There are more that 750-thousand people living in the city of Cleveland. More than 2-million live in the metropolitan area. They work... they shop... they live in the 153-thousand residences scattered throughout the city. Some people live in the suburbs... in homes like this... but others, perhaps 60-thousand families live in homes like these; they are battered, they are dirty... they aren't nice. In the better housing market the supply is adequate to keep prices reasonable and the quality fairly good. If the prices go too high or the quality goes down, landlords know their tenants will just move elsewhere. But, in the inner-city, that other place to move to doesn't often exist. The tenants are trapped.
little leverage to improve their conditions. When they do try to get ordinary things like heat or electricity they are often tossed out into the street.

This furniture belongs to Mrs. Ross Sullivan. She and her four children lived in a basement apartment for $100 a month. There was no heat and the dampness, she claimed, made her children sick. She tried to get something done about it...

She was evicted and the classic argument between the tenant faction and the landlord faction began...

Do you think that a hundred dollars a month... I mean... do you think that's the right price for a basement apartment? ANS: Well, if a person comes out and looks at a place before they rent and say they accept a hundred dollars a month... I think that's the right price... and if it ain't the right price they should protest before they rent it. That's the way I would feel. WOMAN: If I didn't have any place, that would be left up to me entirely to move down there if I accept the place for a hundred dollars I think that it would be mine. I wouldn't move in there if I didn't see it. She has a custodian in the building and when she has
a problem she has to see the custodian. If she
doesn't get any reaction from the custodian then
she's not getting her hundred dollars worth.
ANOTHER PERSON: Well look, if she isn't getting
any reaction from the custodian well I can not
(mumble) that reaction. LANDLORD: Look, if she
doesn't want to pay her rent she can move.

2:43  "C" SOUND FULL (MEDINA)--"A" SOUND UNDER
Mrs. Sullivan was obviously moving but not by her
own choice. The landlord claimed she was evicted
for non-payment of rent...she argued about
lack of service...

2:51  "C" SOUND OUT--"A" SOUND FULL
This is why people are being evicted...because they
don't cooperate. We need cooperation. MAN: Have
you thought about how much trash could be piled
up here in that week that you clean it up? ANS: It
doesn't get piled up. It doesn't be piled up...
nowhere round this building. WOMAN: What's this
about my husband not paying rent cause I never
paid rent my husband never stayed down there.

3:11  "A" SOUND UNDER

3:12  "A" SOUND UNDER -- "C" SOUND FULL.
The landlord complains about losing money...the
tenant complains about being at the landlord's
mercy. And the law is on the side of the landlord.

3:21  "C" SOUND OUT -- "A" SOUND FULL (BEREST)
In those situations, if a landlord evicts, he knows
he can fill it up again because there are hundreds

and hundreds of families that need to live somewhere. And a building with a roof is better than on the street. QUESTION: It sounds that when a tenant moves into a place like this he has absolutely no recourse...is that correct? ANS: He has absolutely no recourse.

"A" SOUND CONT FULL -- "C" SOUND UNDER (MUSIC)

As long as the landlord is permitted to evict a person for asserting his constitutional rights: that is, to go to his government and say that this is out of compliance with the laws of this city...the laws of this state, then what's humanly considered right...as long as the landlord has that power to evict, the tenant has no rights.

FADE TO BLACK 4:09 FADE ALL SOUND OUT

END OF SEGMENT A
James H. Bell is a Cleveland City Councilman from the 11th ward. He heads the Council Welfare Committee and has worked hard to do away with these eyesores. Bell has some experience...and has had some success. When asked why these homes became so run-down Bell points to the welfare department that doesn't give enough money to its clients...to the tenants who don't keep up their homes...and to the Federal government.

QUESTION: Why do you have a reputation of being a slum landlord? ANS: (laughter) Well, I tell you, the federal government as I said before created the slum environment area. Anyone who owns any property, be it a single house or a double house in the area that is defined as slum and blight, he's a slum landlord. I found that many people on relief seem to be making a game out of not paying their rent. If they don't pay their rent you're continually losing money keeping the property in condition.

