City began implementing urban redevelopment. Their first target was Quality Hill, which lost its elite status of the late 1800s and became primarily occupied by the working class and minorities. Cookingham’s next target was

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<sup>178</sup> Ibid, 14-20.

<sup>179</sup> Goetz, 32.

<sup>180</sup> Gotham, *Race, Real Estate, and Uneven Development*, 82.



the Negro populated Church Hill district. Urban renewal projects cleared this area, south of Twelfth Street, for municipal buildings, and razed the area north of Twelfth in hopes of creating middle-income housing.<sup>181</sup>

After these early efforts, the Land Clearance for Redevelopment Authority (LCRA), created by the State of Missouri in 1953 in accordance with the Housing Act of 1949, administered most of Kansas City's urban redevelopment projects. Working primarily with local governments and business interests, federal officials who administered urban redevelopment funding played a decidedly subordinate role within the LCRA, which members of the private sector staffed.<sup>182</sup> Although state chartered, LCRA plans were subject to the approval of the City Plan Commission and city council before submitting it to the United States Department of Housing and Urban Development (HUD).<sup>183</sup> This system gave considerable control to Kansas City's municipal government over the location of redevelopment and public housing.

From 1953 to 1969, the LCRA started eighteen urban renewal projects within Kansas City, again focusing on minority-occupied neighborhoods. Several renewal projects demonstrated minority targeting; those projects included Attucks, displacing 478 blacks and no whites; Manual, displacing 320 blacks and four whites; and Twelfth and Vine, displacing 309 blacks and 19 whites. In total, the LCRA's urban renewal projects of the 1960s and 1970s displaced 1,783 blacks, 1,960 whites, and 755 businesses within

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<sup>181</sup> Shortridge, 108.

<sup>182</sup> Gotham, *Race, Real Estate, and Uneven Development*, 83-84.

<sup>183</sup> Kansas City Commission on Human Relations, *Report on Relocation Practices of the Land Clearance for Redevelopment Authority* (Kansas City, 1974), 11.

Kansas City, Missouri.<sup>184</sup> Although displacing more white residents than black, these numbers are disproportionate to Kansas City's total population. Whereas Kansas City's black residents only constituted 17.5% of Kansas City, Missouri's population in 1960, 48% of residents displaced by LCRA projects were black.<sup>185</sup> Other major projects conducted by the city, including the acquisition of land for the CBD Loop, Interstate 35, Interstate 70, and the South Midtown Freeway, displaced 2,473 blacks and 6,172 whites.<sup>186</sup> This type of highway expansion within the inner city became increasingly common throughout the 1960s and 1970s when government transportation investment shifted towards suburban highways.<sup>187</sup> (Refer to Appendix C)

Since both the Housing Act of 1949 and Kansas City's Urban Redevelopment Ordinance required accommodations for displaced residents, Kansas City's municipal government and HAKC turned to public housing to absorb dislocated families. Despite efforts made by civic organizations, such as the Greater Kansas City Urban League, to convince city officials to build public housing on vacant lots outside of the city, HAKC placed most of its 1950s and 1960s units within the urban core.<sup>188</sup> These units, segregated by race until 1964, included Guinotte Manor near Fourth and Troost, Riverview near Fifth and Paseo, T.B. Watkins Homes near Thirteenth and Vine, and Wayne Miner Court near Ninth and Woodland. While the white only housing units were

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<sup>184</sup> Gotham, *Race, Real Estate, and Uneven Development*, 85-86.

<sup>185</sup> Regional Health and Welfare Council, *Socio-Economic and Housing Characteristics of the Population of Metropolitan Kansas City* (Kansas City, 1960), 1.

<sup>186</sup> Gotham, *Race, Real Estate, and Uneven Development*, 88.

<sup>187</sup> Andres Duany, Elizabeth Plater-Zyberk, and Jeff Speck, *Suburban Nation: The Rise of Sprawl and the Decline of the American Dream* (New York: North Point Press, 2000), 130.

<sup>188</sup> Ibid., 86.

located north of Independence Avenue, black occupied public housing units such as Wayne Miner and T.B. Watkins Homes were located in the Vine Street corridor, which had remained predominately black since the late 1800s.<sup>189</sup>

By the mid-1960s, government agencies including the National Commission on Urban Problems, the President's Committee on Urban Housing, and the U.S. Commission on Civil Rights determined that FHA policy corresponded directly to the decline of urban cores. Because of redlining found within FHA loans, federal policy makers passed the 1968 Housing Act, which required the FHA to make loans to moneylenders in inner city areas. The hope was to establish federally insured loans for low-income areas by paying lending institutions directly. This would ensure mortgage payments were backed by risk insurance that protected these institutions from foreclosures. Sections 235 and 236 the 1968 Housing Act thus lowered FHA standards so that low-income families could obtain mortgages or rent subsidies to move into private rather than public housing.<sup>190</sup> Kevin Gotham states that this new FHA policy made lending in low-income areas "a risk-risk free venture for lenders who could get FHA approval on almost any dwelling, service the loan for a lucrative fee, and then sell the mortgage back to the federal government."<sup>191</sup>

Kansas City administered the Section 235 program between 1969 and 1974, which included units built or rehabilitated by HUD subsidized developers. The Section 235 constructed most new houses in suburban areas within Kansas City, potentially

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<sup>189</sup> Shortridge, 109.

<sup>190</sup> Kevin Gotham, "Separate and Unequal: The Housing Act of 1968 and the Section 235 Program," *Sociological Forum* 15, no.1 (2000): 20-22.

<sup>191</sup> Ibid., 26.

giving minority residents an opportunity to relocate outside of the inner city. However, a 1971 study by the U.S. Commission of Civil Rights found that whites were the primary purchasers of these new suburban units while minorities purchased the limited units built within the inner city. Kansas City's African Americans used roughly 90% of their FHA loans to purchase preexisting homes, while their white counterparts only used 9.6% of their FHA loans on existing homes. In total, 93.5% of all preexisting homes purchased with FHA loans were located within the inner city. The biggest consumers of these FHA loans were real estate agencies that made minor cosmetic changes to foreclosed homes within the inner city and then resold them to minorities at inflated prices.

This program not only maintained the status quo within FHA lending, but it also fostered conditions for panic selling and white-flight to Kansas City's suburbs, where working class white families could now purchase homes. Although interracial neighborhoods made efforts to form coalitions and campaign door-to-door to discourage white-flight and profiteering real estate agendas, these efforts were rarely successful. In addition, Section 235 policies also stimulated housing abandonment by lending to unstable recipients who failed to repay FHA loans, leading to urban decay within Kansas City. Ninety-nine percent of foreclosed homes under Section 235 were located within the urban core.<sup>192</sup>

By 1971, city officials within Kansas City became aware of the adverse effects of the Section 235 program, and Councilman Joseph Shaughnessy requested that HUD meet with the city's Housing Advisory Commission to discuss the removal of Section 235 housing from Kansas City. Although it is unclear how HUD responded to Kansas City's

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<sup>192</sup> Gotham, "Separate and Unequal": 22-28.

request, it terminated the Section 235 program in 1973 after President Nixon's moratorium on all public housing programs. Although Nixon aimed to prevent redlining and real estate blockbusting, the end of Section 235 saw banks that were still unwilling to lend to inner-city residents without federal backing.<sup>193</sup>

While participating in the Section 235 program, Kansas City's Model Cities Administration worked in cooperation with the Housing Development Corporation and Information Center in December of 1970 to design a small housing allowance program known as the Kansas City Direct Housing Allowance (DHA). Unlike the Section 235 program, the DHA program was designed to allow participants to move anywhere within Kansas City in hopes of providing housing to working class families by subsidizing up to one hundred and four dollars of rent per month. Although the majority of participants in the DHA program, both black and white, obtained higher quality housing and benefited from improved neighborhoods by moving outside of the inner city, these participants were most likely to move into racially segregated communities.<sup>194</sup> Based on these results, contemporary authors Arthur Soloman and Chester Fenton concluded, "There is no reason to expect that the degree of racial discrimination and prejudice will be lessened or that households locational preferences will be altered because of widespread direct housing allowance program has been implemented unless a major effort is made to enforce open housing legislation."<sup>195</sup>

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<sup>193</sup> Ibid., 31.

<sup>194</sup> Arthur P. Soloman and Chester G. Fenton, "The Nation's First Experience with Housing Allowances: The Kansas City Demonstration," *Land Economics* 50, no. 3 (1974): 214-20.

<sup>195</sup> Ibid., 220.

In 1968, Title VIII of the Civil Rights Act forbade discriminatory practice in the sale or rental of property, advertising that indicates racial preference, blockbusting, and redlining, but it did not give incentive to nor require the promotion of suburban integration. In addition, provisions within this act excluded single-family homes sold by individuals, boarding houses with four or more units, or housing owned by clubs or religious organizations, all of which covered roughly 20% of the housing market in 1968.<sup>196</sup> Although HUD made some efforts in the early 1970s to pressure housing authorities to locate public housing outside of the inner city, most municipal governments could not justify the political turmoil desegregated housing would create. It was not until 1974 that revisions made to Title VIII of the Civil Rights Act required HUD to affirmatively promote fair housing. These revisions implemented “fair-share” plans that would evenly distribute federally subsidized housing between blighted areas and the suburbs; however, few housing authorities enforced such efforts. John Goering argues that ambiguities within Title VIII made it unclear whether HUD bore responsibility for ensuring integration or if it was simply HUD’s responsibility to expand housing opportunities that would allow housing desegregation.<sup>197</sup>

To adhere to Title VIII legislation, Congress passed Section Eight of the Housing and Community Development Act, allowing HUD to shift its emphasis from subsidizing government built units to the direct subsidization of low-income residents. Like Kansas City’s previous DHA program, Section Eight gave housing allowances to low-income

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<sup>196</sup> Schirmer, 163.

