

## *Unsafe to Stay, Unable to Go: Half a Million Face Flooding Risk in Government Homes*

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By Sarah Mervosh

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When a deadly rainstorm unloaded on Houston in 2016, Sharobin White’s apartment complex flooded in up to six feet of water. She sent her toddler and 6-year-old to safety on an air mattress, but her family lost nearly everything, including their car.

When Hurricane Harvey hit the next year, it happened all over again: Families rushed to evacuate, and Ms. White’s car, a used Chevrolet she bought after the last flood, was destroyed.

“It’s not safe,” said Ms. White, now 29. “Everybody gets to panicking when it rains. You can’t live like that.”

But Ms. White and many of her neighbors cannot afford to leave. They are among hundreds of thousands of Americans — from New York to Miami to Phoenix — who live in government-subsidized housing that is at serious risk of flooding, a danger that is becoming increasingly urgent in the era of climate change.

Global warming has been linked to heavier rainfall, making record-breaking flooding more likely. But the Department of Housing and Urban Development, which oversees some of the at-risk properties, does not currently have a universal policy against paying for housing in a designated flood zone.

There may be good reason for that: Much of the nation’s affordable housing stock was built before climate change was well understood, and many properties already sit in flood zones. So the government continues to pay — a strategy that keeps a roof over families’ heads, but potentially leaves them in harm’s way.

Nowhere is that tension more acute than in Houston, where residents of the nation’s fourth-largest city have been pounded by severe storms in recent years — and where HUD is facing a lawsuit brought by Ms. White and a dozen of her neighbors. The residents say they are trapped in a dangerous area because their housing vouchers can be used only at that apartment complex, which sits in a particularly flood-prone area next to a bayou.

Daija Jackson, left, and Sharobin White at Arbor Court. “I don’t want to stay here,” Ms. Jackson said. “Period.” William Chambers for The New York Times

The complex, Arbor Court Apartments, which is run by a private landlord that contracts with HUD, has been in a flood plain since 1985 and under HUD’s oversight since at least 1991, according to the lawsuit, filed in federal court last year.

After the 2016 flood, HUD renewed its contract with the owner, for about \$1.6 million a year. Only a year later, Hurricane Harvey wiped out the first floor, leaving many families displaced and others complaining of major problems, including mold.

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“Arbor Court is not a close question,” said Michael M. Daniel, a civil rights lawyer whose firm has worked with Lone Star Legal Aid and the affordable-housing group Texas Housers on behalf of the residents. “How in the world it hasn’t flunked the ‘decent, safe and sanitary’ test — it’s beyond belief.”

Kenneth B. Chaiken, a lawyer for Arbor Court, said his client was a “terrific owner” that was deeply committed to offering affordable housing to families who need it. And he said the property’s location in a flood plain alone did not make it unsafe.

“People can safely live there,” he said. While families may occasionally suffer damage or displacement in an unusual storm, he said, “those are all the same risks that everybody else everywhere in Houston that suffered flooding experienced.”

HUD, citing the dire shortage of rental homes for extremely low-income families, says its goal is to preserve affordable housing whenever possible. So while the agency takes flood risk into account for new and substantially rehabilitated housing, it continues to fund existing properties in flood plains.

A senior HUD official, who spoke on the condition of anonymity to discuss internal conversations, said the agency was evaluating that strategy.

“Properties like Arbor bring that policy into question,” the official said. But if the agency institutes a blanket “we’re not going to renew in flood plains” policy, the official added, “then communities and residents lose that housing.”

Residents of Arbor Court evacuating in 2016. Nationwide, about 450,000 government-subsidized households are in flood plains, according to a 2017 report by the Furman Center at New York University. Brett Coomer/Houston Chronicle, via Associated Press

## **450,000 households in flood zones, sponsored by the government**

Nationwide, about 450,000 government-subsidized households — about 8 to 9 percent — are in flood plains, according to a 2017 report by the Furman Center at New York University.

Many of those, including traditional public housing, low-income housing for older people and Section 8 properties like the one in Houston, are financed by HUD. There are also properties in flood plains that receive tax credits to rent to low-income tenants, which are subsidized with other federal money allocated to states.