568 East 105th Street is one of many run-down buildings. The tenants want to fix it up but to the landlord its an investment property. He
bought it to make money...$80 per month per family.
The water leaks, the walls crack and the toilets
don't flush. The owner is James H. Bell.

1:26 "B" SOUND OUT -- "C" SOUND CONT. FULL (BELL)
QUESTION: How about your property...is it
substandard?  ANS: No...it isn't substandard but...
well, I said it wasn't substandard but you know,
I haven't been living in it. The people who are living
there are the ones who must keep it clean...are the
ones who must protect their own residence...and when
that is not done, why it can't help but develop
into substandard.

1:54 "C" SOUND CONT. FULL -- "B" SOUND UNDER
The tenants disagree. They say they have tried to get
Bell and his custodian to make repairs...and then
even tried to make improvements themselves with
little success.

2:04 "B" SOUND OUT -- "C" SOUND CONT FULL (MEDINA)
Last December the Law Department issued a
warrant for Bell's arrest. He was found guilty
of 17 housing code violations. Bell began
eviction proceedings against his tenants.

2:16 "C" SOUND CONT. FULL (BELL)
QUESTION: What's going to happen to the people?...
after they're evicted?  ANS: I don't know...
you should ask them that. Maybe they'll start
paying their rent wherever they move to. (laughter)

2:27 "C" SOUND OUT -- "B" SOUND FULL (MUSIC)

2:56 "C" SOUND FULL (MEDINA) -- "B" SOUND UNDER (MUSIC)
Landlords in Cleveland have a lot of help...from lawyers. While the tenants complain about lack of heat or adequate plumbing...while city housing officials pile on the violations...attorneys for landlords are in court. They're using the right to appeal...to delay action for one, two and sometimes three years.

3:17 "C" SOUND CONT. FULL -- "B" SOUND CONT. UNDER

It's a game...making repairs...and the city issues housing violations. Then the landlord's attorney goes to court to begin a marathon series of appeals. As long as the appeals drag on, the city can do little...and the owner keeps collecting rent. Finally, the building is demolished.

3:37 "C" SOUND CONT. FULL -- "B" SOUND CONT UNDER

Milton Shulman is a Cleveland attorney who has, according to court officials, filed more appeals and counter-appeals than any other local attorney. He also has owned buildings...buildings that official records show no longer exist.

Milton Shulman, officials report, owned a building at this lot at 1422 East 66th Street...it was demolished. He also owned a building next door, at 1418. That too was demolished. The game is over for these buildings. The game is not over however for 10624 Amor Avenue. Less that two years ago city inspectors were summoned.

According to officials, the building was and is owned by Martin Estreicher...sometimes under
the title of the Non Profit Corporation. The inspectors found a list of violations.

4:31  "A" SOUND FULL -- "B" SOUND OUT (FADE)
We discovered heating violations, health violations and faulty structural repairs. QUESTION: What were the heating violations? ANS: Using space heaters and central heating units in the basement out of repair...they don't work at all.

4:50  "A" SOUND UNDER -- "C" SOUND FULL (MEDINA)
Mrs. Bursier Jones was living there at the time paying $85 a month rent. She complained about the lack of heat.

4:57  "C" SOUND OUT
4:58  "A" SOUND FULL (JONES)
QUESTION: Do you get upset at all? ANS: Oh boy, upset is not the word for it. The mental agony I have spent just trying to get the normal things working that an ordinary person takes for granted...it's been tremendous for myself and the children.