<sup>197</sup> Goering, 216-30.

families, allowing them to find their own housing within the local market.<sup>198</sup> As for Soloman and Fenton's prediction, the federally backed Section Eight subsidy program did not change housing preferences within Kansas City. Although some public housing tenants participated in the Section Eight program, the majority moved to neighborhoods with similar, or in some cases higher, minority populations.<sup>199</sup> In addition to providing Section Eight housing subsidies, HAKC turned its primary focus to the rehabilitation of preexisting structures after the passage of Title VIII, acquiring eight-million for rehabilitation projects between 1975 and 1980.<sup>200</sup> Although HAKC, like HUD, shifted its focus away from the construction of segregated housing units, these rehabilitation efforts, like those that came before it, continued to place public housing within the inner city.

Kansas City Missouri's municipal government created the Office of Housing and Community Development in 1975 to administer the Community Development Block Grant Program (CDBG) after realizing that urban renewal did not revitalize the city's core. The CDBG provided funding for the development of quality apartments, as well as grants and loans made by the Rehabilitation Loan Corporation to minorities and families who sought to meet the minimum housing code. Between 1975 and 1980, the Office of Housing and Community Development awarded 126 million in CDBG funds.<sup>201</sup>

Although these efforts met the original goal of revitalizing some of Kansas City's urban

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<sup>198</sup> Goetz, 49.

<sup>199</sup> Goering, 257.

<sup>200</sup> The Housing Authority of Kansas City, Missouri, "HAKC History," [http://www.hakc.org/about\\_hakc/hakc\\_history.aspx](http://www.hakc.org/about_hakc/hakc_history.aspx) (accessed September 14, 2015).

<sup>201</sup> Housing and Community Development Department, *Community Development Block Grant Program: Response to the Urban Challenge* (Kansas City, 1985), 2-21.

core and helping to increase land value in many minority areas at little or no cost to landowners, it did not encourage any type of integration among Kansas City's housing stock since minorities could now improve their community or living conditions without leaving the urban core.

### The Decline of Public Housing

Like most public housing projects, low budgets and mismanagement plagued Kansas City's low-income housing, leading to a drastic increase in the demolition and sale of public housing projects during the 1980s. Nationally, fifteen thousand units were demolished between 1978 and 1989. Although there was little coordinated policy by HUD for disinvestment, most public housing authorities (PHA) found HUD willing to allow it. In order for these housing authorities to demolish or sell public housing, approval had to be granted by HUD, which required that two conditions be met: first, that the public housing in question be classified as obsolete and second, that the local housing authority had consulted with its residents before applying for disinvestment. Since HUD did not closely supervise most housing authorities, it approved several disinvestment applications without independent verification. Because of this, local PHAs participated in de facto demolition by discontinuing the maintenance of units long before applying to HUD for disinvestment.<sup>202</sup> Edward Goetz states,

In a case of de-facto demolition, a PHA in effect introduces the physical obsolescence that is required for demolition approval through willful neglect of the public housing project, allowing physical problems at the site to go uncorrected, creating the conditions for vandalism by keeping large numbers of

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<sup>202</sup> Goetz, 49-50, 57.



units vacant, and allowing major building systems to decline significantly to the point that repairs become prohibitively expensive.<sup>203</sup>

Kansas City began its participation in public housing demolition by thinning its existing stock. For example, HAKC demolished the high-rise portion of Wayne Miner Court, leaving the low-rise housing that accompanied it. HAKC believed that this clearance of dilapidated housing would protect other public housing ventures. The initial thinning of Kansas City's public housing stock eventually led to complete abandonment, with HAKC turning to de-facto demolition to clear units such as Watkins Homes and the remnants of Wayne Miner.<sup>204</sup> Although HUD destroyed or sold public housing at increasing rates, it added Section Eight and revitalized units at a rate of 7,149 units per year during the last half of 1980. This transition resulted from the 1969 Housing Act that required one-for-one relocation assistance and the conversion of HOPE VI into a demolition program.<sup>205</sup> Wayne Miner was completely demolished only thirty years after its completion, costing 9.4 million in demolition and HOPE VI construction.<sup>206</sup>

#### Kansas City's Human Relations Commission

Although it is clear that Kansas City's municipal policy influenced the continuance of segregation through its urban renewal and public housing projects, the city council made some efforts to curb segregation via the creation of Kansas City's

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<sup>203</sup> Ibid., 54.

<sup>204</sup> Ibid., 52-56.

<sup>205</sup> Ibid., 70.

<sup>206</sup> Jillian Mincer, "National Notebook: Kansas City, Mo; Failed Project is Demolished," *The New York Times*, March 8, 1987.

Commission on Human Relations, charted in ordinance no. 15091 in November of 1951. As early as May 2, 1952 the newly created Human Relations Commission received its first housing discrimination case involving Charles Crittenden, a black man who was in the process of purchasing property in an all-white neighborhood. Before Charles moved into that neighborhood, the Human Relations Commission took it upon itself to poll the neighborhood's residents to determine their receptiveness to black neighbors. Although the commission concluded that their "findings indicated peaceable acceptance," Crittenden's house was bombed on May 21<sup>st</sup>.

In attempts to deal with their first housing segregation case, the Kansas City Human Relations Commission was powerless and could only assist the police chief on Crittenden's case, offering a \$1,000 reward for information regarding the bombers. Soon after the bombing, real estate agencies swooped into Crittenden's neighborhood, taking advantage of the neighbors and buying their houses cheaply. Although the Human Relations Commission attempted to combat real estate blockbusting efforts through door-to-door campaigns and by appealing to the Troost Park Homes Association, it had no legal means of stopping panic selling.<sup>207</sup> In their *First Annual Report*, the Human Relations Commission stated, "Despite [door-to-door campaigns, the appeals to the Troost Park Homes Association,] and other efforts by the Commission and the Association to reduce the hysteria and panic of the white residents, for sale signs began to appear on [Crittenden's] block in large numbers."<sup>208</sup>

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<sup>207</sup> Kansas City Commission on Human Relations, *First Annual Report* (Kansas City, 1953), 1-6.

<sup>208</sup> *Ibid.*, 7.

Although the Human Relations Commission could not legally bring charges upon the participants of housing segregation, it worked within its means to promote human relations/rights courses at colleges, in civic and police programs, and open seminars.<sup>209</sup> In addition, Kansas City's Human Relations Commission repeatedly voiced specific concerns to city council about its urban renewal projects and its effects upon displaced Negroes who had been pressured by real estate blockbusting efforts as early as 1954.<sup>210</sup> reveals one example of the campaign to end housing segregation and curb panic selling. Publications such as the Human Relations Commission's *Learning to be Human* (1969) encouraged the formation of human relations groups within communities. Within these groups, the Human Relations Commission suggested that members identify their racial fears and prejudice, become aware of derogatory racial words, educate themselves on the history of civil rights, and discuss resolutions to the effects of racism.<sup>211</sup> Although most of the Human Relations Commission's work focused on finding the root of segregationist efforts, *Learning to be Human* warns that "to accept the fact that white racism is the basic cause of racial conflict in America is not enough," and that proactive measures are quintessential to stopping segregation.<sup>212</sup>

Official fair housing policy began in Kansas City in 1967 under Sections 26.215 through 26.222 of the city charter, which prohibited the refusal of sale or rent; the

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<sup>209</sup> Ibid., 4.

<sup>210</sup> Kansas City Commission on Human Relations, *Second Annual Report* (Kansas City, 1954).

<sup>211</sup> Department of Human Relations, *Learning to be Human: A Layman's Guide to Human Relations* (Kansas City, 1969), 3-7.

<sup>212</sup> Ibid., 3.

publication of housing articles limiting race; the refusal of insurance; and the denial of loans or financial assistance based on race, punishable by a thirty-day suspension of license.<sup>213</sup> Although this punishment may appear weak, a 1971 report conducted by Missouri's Commission on Human Rights claimed that Kansas City's municipal laws governing discriminatory practices within real estate agencies, lending institutions, and advertising were the strictest of all Missouri cities at the time. This report also indicated that Kansas City was the only major Missouri city as of 1971, aside from St. Louis, to include laws governing discriminatory practices in public accommodations, government hiring and contracts, employment, and housing. All other major Missouri cities had laws governing one or two of these practices, aside from Lee's Summit, which had no human relations agency.<sup>214</sup> Although Kansas City's 1967 fair housing policy gave some additional power to the Human Relations Commission, it was not until 1981 that city council recognized their lack of remedial powers and appointed them to work in conjunction with the Civil Rights Board in order to enforce anti-discrimination code.<sup>215</sup> Although states such as Colorado, Connecticut, Massachusetts, New Jersey, Rhode Island, and Washington gave human relations agencies the power to legally enforce non-discrimination policy as early as 1959, the State of Missouri did not grant charter cities

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<sup>213</sup> Municipal Code Corporation, *Charter, Administrative Code: Code of General Ordinances Kansas City Missouri*, Sections 26.215 – 26.222 (Kansas City, 1994).