But the federal government's maps to assess risk are based partly on historical data and don't necessarily account for climate effects, like increased local precipitation, said Laurie Schoeman, a disaster recovery and resilience specialist for Enterprise Community Partners, a nonprofit group based in Maryland.

"If anything," she said, "that is an underestimate of areas that are at risk."

Climate change is putting everyone at greater risk for natural disasters, including flooding, wildfires and drought. Low-income and minority communities are especially vulnerable. Families like those at Arbor Court, who qualify for assistance and are 95 percent black, are not only among the least able to recover when disaster strikes, but they also tend to live in flooding-prone areas because the land was historically cheaper to build on.

Robert D. Bullard, an environmental justice advocate and a professor at Texas Southern University in Houston, said that subsidizing low-income families in flood zones overlaid with the government's record of redlining and placing African-American families near industrial sites and other undesirable areas.

"It's the same history," he said.

## **'We were trying to get on our feet, but then the storm hit'**

When Ms. White moved into Arbor Court, she said, she had no idea it was at risk of flooding. But one night in 2016, water came bursting through a wall in her bathroom, she said, sending her and her two children fleeing to a neighbor's apartment upstairs. By daylight, the area around the complex looked like a lake.

"They were putting kids in refrigerators, in baskets — that's how bad the water was," she said.

Her belongings destroyed, Ms. White shuffled among relatives' houses — a trauma that was compounded because she had recently been fired from her warehouse job after missing work when her son was hospitalized for a fever, she said.

She returned to Arbor Court a few months later, unaware that flooding would come again so soon.

Daija Jackson's former apartment, which was damaged during Hurricane Harvey in 2017. She now lives in a unit on the second floor. Arbor Court is suing the city of Houston for denying the complex's permits to rebuild. William Chambers for The New York Times

When Hurricane Harvey dumped staggering amounts of rain on the city in 2017, another young mother, Daija Jackson, had recently moved into what she hoped would be a starter apartment for her young family. Flooding soaked their clothes and toys, and more precious items, like her newborn daughter's bassinet, she said.

"We were trying to get on our feet, but then the storm hit," said Ms. Jackson, now 22. "It pushed us way back."

They lived in a hotel for months, only to return to find that their new apartment had problems with mold, according to the lawsuit.

Although moving isn't ideal for everyone — it can be especially disruptive for seniors and people with disabilities — Ms. Jackson is among those leading the fight to get out.

"I don't want to stay here," she said. "Period."

## **Where will they go?**

As the nation grapples with both its affordable housing crisis and the realities of living on a warming planet, the tensions gripping Arbor Court could soon play out in other communities across the country.

"It's not something that is going to go away," Dr. Bullard said. "You can point to this apartment and say, How many times or how much damage and harm must those residents fare? And how many times do we have to say, Not again?"

Ms. Schoeman acknowledged that the government could not suddenly withdraw support from all properties in flood plains without creating a new crisis of homelessness. But she said HUD could lead the way by coming up with creative solutions.

The agency could incentivize communities to use grant money to come up with local plans, a strategy a housing authority in North Carolina hopes to use to relocate two public housing properties out of flood zones. Last year, HUD allocated nearly \$16 billion for states to use on disaster mitigation.

Ms. Schoeman also raised the possibility of "climate vouchers," to give people living in vulnerable areas the choice to relocate.

While Arbor Court, the Department of Housing and Urban Development, and the city of Houston wrangle over the fate of the apartment complex, residents have been left in limbo. William Chambers for The New York Times

In Houston, Arbor Court has requested to move its contract to another apartment complex 25 miles away and on the other side of town. Mr. Chaiken said that his client was working on fixing up the property and that it would be ready for families to live in soon.

Residents' lawyers argue that would perpetuate racial segregation — the new address is in a ZIP code that is about 70 percent black. They are instead asking for portable housing vouchers, often thought of as “golden tickets” that allow families to move into better neighborhoods of their choosing. But in reality, many landlords refuse to accept them, particularly in hot housing markets.

Officials said HUD was working toward a solution, which could include giving the residents a choice between the two options.

Until then, Ms. White is still living at Arbor Court, waiting out each new rainstorm. She also worries about safety and roaches in the kitchen. But she hopes not for much longer.

Her vision for her next home is simple.

“No roaches, no gunshots, no flooding,” she said. “Everything opposite from where I am now.”