5:15  "A" SOUND OUT -- "C" SOUND FULL (MEDINA)
FINALLY, the inspectors condemned the house. Two years have now gone by since the condemnation...three and a half years have gone by since the first complaints...and families are still living there and Martin Estreicher is still collecting rent. The house is still standing. Two families live here...Mrs. Shirley Hall upstairs and Mrs. Mattie Smith lives downstairs.
Two years went by with no city action because Milton Shulman was at work in the courtroom. Shulman appeals housing violations in three separate courtrooms. During one nine day period, Shulman filed 13 appeals. Shulman however denies that he abuses the law...or the right to appeal.

Well, nobody keeps anything in the courts for two or three years and nobody, no lawyer including me, files a baseless or groundless appeal.

Appeals were filed over a period of four years at this building before it was finally sold. Milton Shulman was the attorney...Martin Estreicher was the owner. The Estreicher-Shulman team were once again using their right to court appeal.

Well, it can be abused certainly. If a lawyer wants to delay the process long enough he can take what we call frivilous appeals... appeals which he knows have no basis in fact but which the courts have jurisdiction to hear. Through the process of taking frivilous appeals, he can in fact delay the process. I should mention that the courts have some power over
that. They have the power under the new rule of the Ohio supreme court to discipline attorneys who have filed frivolous appeals and frivolous complaints. The courts are very reluctant to exercise that power.

7:08 "A" SOUND OUT -- "C" SOUND FULL (MEDINA)

The courts have not disciplined Shulman yet but they have come close to it...by criticizing his actions in official court record. In one decision...discussing a whole series of appeals filed by Shulman...Common Pleas Court Judge George McMonagle wrote: "This case is a classic example of what can only be referred to as a sham and frivolous appeal. He added that it has contributed to the congestion of the Common Pleas court docket. Judge McMonagle also said that the case was only taken for the purposes of delay. These are all strong words city attorneys noted for a Judge to put in court record. Shulman refused to comment and threatened the station if his refusal were aired.

7:50 "C" SOUND OUT -- "A" SOUND FULL (FAST) (SHULMAN)

QUESTION: Is that true? ANS: No....Hold it. Hold it. I told you I wouldn't discuss it, didn't I? QUESTION: This is a public court record. ANS: This is a record of court so use it. I don't want to discuss it. I don't want you to put this part of the interview on tape. QUESTION: Why not? ANS: Because I'm telling you not to.
In the end, when the delays are all over... when no more appeals can be filed, the walls come tumbling down. And the long delay may have cost the landlord nothing. He could keep collecting rent... he could get tax write-offs and the city couldn't force him to make repairs. In the end he has to pay taxes and final demolition costs...

...but could end up with a profit.

One more building has been torn down... fewer apartments are available to live in... and the tenants remain trapped...

END OF SEGMENT "B"
Some people say the way to solve the problem of inner city housing is to tear it all down and start again. It appears that's what some people have in mind for Cleveland. Except when you look again, there's little being done to fill up the gaping holes.

In Cleveland as in other cities public housing is supposed to help out. When there's little money and a large family public housing is supposed to be there. Often it is...but more often it isn't...and it wasn't there for Mrs. Ross Sullivan.

After junior caught bronchitis that's when I started, I went down to metropolitan housing and I told them I wasn't going to pay rent and applied for a place to stay. They have all these empty places and when you go look for a place you can't get in. I have a girl friend, she has a three bedroom apartment for her and one little girl and still, I couldn't get in so I understand a judge got her in. I didn't know a judge so I didn't get in.

Public housing officials say there are few
vacancies and a long waiting list. Plans to put up additional units however have recently been stymied. Public housing like all other low income housing needs some kind of federal backing. This past January 5th however these programs came to a screeching halt. The Nixon administration froze the funds.

I think it'll be of major impact on labor, suppliers and we're going to be affected... the housing industry which is second only to the automobile industry...and you can just imagine what would happen if there wasn't any financing for automobiles in this country... for eighteen months.

Land and labor costs are so high, builders say, that housing without federal funds is out. So, Mrs. Sullivan, like thousands of other Clevelanders must look elsewhere.