<sup>214</sup> Thomas E. Baker and Rex R Campell, *Race and Residence in Missouri Cities: An Analysis of Race and Residential Patterns in Ten Missouri Cities Using the 1970 United States Census of Population* (Jefferson City: Missouri Commission on Human Rights, 1971), 16-17.

<sup>215</sup> "History of the Human Rights Commission," Human Relations of Kansas City, Missouri, <http://kcmo.gov/humanrelations/civilrights/human-rights-commission/history/> (accessed September 20, 2015).

such powers until 1989, hindering the Kansas City Human Relations Commission from enforcing non-discriminatory laws until this time.<sup>216</sup>

### Conclusions

Federal, state, and municipal conduct contributed to the persistence of housing segregation through public housing and urban renewal within Kansas City, culminating in programs that displaced low-income residents and placed them into public housing within the inner city, further concentrating minority groups within the urban core. Although state chartered agencies HAKC and the LCRA conducted most of Kansas City's redevelopment and public housing projects, municipal agencies such as city council and the City Plan Commission held considerable control over the laws governing urban redevelopment and its placement. Edward Goetz states, "City councils and mayors had influence over the siting of public housing projects as each project required a 'cooperation agreement' between PHA and the local council."<sup>217</sup> Although Kansas City's Human Relations Commission attempted to warn city officials about LCRA practices, their limited authority only allowed them to suggest the restructuring of relocation practices.<sup>218</sup>

Despite 1959 federal laws that banned the use of public housing funds to discriminate based on race, local housing authorities were able to maintain racial

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<sup>216</sup> Don J. Hager, "Housing Discrimination, Social Conflict, and the Law," *Social Problems* 8, no. 1 (1960): 82.

<sup>217</sup> Goetz, 31.

<sup>218</sup> Kansas City Commission on Human Relations, *Report on Relocation Practices of the Land Clearance for Redevelopment Authority* (Kansas City, 1974), 25-26.

segregation through the location of public housing and weak HUD supervision.<sup>219</sup>

Contemporary Don Hager states, “Officials and city councils have manipulated and restricted the choice of sites for housing developments and these practices have been accomplished in such fashion that discrimination cannot be detected nor brought under judicial review.”<sup>220</sup> Although Kansas City’s municipal government later attempted to curb segregationist real estate efforts through the fair housing ordinance of 1967, the Human Relations Commission had no power to enforce non-discrimination law until 1989, when Missouri State Legislature granted local human rights commissions with law-enforcing powers. Other efforts to decentralize the inner city through local housing programs such as the DHA fell short because of a lack of participation by minorities, most likely resulting from ingrained stereotypes and real estate blockbusting.

Slums cleared to provide public housing later returned to slum conditions, often because of de-facto demolition attempts and foreclosures. Hager states, “There is considerable doubt that urban renewal has, in fact, accomplished any serious reduction of slums or blighted areas because, in nearly every instance, new slums have been created and expanded by crowding re-located minorities into adjacent areas already on the way to becoming slums.”<sup>221</sup> Kansas City’s Vine Street corridor, which had become the target of the bulk of Kansas City’s renewal projects, demonstrates this point. Instead of revitalizing or eliminating the overcrowded Vine Street area, residents displaced by urban renewal simply moved to the adjacent area to the south. Although it is clear that both

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<sup>219</sup> Hager, 84.

<sup>220</sup> Ibid.

<sup>221</sup> Ibid.

federal and state conduct certainly influenced housing segregation within Kansas City, its municipal government could have taken several decentralizing measures that would have brought displaced residents outside of the urban core via the placement of housing projects, revitalization projects, or housing allowance programs.

## CHAPTER V

### THE EFFECTS OF SCHOOL DESEGREGATION ON HOUSING

During the implementation of urban renewal and public housing within Kansas City, significant racial movement began in the 1950s with the migration of black residents to the southeastern section of Kansas City. Bound to the north by Twenty-Seventh Street and to the east by Troost Avenue, this section of the city transitioned from predominantly white to all-black neighborhoods. Although urban renewal efforts pushed some black residents east of Troost, this significant change in the racial makeup of Kansas City was primarily the result of Kansas City, Missouri School District's (KCMSD) efforts to maintain racially segregated schools through the use of Troost Avenue as a school attendance boundary between 1954 and 1975.<sup>222</sup> KCMSD's implementation of school desegregation spurred real estate officials to conduct blockbusting and racial steering efforts, forcing mass suburbanization and leaving Kansas City's schools primarily black.

Prior to 1954, KCMSD adhered to state-sanctioned segregated school districts with whites attending schools primarily located within the suburbs. In response to the 1954 Supreme Court ruling of *Brown v. the Topeka Board of Education* and after the state of Missouri relinquished state control over the placement of local school boundaries

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<sup>222</sup> Ibid., 97.



in 1954, KCMSD eliminated segregated school districts, replacing them with neighborhood attendance zones.<sup>223</sup> Troost Avenue defined the attendance zones for Westport High, Southwest High, Central High, Lincoln High, Paseo High, and Southeast High, leaving most preexisting black schools east of Troost. Although several schools, including Attucks and Dunbar, had no white students before 1955, KCMSD did not try to enforce extensive busing for balanced attendance, letting these schools retain their all-black status.<sup>224</sup>

### Real Estate Blockbusting 1950-1970

Taking advantage of KCMSD's neighborhood attendance practices, Kansas City's real estate agencies started advertising property by its location, east or west of Troost, as early as the late 1950s. Kevin Gotham states that this action "implicitly designated the race of those to whom property was available within the city."<sup>225</sup> The use of the Troost divide by the KCMSD sparked a wave of blockbusting efforts within Kansas City's real estate markets east of Troost. Although blockbusting or panic selling was not new to Kansas City in the 1950s and 1960s, it had only occurred on a limited scale. It was not until this time that real estate blockbusting efforts became a widespread practice, affecting entire sections of the city.<sup>226</sup> (Refer to appendix D and E)

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<sup>223</sup> Ibid., 104.

<sup>224</sup> Shortridge, 116, 141.

<sup>225</sup> Gotham, *Race, Real Estate, and Uneven Development*, 108.

<sup>226</sup> Ibid., 109.

In 1961, both white and black residents appealed to the Kansas City Commission on Human Relations for aid in preventing racial turnover among neighborhoods. However, Kansas City's Human Relations Commission had very limited powers during the peak blockbusting years. The Commission only held the power of influence and had no legal means of enforcing discriminatory law. However, these grassroots efforts paired with the backing of Kansas City's Human Relations Commission did lead Kansas City, Missouri's City Council to pass a 1964 city ordinance outlawing blockbusting. By 1967, Kansas City's municipal court held numerous cases concerning the violation of the city's blockbusting ordinance.<sup>227</sup>

Despite these efforts, mass blockbusting before the mid-1960s, paired with the Section 235 program that made affordable housing available within white suburban areas, had already left the area east of Troost Avenue primarily black.<sup>228</sup> Kevin Gotham argues that Kansas City's 1964 blockbusting ordinance, Kansas City's 1967 fair housing ordinance, and the Fair Housing Act of 1968 all failed to eliminate segregated neighborhoods within Kansas City; their reactive nature did not challenge real estate agents' steering practices that maintained racial segregation. Instead, discrimination laws simply respond to fair housing violations rather than having an affirmative action plan.<sup>229</sup> In addition, white residents continued to flow out of Kansas City's inner city, even without the influence of realtors, after KCMSD's school system began declining during the 1970s. After 1969, nineteen proposed tax increases for school funding failed to pass

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<sup>227</sup> Ibid., 111.

<sup>228</sup> Gotham, "Separate and Unequal," 26.

<sup>229</sup> Gotham, *Race, Real Estate, and Uneven Development*, 149-50.

within inner city areas. This lack of funding caused a loss in teachers, maintenance, and educational standards, leading to the further suburbanization of Kansas City's residents.<sup>230</sup>

Because of real estate agent blockbusting efforts during the 1950s and 1960s, the area targeted east of Troost Avenue saw the white population fall from 126,229 residents in 1950 to 33,804 in 1970, while black occupancy rose from 41,348 residents in 1950 to 102,741 in 1970.<sup>231</sup> By 1970, 88% of Kansas City's black population lived within thirty-five census tracts, namely in the southeast section of the city. While only three census tracts held a racial mix of 90% black or higher in 1950, nineteen census tracts were at least 90% black by 1970, all located east of Troost Avenue, thus causing an influx of black students into these schools. High Schools such as Central, Paseo, and Southeast went from all white in 1955 to over 97% black by 1975.<sup>232</sup> Several schools east of Troost followed this trend and became primarily attended by black students or retained their black attendance. (Refer to appendix F)

### Court Ordered School Desegregation

In response to Kansas City's increasingly segregated schools after *Brown v. Board*, the United States District Court for the District of Columbia ruled that KCMUSD

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<sup>230</sup> Shortridge, 141.

<sup>231</sup> Paisius Altschul, *Troost Avenue: A Study in Community Building* (Kansas City: Reconciliation Ministries, 2005), 29.

