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Watchdog group promises to sue over housing

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GALVESTON — Galveston Open Government Project has renewed a vow to sue state and federal government agencies to stop the rebuilding of public housing demolished after the epic flood Hurricane Ike caused in 2008.

David Stanowski, who heads the self-described watchdog group, reaffirmed that intent and ramped up fundraising efforts in a Wednesday email blast to supporters.

The group had been threatening litigation for more than a year but suspended the effort after a majority bloc also opposed to the rebuilding was swept into power in spring city council elections.

That election created an expectation among many opponents of rebuilding that the city itself would take the fight to court.

“We put it on the back burner until we could determine what the city council was going to do,” Stanowski said Thursday.

Faced with the loss of more than \$586 million in federal disaster aid and other sanctions, a majority of the council voted Sept. 28 to accept a plan brokered by the Texas General Land

Office to replace the 569 demolished public housing units.

The Open Government Project surveyed supporters and donors after the vote to gauge whether they still supported litigation, Stanowski said, and they overwhelmingly did.

“We began receiving donations right after the vote,” he said.

The group plans to sue the U.S. Department of Housing and Urban Development and the state land office in a U.S. District Court on claims the council-approved rebuilding plan violates the U.S. Fair Housing Act and other civil rights laws, Stanowski said.

The Open Government Project lacks standing to file such litigation but was in contact with public housing residents who could and were willing to sue, Stanowski said.

Those residents were people who had lived in Galveston projects but left the island after Ike and found housing elsewhere through so-called housing choice vouchers, he said.

“They don’t want to be forced to come back to Galveston and live in public housing,” he said.

Stanowski wouldn’t say how much the group had raised or how much he thought it would need to raise to litigate against deep-pocketed government agencies.

“We’re not going to talk about that at this point,” he said. “There are people out there trying to size us up and decide whether we can afford to do this.

“I will say that I feel confident we have enough money to do it.”

The group already had retained a team of attorneys and much of the work already had been paid for, Stanowski said.

He declined to name the attorneys or the potential plaintiffs until the lawsuit was filed.

That would have to be in six months or less.

The main focus of the litigation would be mixed-income developments planned for the sites of Magnolia Homes and Cedar Terrace, two projects demolished after being flooded, Stanowski said.

The agreement approved last week calls for work to begin on the Cedar Terrace development in six months and at Magnolia Homes in eight months.

“We’ll file the lawsuit before they break ground,” Stanowski said.

The mixed-income developments were especially egregious examples of how the plan violated fair housing standards because they were to be built in areas with high poverty rates and where racial minorities formed the majority population, Stanowski said.

Neither state nor federal officials could be reached for comment. A senior housing department official had previously said the mixed-income developments could be built without violating federal law.