The suburbs are also ruled out for Mrs. Sullivan. There the apartments and homes are in good condition but they are also mostly occupied by whites. When black families try to move in...to Cleveland Heights, to Shaker Heights...they are often warned.
So Mrs. Sullivan is trapped where she is... in Cleveland's innercity where apartment after apartment looks just like the one she left. Traps without windows, without doors...with the smell of gas and rat repellant growing old with the problem.

Tenants have their own idea of how to improve the situation.

Well, when the landlord doesn't fix up the building and do the things the tenants want him to...I think the tenants should hold back on the rent. And then I think that would help some. You know, like the repairs that have to be done...plumbing and things like that...first one thing then another...and like we hold the rent and still stay there.

Some legislators agree with Mrs. Hall and are backing the idea...if a landlord does not fulfill his obligations the tenant should be allowed to withhold rent...or if the tenant doesn't pay rent, the landlord can evict.

James Huston heads Governor Gilligan's Commission on Housing. He and others are working on a new bill that would spell out
such a landlord-tenant contract...and it has
drawn some controversy.

The landlord essentially agrees that the
property is fit for occupancy and will remain
fit for occupancy. The tenant on his side agrees
that he's going to keep the property clean...
he's going to dispose of the rubbish...that
he's not going to destroy the property. Essentially
the legislation follows the pattern of trying
to establish contractual rights on both sides.
This is not tenant legislation; it's landlord/
tenant legislation.

SHULMAN: Well, I think that's a violation of
property rights...it's a continuing program
of destroying our way of life. We've always
had laws involving tenant and landlord...
they've been good laws...they've held up
over the years. Unfortunately we have a number
of people who want to change things; not for
the better---but the results of their ignorance
and what they're doing may result in the
total destruction of our living habits.

Governor Gilligan hopes to get this through the
legislature early this year and Huston says there's
a good chance it will. But these are housing
bills that legislators did nothing about last
year so some tenants aren't too optimistic.
If it does pass however, some tenants will finally have some leverage...a leverage that Huston says, could backfire.

6:13 "C" SOUND OUT -- "A" SOUND FULL (HUSTON ON SIGHT)

This code gives the tenants some ability to demand that those units become inhabitable. It may be because it's economically unfeasible to do that...that the landlord will walk away from it and the tenant will have to find another place...and that ultimately, that house, that property, that unit will be torn down. That's a risk in this kind of legislation that I think you have to recognize and you have to be willing to take...because what you're really saying is that you're more interested in the quality of the housing than having an excess of houses which are such poor quality that people shouldn't live in them.

6:58 "A" SOUND UNDER -- "C" SOUND FULL (MEDINA)

It's a risk but Huston and others are saying that the risk must be taken. Otherwise in another few years Cleveland's inner-city will become a wasteland.

7:10 "C" SOUND OUT -- "A" SOUND FULL

7:13 BEGIN SLOW CROSSFADE FROM "A" SOUND TO "B" SOUND (MUSIC)

7:18 "B" SOUND FULL (MUSIC)

9:04 "C" SOUND FULL (MEDINA) -- "B" SOUND UNDER (MUSIC)

People have a way of making the best with what they have...simply because they have no
other choice. Children are no exception. They play outside inner-city Cleveland homes...dirty, rat infested, without plumbing and proper maintenance and learn to grow up and live with it. Children don't know any better. But adults do. They know there is a better way to live. They can see it every day...on a bus ride to work...on television...they can see that they are a portion of society trapped in a lifestyle that never seems to improve. They are hoping that the lawyers, the legislators, the judges and the landlords themselves will help them...that they will make things a little better for their children.

Because, they say, things could be a little better...

9:51 matte title
matte medina
matte miller
matte goulden/mrzena
matte engineers
matte nbc news coop
matte mra

9:47 "C" SOUND OUT -- "B" SOUND FULL (MUSIC)

FADE "A" TO BLACK 10:56 ALL SOUND OUT

END OF SEGMENT "C"
END OF SHOW