<sup>232</sup> Gotham, *Race, Real Estate, and Uneven Development*, 100-6.

had not met voluntary desegregation compliance in March of 1975.<sup>233</sup> This ruling spurred the Office of Civil Rights (OCR) to notify KCMSD that it was not complying with civil rights law because KCMSD had not desegregated its schools but had maintained an inferior curriculum and faculty in minority schools. Although KCMSD submitted a desegregation plan on July 14, 1975 in compliance with the OCR, it rejected KCMSD's plan, causing the Department of Health, Education, and Welfare (HEW) to cut off federal funding in 1977.<sup>234</sup> By this time, KCMSD's enrollment was 69.3% black, up from its black enrollment of 10-20% in the 1950s. School districts outside of Kansas City remained almost completely white as of 1977. These suburban districts include North Kansas City at .5% black, Independence at 1.1% black, Raytown at 3.0% black, and Hickman Mills at 6.9% black.<sup>235</sup> Because of KCMSD's high minority enrollment, the school board planned a regulatory lawsuit, later known as *Missouri v. Jenkins*, to condense KCMSD with suburban districts since it could no longer meet the level of integration mandated by HEW.<sup>236</sup>

By 1985, United States District Judge Russell G. Clark ruled in favor of the consolidation of KCMSD with eleven suburban school districts.<sup>237</sup> KCMSD fully supported Judge Clark's decision, stating, "Consolidation of school districts is the only

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<sup>233</sup> United States Commission on Civil Rights, Missouri Advisory Committee, *School Desegregation in the St. Louis and Kansas City Areas*, (1981), 22.

<sup>234</sup> Irene Thomas, "Implementing the Desegregation Court Order: An Ongoing Process," *District Report 2* no. 3 (March 1987): 4-5.

<sup>235</sup> United States Commission on Civil Rights, Missouri Advisory Committee, *School Desegregation in the St. Louis and Kansas City Areas*, (1981), 9, 22.

<sup>236</sup> Joshua M. Dunn, *Complex Justice: The Case of Missouri v. Jenkins* (Chapel Hill: University of North Carolina Press, 2008), 47.

<sup>237</sup> *Ibid.*, 5.

remedy which realistically promises to eradicate the deeply ingrained, area wide vestiges of the state's original constitutional violation."<sup>238</sup> KCMSD's resulting consolidation plan of 1985 included the consolidation of KCSMD, Blue Springs, Center, Fort Osage, Grandview, Hickman Mills, Independence, Lee's Summit, Liberty, North Kansas City, Park Hill, and Raytown into one district, assigning each school an enrollment of 20-40% minority attendance to be accomplished via extensive busing.<sup>239</sup> Although other school districts throughout the United States had previously implemented the consolidation of school districts with varying results, the Eighth United States Circuit Court dismissed the eleven school districts from consolidation on December 5, 1986, claiming the court could not order these districts to participate.<sup>240</sup> In lieu of this decision, Judge Clark raised property taxes and state funding for KCMSD, granting the school district an extra 200 million dollars to establish "magnet" schools.<sup>241</sup>

In 1988, the KCMSD established its first magnet schools, including Hartman, Cook, and Marlborough, intending to draw white students back into the district by implementing capital improvements, staff development, and a new administrative structure. James Shortridge states, "People argued that if the quality of instruction was high, the buildings modern, and the programs innovative, students from all over the region would want to attend."<sup>242</sup> Although KCMSD invested millions in new magnet

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<sup>238</sup> The School District of Kansas City, Missouri, *KCSD Plan for Remedying the Vestiges of the Segregated Public School System* (Kansas City, 1985), 1.

<sup>239</sup> Ibid., 1-8.

<sup>240</sup> Thomas, 5.

<sup>241</sup> Shortridge, 142.

<sup>242</sup> Ibid., 142.

schools, advertising, and busing, the magnet program failed. Shortridge states, “No more than 1,500 white suburban students enrolled in the schools in any one year, and it was rare for any of these pupils to stay longer than a semester.”<sup>243</sup> Historian Joshua Dunn states that the magnet school program was such a failure that “even those most heavily invested in Judge Clark’s program could not report that his plan was successful.”<sup>244</sup>

By 1995, the United State Supreme Court ended court control over KCMSD, resulting in a record high of 77.9% black school attendance for the year.<sup>245</sup> After court dismissal of KCMSD’s magnet program, declining maintenance and educational standards caused the school district to continually lose students to suburban schools. KCMSD’s enrollment had dropped from a peak of seventy-five thousand enrollees to seventeen thousand in 2012. This loss in enrollment, paired with a lack of maintenance, led KCMSD to close twenty-six of its sixty-one schools in 2010.<sup>246</sup>

### Conclusions

It is clear that KCMSD’s mandated neighborhood attendance zones spurred a racial movement within Kansas City that furthered the segregation of the city’s housing market. Although KCMSD’s early efforts did not directly influence the suburbanization of Kansas City’s whites, it did give real estate officials a means of creating an environment conducive to panic selling, which had been heightened by KCMSD’s

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<sup>243</sup> Ibid.

<sup>244</sup> Dunn, 116-17.

<sup>245</sup> Ibid., 119.

<sup>246</sup> “Troost Wall’ the Product of Kansas City’s Long-running Racial Plight: Racist Real Estate Practices Leave Urban Decay,” *University News*, March 5, 2013.

declining academic standards and facilities. Since KCMSD operates outside of Kansas City's municipal government, the city, which had no control over KCMSD policy, did not directly challenge any of KCMSD's actions. Joshua Dunn states, "Kansas City's government and the KCMSD are distinct, with the mayor and city council rarely meddling in KCMSD's affairs."<sup>247</sup> Despite city council's inactive role within the school district, Kansas City residents, including members of the municipal government, and civic organizations made repeated efforts to protest KCMSD's segregationist policy. However, Kevin Gotham states, "The KCMSD repeatedly justified its segregated school attendance boundary policies on the grounds that 'neighborhood unity', 'neighborhood autonomy', and 'neighborhood stability' had to be preserved before school integration could go forward."<sup>248</sup>

Even without direct influence over KCMSD policy, Kansas City's municipal government could have taken a more proactive stance in the enforcement of segregation law. Although city organizations such as the Human Relation Commission warned white residents about real estate blockbusting efforts by educating Kansas City's populous about racial steering techniques, it had no law enforcing power. In addition, Kansas City's 1964 blockbusting ordinance and 1967 fair housing ordinance came after blockbusting efforts had already turned over most areas east of Troost Avenue. Nevertheless, a 1971 report conducted by Missouri's Commission on Human Rights claims that Kansas City's municipal laws governing discriminatory practices within real estate agencies, lending institutions, and advertising were the strictest of all Missouri

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<sup>247</sup> Dunn, 140.

<sup>248</sup> Gotham, *Race, Real Estate, and Uneven Development*, 107.

cities at the time.<sup>249</sup> Although some real estate officials faced trial for violating Kansas City's blockbusting ordinance, the nature of said ordinance was reactionary, only responding to complaints instead of actively seeking realtors that conducted racial steering practices.<sup>250</sup>

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<sup>249</sup> Baker and Campell, 16.

<sup>250</sup> Gotham, *Race, Real Estate, and Uneven Development*, 111.



## CHAPTER VI

### CONTEMPORARY EFFORTS

During the 1990s and 2000s, the racial landscape of Kansas City began to change drastically because of the actions taken by HAKC, KCSMD, and city council. Although the Kansas City, Missouri City Council has lost considerable control over the implementation of urban renewal and public housing within recent years, it has begun to work within its limitations to foster integrated neighborhoods through its support of HAKC and the Human Relations Commission. Although Kansas City has begun to move in a positive direction, efforts made by lending institutions and real estate agencies through the advent of subprime lending continued to damper integration efforts.

#### Kansas City, Missouri's Housing Policy

Kansas City, Missouri's first black mayor, Emanuel Cleaver, first sparked the ideological changes within Kansas City's municipal government through his efforts to study race relations among Kansas City's communities. To accomplish this task, Mayor Cleaver commissioned a race-relations task force in 1996. Although Cleaver's task force found many discrepancies within Kansas City's race relations, many policy-making organizations, including the Department of Human Relations, the Department of Human

Recourses, and city council, did not adopt any of the task force's recommendations.<sup>251</sup>

Richard Middleton argues this was most likely because "Kansas City's large white middle class favors policies that are race neutral and that do not tend to point fingers or lay blame on white Americans for the social, economic, and political conditions of the city's small black population."<sup>252</sup>

Although Mayor Cleaver's race-relations task force failed to directly influence Kansas City's policy-making agencies, it did influence Cleaver's creation of a citywide rehabilitation effort called the Forging of Our Comprehensive Urban Strategy (FOCUS).<sup>253</sup> Meant to stabilize areas facing physical and social decline while simultaneously developing vacant areas, FOCUS aimed to support "ongoing commitment by residents, businesses, and government to address existing conditions proactively, strategically approaching a desired future and constantly monitoring and evaluating progress for positive change within the neighborhoods of Kansas City."<sup>254</sup> Cleaver's strategic approach to FOCUS ensured its success by turning the attention away from black communities and placing it on low-income areas. Although most low-income areas are primarily minority occupied, this simple change in terms helped gain support from Kansas City policymakers, who "consistently demonstrate that they will not be beholden to politicians who decry racism and advocate special treatment of blacks versus

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<sup>251</sup> Richard T. Middleton, *Cities, Mayors, and Race Relations: Task Forces and Agents of Race-Based Policy Innovations* (Lanham: University Press of America, 2008), 128, 139.

<sup>252</sup> Ibid., 127.

<sup>253</sup> Altschul, 32.

