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## Testimony begins in lawsuit challenging St. Bernard Parish multi-family housing moratorium

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By **Bob Warren, The Times-Picayune**

Testimony is being heard today in a federal suit filed against St. Bernard Parish by a fair housing group that contends the parish's moratorium on new multi-family housing developments violates fair housing laws.

The case centers on four mixed-income apartment buildings proposed for a parcel of vacant land across from Chalmette Battlefield. The developers bought the Chalmette tract from the Arlene and Joseph Meraux Charitable Foundation.

The Greater New Orleans Fair Housing Action Center claims the moratorium, which the Parish Council adopted in September 2008, is discriminatory because it limits rental housing, which the group says disproportionately affects African-Americans.

Parish Council members have said the moratorium and an earlier ordinance that requires specific council approval for many home rentals are meant to preserve the character of single-family neighborhoods and help protect property values in an unstable real estate market.

Testimony opened in U.S. District Judge Ginger Berrigan's courtroom this morning with Matthew Harris, a developer for Provident Realty Advisors, a Dallas company that wants to build four complexes with a combined 288 units, saying the moratorium jeopardizes the federal funding the company hopes to use.

James Perry, executive director of the Greater New Orleans Fair Housing Action Center, testified that the moratorium is discriminatory because it limits rental housing, which he said disproportionately affects minorities.

The group also sued the parish over the council's adoption in 2006 of a rental ordinance that initially included a clause requiring council approval for homeowners to rent their homes to anyone who was not a blood relative. The ordinance applied only to single-family homes that had not been rentals prior to the Katrina.

The council removed the blood relative clause and the suit was settled, with the parish not admitting fault but agreeing to pay \$32,500 and legal fees to settle damage claims.

Later, that amended rental ordinance was upheld by a federal judge who ruled against a group of investors who had sought to have the ordinance tossed out.

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