<sup>254</sup> Kansas City Commission on Human Relations, *FOCUS Kansas City* (Kansas City, 1997), 1.

whites.”<sup>255</sup> Although FOCUS does not implement a direct integration policy, it shows Kansas City’s attempts to move forward by supplying the opportunity for low-income communities to increase their value and thus foster mixed income neighborhoods.

Urban renewal projects enacted in the late 1990s and early 2000s would follow the pattern laid out by FOCUS. These new projects attempted to aid communities both socially and economically, rather than displacing them. One example of this is Mayor Cleaver’s push for urban renewal in Kansas City’s black eastside. Cleaver approved the allocation of 114 million to revitalize this area, creating the Negro League baseball museum and a jazz hall of fame in attempts to attract tourism and business to the area. Additional efforts include Kansas City, Missouri’s push to establish commercial retail stores within the urban core, thus adding jobs and stability to inner-city communities.<sup>256</sup>

The exodus of middle class black residents from east Kansas City to suburban areas between 1990 and 2000 also contributed to this change in rhetoric. James Shortridge states, “The presence of middle class black population in the suburbs helped the general public see that eastside problem in economic rather than racial terms.”<sup>257</sup> KCMSD’s loss of state accreditation in 2000 introduced some black families to suburban schools via KCMSD’s state-mandated obligation to bus students into suburban school districts. This fueled black movement away from Kansas City’s urban core.<sup>258</sup>

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<sup>255</sup> Middleton, 125.

<sup>256</sup> Shortridge, 182.

<sup>257</sup> Ibid., 177.

<sup>258</sup> Haya Nasser, “Cities Moving Beyond Segregation,” *USA Today*, December 7, 2011.

The movement of middle class blacks away from Kansas City's eastside also helped the implementation of urban renewal projects without the effects of massive displacement. At first, speculative investors bought houses left by eastside residents, turning them into rental units, and improper maintenance left properties vacant on Kansas City's eastside by the mid-1990s. By 2010, Kansas City had roughly 10,900 vacant homes, most of which were located east of Troost.<sup>259</sup> This increase in vacancy has thus provided the Kansas City, Missouri Municipal Government with urban renewal land east of Troost that will not displace or disrupt current communities. Taking advantage of this, Kansas City spent roughly 114 million stimulating business revival within this area in hopes of revitalizing its social and economic status. Although Kansas City enacted these measures and black movement away from Kansas City's eastside has improved, the area east of Troost remains primarily black, while affluent suburbs, such as J.C. Nichols' Mission Hills and the country club district, remain mostly white.<sup>260</sup>

After the implementation of FOCUS, Kansas City, Missouri's Office of the City Auditor called for a housing policy in 2000 that would unite all city organizations under one comprehensive housing plan. In doing so, the Office of the City Auditor sought to establish defined goals and methods of achieving housing equality by "addressing all housing in the city, regardless of the department providing the service."<sup>261</sup> Although Kansas City never implemented any of the city auditor's suggestions and has yet to unite under one housing policy, the efforts of the city auditor to encourage such a plan show

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<sup>259</sup> Shortridge, 177.

<sup>260</sup> Ibid., 183-85.

<sup>261</sup> Office of the City Auditor, *Special Report: Kansas City Needs a Housing Policy* (Kansas City, 2000), 10.

that Kansas City's municipal government continues to seek policy improvements. This demonstrates the success of FOCUS, which has prompted city organizations to shift their attention towards the development of housing policy in conjunction with urban planning.

### Kansas City, Missouri's Public Housing

At the federal level, HOPE VI launched in 1993 in response to the failure of public housing developments and the recommendation of the National Commission on Severely Distressed Public Housing. By replacing public housing projects with lower density developments that provided high living standards and apartment management via third party contractors, HOPE VI sought to draw a wider income range into its public housing communities. Policy analyst Alex Schwartz claims that the implementation of HOPE VI drastically increased neighborhood integration throughout the nation by creating mixed income public housing communities. He states, "Few would disagree that HOPE VI developments represent a drastic improvement over the distressed public housing units they replaced."<sup>262</sup> However, HUD did not grant the continuance of assisted living to all residents displaced by HOPE VI.

The implementation of HOPE VI, paired with the Quality Housing and Work Responsibility Act of 1998 and the creation of the Housing Choice Voucher, which allows housing authorities to establish multiple payment standards so that voucher recipients could rent in more expensive sections of cities, represented public housing policy's move away from the building of new units and towards the maintenance of existing ones. This policy shift caused the loss of 270 thousand public housing units

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<sup>262</sup> Alex Schwartz, *Housing Policy in the United States*, 2<sup>nd</sup> ed. (New York: Routledge, 2010), 145.

nationally between 1994 and 2008. As of 2003, only 5% of the national housing stock was built after 1985.<sup>263</sup> Kansas City's public housing stock followed this national trend, falling from 6,159 units in 1997 to 1,922 units in 2009, representing a 68.8% decrease.<sup>264</sup>

As HUD turned its focus to programs that would encourage the growth of socially mixed neighborhoods, HAKC ranked among HUD's lowest performers, receiving a seventeen out of one hundred upon assessment in 1994.<sup>265</sup> Because of HAKC's low performance standards, a federal court ripped Kansas City's municipal control away from the housing authority and named Jeffery Lines, president of TAG Associate Inc., as private receiver.<sup>266</sup> With this change in structure and HAKC's implementation of the new HUD agenda, the housing authority moved from one of the nation's lowest performers to a high performance PHA in 2000.<sup>267</sup>

Following the example of HUD, HAKC's new policy focused on mixed income developments and the implementation of the Housing Choice Voucher. During the 1990s and 2000s, HAKC created the "scattered site" plan which sought to place Section Eight and HOPE VI housing within "non-racially or economically impacted areas of Kansas City."<sup>268</sup> Although, Kansas City's municipal government had lost all influence over

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<sup>263</sup> Ibid., 126.

<sup>264</sup> Ibid., 153.

<sup>265</sup> John Monroe, HAKC Director of Planning and Development, telephone interview by author, July 20, 2015.

<sup>266</sup> The Housing Authority of Kansas City, Missouri, "HAKC History," [http://www.hakc.org/about\\_hakc/hakc\\_history.aspx](http://www.hakc.org/about_hakc/hakc_history.aspx) (accessed September 14, 2015).

<sup>267</sup> Housing Authority of Kansas City, *Annual Plan* (Kansas City, 2000).

<sup>268</sup> United States Department of Housing and Urban Development, Office of Public and Indian Housing, *Housing Authority of Kansas City, Missouri PHA Plans: Five-Year Plan for Fiscal Years 2005-2009* (Washington DC: HUD, 2003).

HAKC's operations, city officials fully supported scattered site housing, funding seventy-seven of the 212 scattered site units built in 1998.<sup>269</sup>

Currently, HAKC continues its efforts to create mixed income housing units, demolishing 140 units in Chouteau Court under HOPE VI in 2012.<sup>270</sup> The efforts of HAKC's scattered site and choice voucher programs of the 1990s and 2000s have certainly attributed to Kansas City's Negro tendency to move away from the urban core. However, the urban core remains the location of several public housing units and revitalization sites, restricting some of Kansas City's low-income residents to the inner city where they have been located since the implementation of public housing.

### Lending and Housing Segregation

Redlining and disparate impact segregation by lending institutions has also continued to affect housing patterns within Kansas City. Nationally, blacks in the highest income group saw a greater denial mortgage rate than whites in the lowest income group in 2007. Since the Home Mortgage Disclosure Act of 1975 (HMDA), revised in 1989, only includes a loan applicant's race, gender, income, and census tract, while excluding an applicant's assets, debt, employment, and credit history, it becomes difficult to come to a conclusion on the reasons for higher mortgage denial rates among African Americans. Although these denial rates have fell roughly 20% from 1997 to 2007, this

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<sup>269</sup> John Monroe, HAKC Director of Planning and Development, telephone interview by author, July 20, 2015

<sup>270</sup> James Hart, "KC housing project is likely to be razed and replaced with something better," *The Kansas City Star*, December 31, 2011.

increase in loan approval is a result of predatory lending practices and the subprime mortgage market of the late 1990s which attributed to increased foreclosures among African Americans.<sup>271</sup>

Subprime lending in America saw an increase from \$35 billion in 1994 to \$650 billion in 2005. With the increase of the subprime market came the increase in predatory lending practices, which disregard the mortgage applicant's ability to repay loans and, instead, focuses on the applicant's property values. These loans often include high third party, credit life, or broker fees, along with balloon interest rates designed to encourage foreclosures on properties that are worth more than the loans value. During this period, blacks who often had no ability to repay debt received the majority of subprime loans. Because of these predatory practices, many African Americans defaulted on their homes, leading to lower credit scores, increased racial stereotypes within the mortgage market, and a migration of black residents back into the inner city.<sup>272</sup>

Although the Fair Housing Act prohibits discrimination in almost all aspects of housing and mortgage markets, most historians agree that its enforcement efforts were weak because of compromises made in order for the act to pass Congress. These omissions greatly limited HUD's power to identify, hold hearings, or issue complaints on matters concerning the mortgage market. Thus, victims of mortgage discrimination had to identify the discrimination on their own, enlist the assistance of a fair housing organization, and build a discrimination case within 180 days, hindering most individuals from ever filing complaints about subprime lending practices. The subprime mortgage

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<sup>271</sup> Alex Schwartz, 265-69.

<sup>272</sup> Ibid., 271-74.



market continued to flourish into the late 2000s even though the federal government enacted the Home Ownership and Equity Protection Act in 1994, which required lenders to disclose all fees and penalties included within a loan, the loan contract process, and default.<sup>273</sup>

Within Kansas City, the municipal government could not control lending practices since each bank's regulator generally enforces banking law. In addition, an Office of Thrift Supervision and the Office of Comptroller of Currency decision in 2003 mandated that state and local predatory laws do not apply to national and federally regulated thrifts or their mortgage subsidiaries, eliminating any direct bearing that Kansas City, Missouri could insert over predatory lending practices. Kansas City's municipal government has continually worked through its organizations to provide grants and other assistance to low-income families seeking to purchase a home, showing that Kansas City looks to move in a positive direction even though it has no control over mortgage policy.<sup>274</sup>

### Conclusions

Currently, Kansas City's minorities continue to move away from the inner city. Despite the municipal government's lack of control over banking and public housing, it has shown improvements through the implementation of FOCUS and a shift in policy that now targets class instead of race. Although privately controlled, Kansas City's municipal government continues to support HAKC's public housing projects, which

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<sup>273</sup> Ibid., 278, 285.

<sup>274</sup> Reginald Smith, e-mail message to author, September 3, 2015.

encourage socially mixed neighborhoods by placing housing units throughout the city. In addition, Kansas City seeks to aid low-income homebuyers by offering grant assistance to minorities that cannot receive loans so that they may still obtain a home within the city.

## CHAPTER VII

### CONCLUSION

Kansas City, Missouri's municipal influence over the direction of housing segregation began as early as 1892 with the creation of the Board of Park Commissioners. Although not created as a racial barrier, the parks and boulevards system served as one. It is clear that the Board of Park Commissioners not only served to protect property value, but also to create permanent residential characteristics that would govern the growth of Kansas City's suburban areas. The construction of parks and boulevards also targeted blighted areas of the city, displacing black residents and placing them into preexisting racial enclaves that became increasingly overcrowded.

Because of the growth of racial communities and slum conditions, Kansas City, Missouri's municipal government created the Board of Public Welfare to investigate and aid blighted areas. That board worked as an extension to charities, most of which did not benefit African American families.<sup>275</sup> In addition, the Board of Public Welfare's Research Bureau published reports that attributed slum conditions to Negroes, reinforcing the growing stereotype that blacks were responsible for low property values. The Board of Public Welfare did little in the way of African American aid throughout its brief

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<sup>275</sup> Martin, 106.

history. Instead, the board placed a greater emphasis on the exclusion of black residents from mixed race neighborhoods through its housing reports.<sup>276</sup>

During the first decades of the twentieth century, Kansas City's suburban movement began to expand with the popularization of the automobile and an increase in the city's population. With the growth of suburbs, community builders, such as J.C. Nichols, looked to secure property values by whatever means they could, leading to the advent of restrictive covenants and adjoining homeowners associations that excluded homebuyers by race. As the federal government sought to rejuvenate the failing housing market during the Great Depression, real estate efforts helped create federal policy that supported racial restrictions through the FHA.<sup>277</sup> Although *Shelley v. Kraemer* (1948) ruled racially restrictive covenants unenforceable, they became more prevalent among Kansas City's suburbs. Fearing a loss of patronage, local officials and Kansas City's municipal agencies did not wish to make bold racial changes and excluded themselves from interfering with the residential segregation found in deed restrictions, homeowners associations, and racial steering practices until the creation of the Human Relations Commission in 1951 and the implementation of anti-discrimination law in the mid-1960s.<sup>278</sup>

As a result of decentralization, Kansas City's municipal government began to fully embrace the eradication of slums through federally sponsored urban renewal projects beginning in the mid-1940s. Although conducted through state chartered

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<sup>276</sup> Gotham, *Race, Real Estate, and Uneven Development*, 37.

<sup>277</sup> Bell, 23-25.

<sup>278</sup> Gotham, *Race, Real Estate, and Uneven Development*, 40-41.

agencies, city policies fully controlled these projects, which clearly targeted minority occupied areas. Since federal and municipal policy provided displaced residents with housing accommodations, Kansas City's municipal government turned to public housing to absorb displaced residents. Public housing remained segregated by race until 1964, placing black housing in minority concentrated areas.<sup>279</sup> By placing black housing units within the inner city, Kansas City's municipal government drove more black residents into expanding racial communities.

While federal policy shifted from housing developments to subsidy programs, HAKC participated in *de facto* demolition, steering minorities into revitalized inner city housing units. Although Section Eight housing provided the working class with housing opportunities within suburban areas, HAKC generally only granted these suburban subsidies to whites.<sup>280</sup> Similarly, HOPE VI suspended the one-for-one housing rule, allowing local PHAs to participate in the demolition of public housing more freely. Although HOPE VI sought to create racially and economically mixed communities, it generally provided a means for white working class residents to secure housing within suburban areas while blacks remained in racially segregated communities.<sup>281</sup> The Section 235 program also fueled the exodus of the working class from the inner city to suburban areas. This program not only lowered FHA loan standards, allowing low-income residents to secure FHA home loans, but also created public housing within the suburbs. Although

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<sup>279</sup> Shortridge, 106.

<sup>280</sup> Levin, Julie E., and Murray S. Levin, *Tinsley v. Kemp – A Case History: How the Housing Authority of Kansas City, Missouri Evolved from a 'Troubled' Housing Authority to a 'High Performer,'* 2007 <http://bit.ly/1KUE39Z> (accessed August 29, 2015).

<sup>281</sup> Goetz, 141.

open to all races, black participation within these programs was weak. Edward Goetz argues that blacks' unwillingness to leave such communities stems from their "attachment to place and the desire to preserve informal support networks upon which they rely."<sup>282</sup> The HOPE VI choice voucher program also limits the creation of racially mixed communities. Although designed to encourage racially mixed neighborhoods, movement within the program "is often determined by where other public housing exists, where rental units exist that qualify for the voucher program, or where land-lords are willing to accept such vouchers."<sup>283</sup>

After the *Brown v. the Topeka Board of Education* ruling, real estate agencies took advantage of KCMSD's neighborhood-based attendance zones by implementing mass blockbusting that targeted the area east of Troost Avenue during 1950s and 1960s. Since Kansas City's white residents began to seek schools outside of KCMSD that offered better staff, curriculums, and facilities, schools east of Troost saw an additional increase in segregation.<sup>284</sup> Although Kansas City's municipal government held no control over KCMSD, their Human Relations Commission worked to stop blockbusting efforts within their limits. Because of their lack of remedial power, the Human Relations Commission failed to curb racial steering. In addition, the Human Relations Commission could not influence the municipal segregation practices found in urban renewal and relocation assistance. Although the commission warned the municipal government that

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<sup>282</sup> Ibid., 142.

<sup>283</sup> Ibid, 138.

<sup>284</sup> David James, "City Limits on Racial Equality: The Effects of City-Suburb Boundaries on Public-School Desegregation, 1968-1976," *American Sociological Review* 54, no. 6 (December 1989): 963.

their urban renewal efforts exacerbated racial concentration and that municipal administration had not taken affirmative action, it could only suggest policy changes and held no authority to implement changes of their own.<sup>285</sup> Kansas City, Missouri did not enact anti-discriminatory law until 1967. By this time, federal, municipal, and private practices deeply ingrained racial stereotypes amongst Kansas City's residents. Furthermore, the effects of block busting, deed restrictions, homeowners associations, school desegregation, and suburbanization had already segregated Kansas City's metropolitan area before the passage of discriminatory law. Gotham states, "Despite the passage of anti-discrimination statutes, private housing actors continue to market dwellings to separate racial groups on the assumption that racially homogeneous and segregated living patterns are acceptable and preferred by housing consumers."<sup>286</sup>

Kansas City, Missouri has yet to enact a unified housing policy even though their urban core remains primarily black and discussion on affirmative housing policy began under Mayor Cleaver's FOCUS plan of 1997. Because of a recent movement of black residents into Kansas City's suburbs, Kansas City has fallen from the eighteenth most segregated city in 2000 to the thirty-sixth most in 2011.<sup>287</sup> However, municipal efforts did little to contribute to Kansas City's increase in black suburbanization. Instead, KCMSD's loss of accreditation, HAKC's conversion to private receivership, and a shift in social norms that now view inner city problems in the terms of class instead of race have fueled black suburbanization. The increased role of minority leaders within the

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<sup>285</sup> Kansas City Commission on Human Relations, *Report on Relocation Practices of the Land Clearance for Redevelopment Authority* (Kansas City, 1974), 24-26.

<sup>286</sup> Gotham, *Race, Real Estate, and Uneven Development*, 162.

<sup>287</sup> Haya Nasser, "Cities Moving Beyond Segregation," *USA Today* (December 2011).

public, private, and civic arenas demonstrates this shift in social norms. James Shortridge sites Ollie Gates, an African American owner of a successful barbecue chain, as one such example. Gates' contribution to the city has strengthened race relations through his philanthropy and community involvement. Shortridge states, "Barbeque, in turn, through its expansion from a limited position in the black community to an enthusiastic embracement by the city as a whole, has played a powerful role in bridging racial divides."<sup>288</sup>

Although black suburbanization within Kansas City has brought many black residents outside of Kansas City's urban core and has initiated a change in the way people view racial groups, several factors still constrict black residents to inner city areas. The works of Kevin Gotham, Lawrence Bobo, Eduardo Bonilla-Silva, and Joyce Bell suggest that modern institutions deny the limitations faced by racial groups, ignore racial inequality, and claim that racial groups are comprised of individuals with equal opportunity. Gotham states,

Racial inequality and privilege is defended today not by overt references to race or explicit forms of racial discrimination, but through a deployment of colorblind ideology that emphasizes diversity, multiculturalism, individualism, competition, and laissez faire.<sup>289</sup>

This rhetoric, paired with Kansas City, Missouri's city manager system, explains why actions within Kansas City have not produced results. Although Kansas City has implemented affirmative action plans, such as FOCUS, Kansas City, Missouri's political structure requires joint approval from the mayor, city council, and the city manager. As a result of the city manager system, Kansas City, Missouri has not implemented a unified

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<sup>288</sup> Shortridge, 177.

<sup>289</sup> Gotham, *Race, Real Estate, and Uneven Development*, 160.



housing policy and individual agencies continue without a joint effort to desegregate the city. (Refer to Appendix G)

Examining the impact that Kansas City, Missouri's municipal government had on housing segregation shows that the persistence of residential segregation strongly relied on municipal policy. However, the involuntary segregation found in the municipal government's relocation practices and their placement of public housing is not the only factor that led to residential housing segregation within Kansas City, Missouri. Kansas City's municipal government did directly shape the racial make-up of the city through its placement of public housing, parks, and boulevards, through the reactionary nature of its anti-discrimination law, and through the bolstering of racial stereotypes. Yet, Kansas City's municipal government took progressive steps through its Human Relations Commission and Direct Housing Allowance program to encourage racially mixed neighborhoods. Kansas City's black and white residents have participated in voluntary segregation, separating themselves without the influence of the public or private sector. While whites voluntarily segregated themselves through restrictive covenants and homeowners associations, black have voluntarily avoided municipal and federal programs to create racially mixed communities.

Thus, Kansas City, Missouri's municipal government has dictated the pattern of racial segregation within the city through its reactionary anti-segregation law that allowed the continuance of racial steering, the adverse effects of urban renewal, and the bolstering of racial stereotypes. The municipal government does not hold the authority to interfere with other public and private organizations that encourage housing segregation or to force voluntary segregationists together. Although some of Kansas City, Missouri's municipal

agencies have attempted to discourage segregationist efforts through their support of the Human Relations Commission and anti-discriminatory law, others have neglected to implement anti-segregation practices. Therefore, these municipal organizations have both aided and discouraged the continuance of housing segregation.

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## APPENDIX

## APPENDIX A

### Population of Kansas City, Missouri: 1880-2010<sup>290</sup>

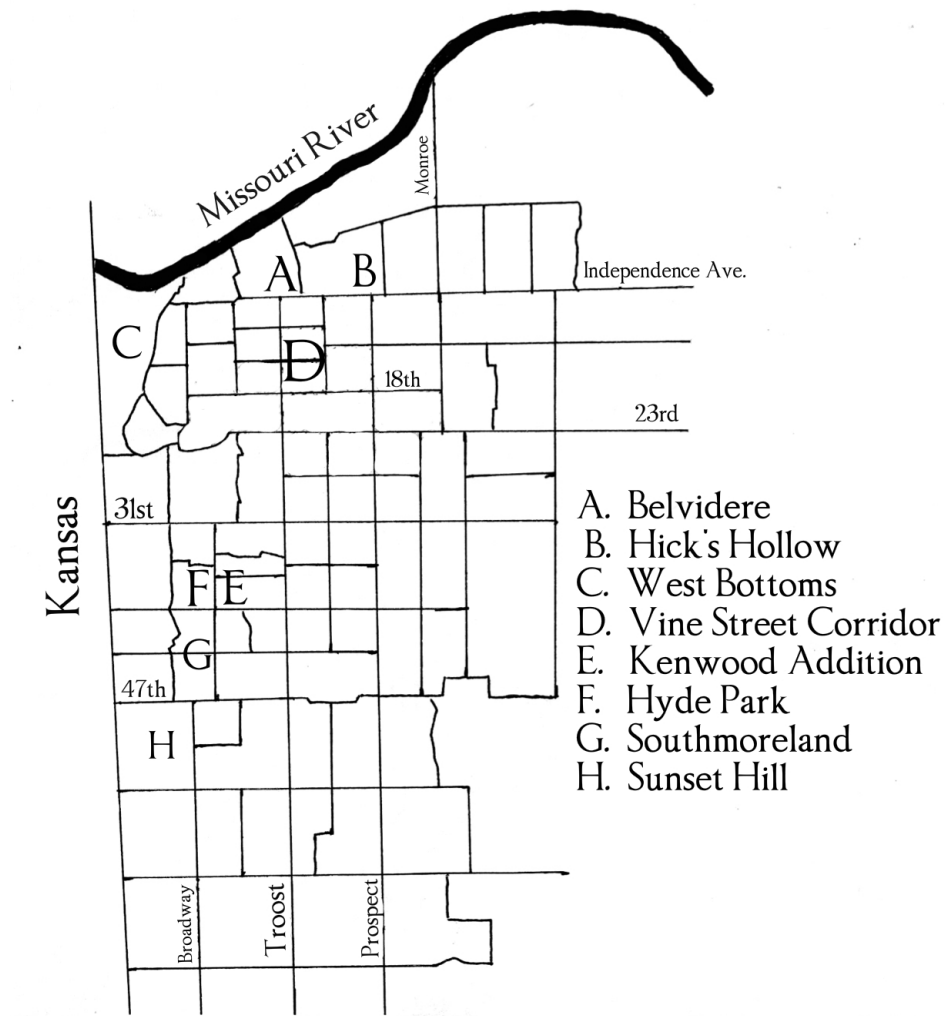
<u>Year</u>	<u>Total Population</u>	<u>Black Population</u>	<u>Percent of Total</u>
1880	55,785	8143	14.6
1890	132,716	13,700	10.3
1900	163,752	17,567	10.7
1910	248,381	23,566	9.5
1920	324,410	30,719	9.5
1930	399,178	38,574	9.7
1940	399,178	41,574	10.4
1950	456,622	55,682	12.2
1960	475,539	83,130	17.5
1970	507,330	112,120	22.1
1980	448,159	122,699	27.4
1990	435,146	128,768	29.4
2000	441,545	137,879	31.2
2010	459,787	142,748	31.0

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<sup>290</sup> Adapted from Gotham, *Race, Real Estate, and Uneven Development*, 16.

## APPENDIX B

### Racial Enclaves and White Suburbs of Kansas City, Missouri 1920<sup>291</sup>



<sup>291</sup> Adapted from Shortridge, *Kansas City and How it Grew, 1822-2011*, 79.

## APPENDIX C

### Urban Renewal Projects Kansas City, Missouri 1960-1972<sup>292</sup>

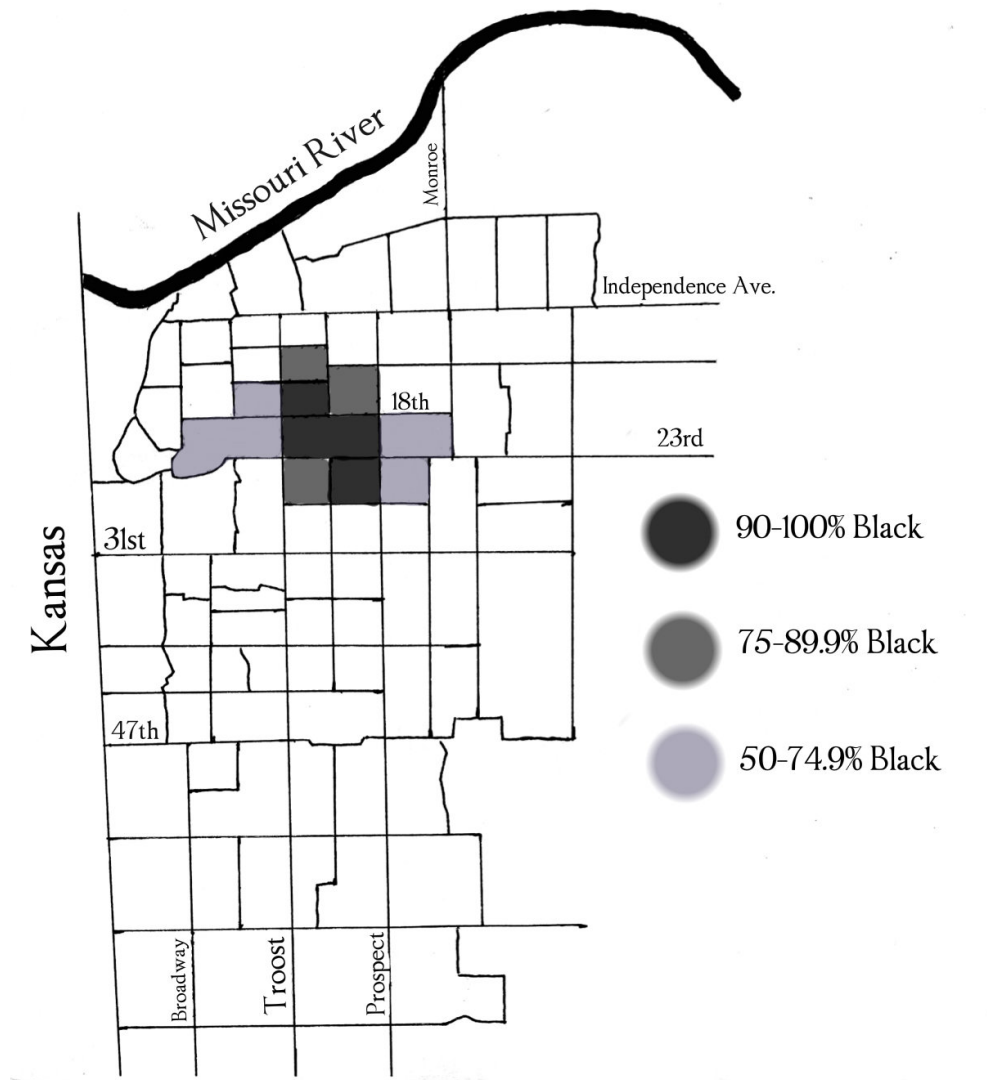
	<u>Project Completion</u>	<u>Displaced Blacks</u>	<u>Displaced Whites</u>
Northside	1960	88	432
Attucks	1965	478	0
South Humboldt	1965	28	203
Eastside	1965	88	582
Woodland	1965	58	162
Garfield	1965	0	131
West Main	1966	0	27
Hospital Hill	1967	46	47
Trinity	1972	1	159
Manual	1972	320	4
Columbus Park	1972	0	59
Attucks East	1972	367	129
CBD	1972	0	6
Twelfth & Vine	1972	309	19
Total		1783	1960

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<sup>292</sup> Adapted from Gotham, *Race, Real Estate, and Uneven Development*, 85.

## APPENDIX D

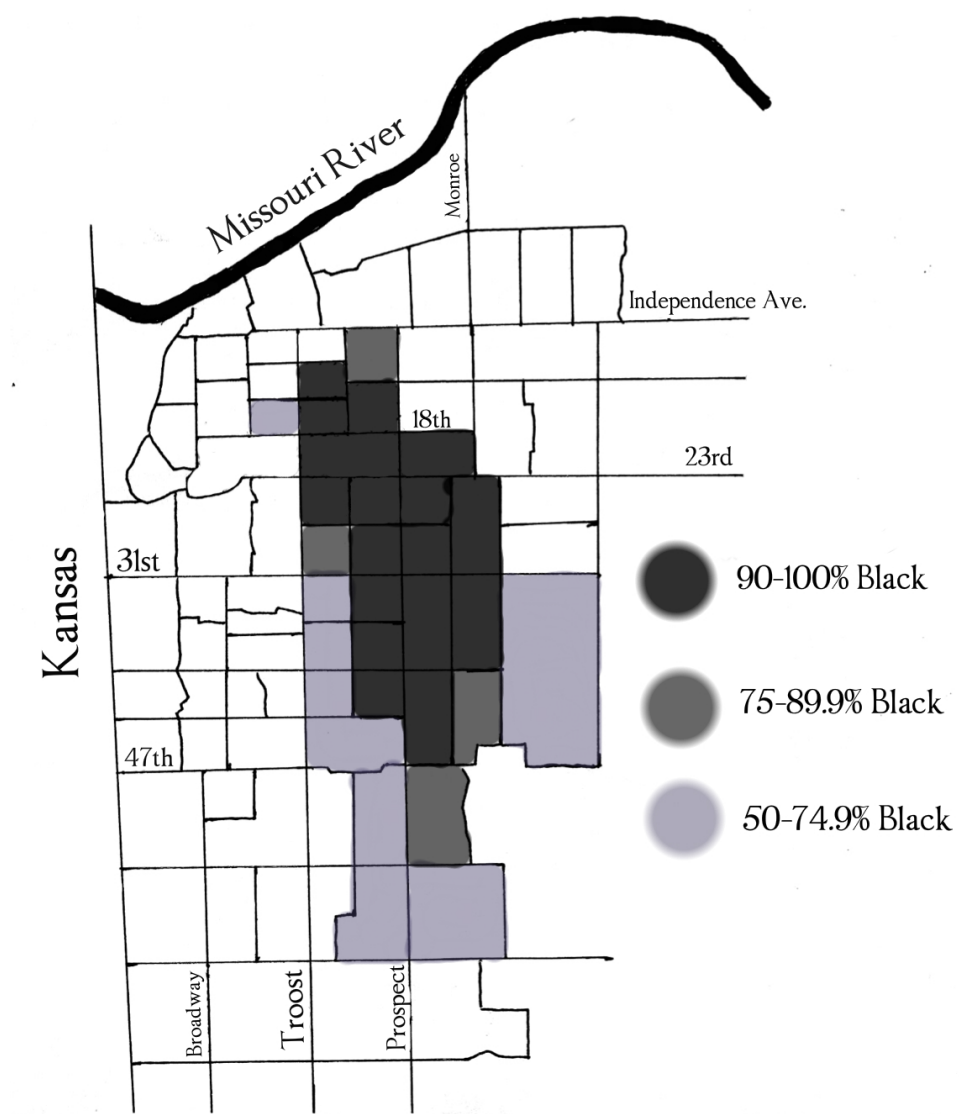
### Black Population of Kansas City, Missouri by Census Tract 1950<sup>293</sup>



<sup>293</sup> Adapted from Bureau of the Census, *1950 United States Census of Population: Kansas City, Mo.* (U.S. Washington DC: Department of Commerce, 1950).

## APPENDIX E

Black Population of Kansas City, Missouri by Census Tract 1970<sup>294</sup>



<sup>294</sup> Adapted from Gotham, *Race, Real Estate, and Uneven Development*, 102.



## APPENDIX F

### Percent of Black Student Enrollment in Selected Schools East of Troost<sup>295</sup>

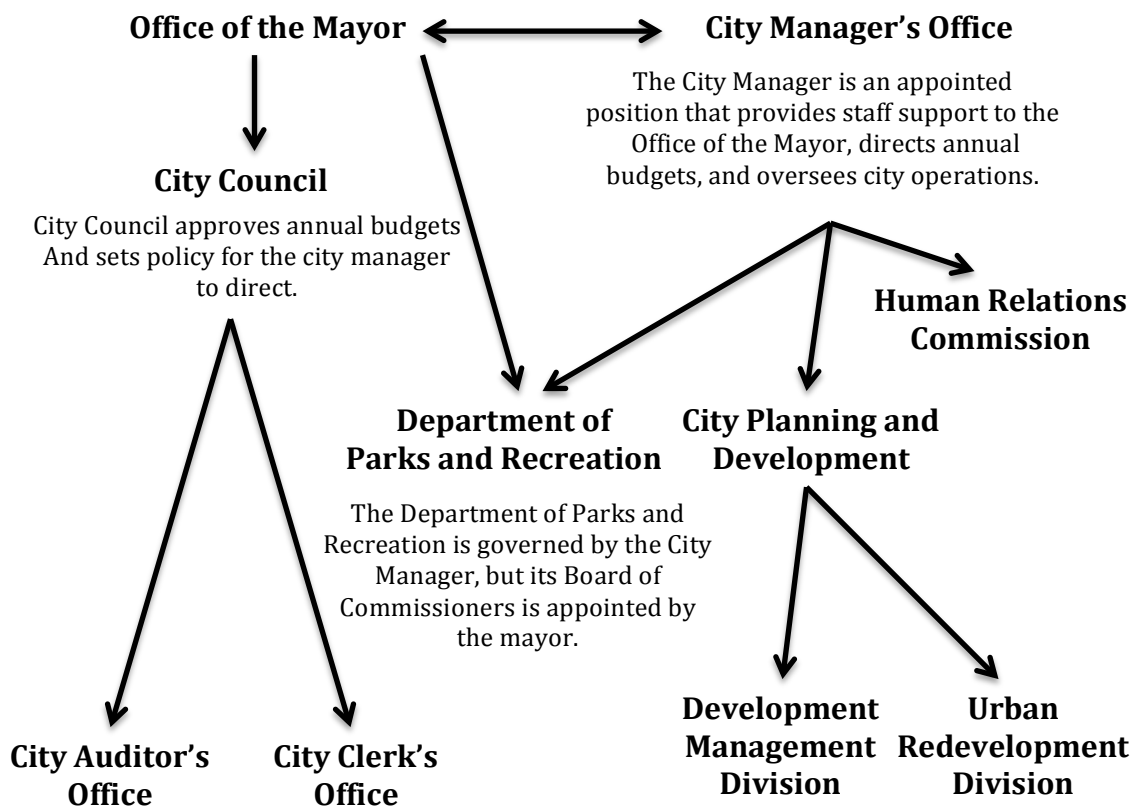
Year:	<u>1950</u>	<u>1970</u>
Attucks	100	99.4
Moore	2.2	92.6
Dunbar	100	99.2
Faxon	.7	92.5
Greenwood	70.9	100
Holmes	94.8	99.6
Linwood	19.0	99.8
Phillips	100	100
Wooland	22.6	97.3
Yates	100	99.9

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<sup>295</sup> Adapted from The School District of Kansas City, Missouri: Office of the Superintendent, *Report on the Progress of Desegregation in the Kansas City Public Schools* (Kansas City, 1970).

## APPENDIX G

### Kansas City, Missouri's Modern Municipal Structure<sup>296</sup>



<sup>296</sup> Adapted from the City of Kansas City, Missouri, <http://kcmo.gov> (accessed February 9, 2016).