

HOUSING COURTS BIBLIOGRAPHY*

I. Books and Unpublished Materials

Association of the Bar of the City of New York, Committee on Housing and Urban Development, Subcommittee on Housing Court Practices and Procedures, Proposed Amendments to RPAPL and Other Statutes Dealing with Housing Court Practices (n.d.) (unpublished internal working paper). 22 pp.

This paper proposes a series of changes to simplify and clarify the practices and procedures of New York City's Housing Court. Recommendations include requiring the clerk of court to mail an additional copy of the petition and a notice of the petition in a dispossess proceeding by regular mail; allowing liberal amendments of petitions and answers to prevent the dismissal of amendments as "jurisdictionally defective"; authorizing the issues, to require, as a condition to adjournment, that the tenant deposit the rent due or at least a portion of it with the court.

A. Avitable, Evaluation of the Pilot Installation in the Manhattan Housing Court of a Computer Link with the Housing Data Files of The Department of Housing Preservation and Development (Dec. 27, 1977) (unpublished paper). 44 pp.

The author examines the history and rationale of New York City's computer link program. The study concludes that the two major benefits expected from the computer link—its use as a tool for comprehensive code enforcement and its money-making potential—have not been realized. The installation has been mostly used as an information tool for hearing officers. Possible reasons for the underutilization of the linkup are explored, including understaffing, a high caseload, and judicial reluctance.

J. Birnbaum, N. Collins, & A. Fusco, Judgment Landlord: A Study of Eviction Courts in Chicago (S. Mansfield ed. 1978). 136 pp.

An eighteen-month study consisting of in-court observation by specially trained law student monitors and gathering of data from court files in the courtrooms of Chicago's Forcible Entry and

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Detainer (eviction) Court. After describing how the eviction process works, and the types of people—judges, landlords, and tenants—involved in it, the study's numerous findings are revealed. The study discovered that the court operates with a preconceived bias against tenants, and that no real adversary process takes place in the courtrooms. The court used various allegedly illegal means to guarantee an outcome in favor of the landlord, such as excusing the landlord from making any *prima facie* showing, rejecting tenants' legal defenses by improper rulings, relying on inadmissible representations and hearsay testimony from landlords' attorneys, and imposing an extraordinary burden of proof on tenants. Other abuses also are discussed. To solve these problems, the authors urge that all eviction proceedings be suspended until certain minimal reforms can be implemented. These recommendations are outlined. Other intermediate reforms also are suggested for the future.

Z. Bush, *An Alternative Method of Dispute Resolution in the Boston Housing Court* (May 25, 1979) (unpublished third year paper, on file with Judge John Cratsley, Harvard Law School). 21 pp.

This paper focuses on the function of housing specialists as mediators in the Boston Housing Court. After explaining the procedural aspects of housing mediation, the author describes certain landlord-tenant disputes particularly well-suited to this alternative method of dispute resolution. Lastly, Bush summarizes the advantages and drawbacks of the Boston program.

M. Cancilla, "Slumlords" and the Housing Court of the City of Pittsburgh (Aug. 19, 1976) (unpublished paper to the Pittsburgh Housing Court). 24 pp.

This study examines the records of the Pittsburgh Housing Court from 1967-1976 and concludes that the court has successfully enforced the various city housing, health and safety codes. The author suggests that the criminal process may be effective in bringing about code compliance in the majority of cases, but observes that a cumulative per diem civil penalty might be necessary in dealing with chronic code violators. Stepped up enforcement efforts by the Bureau of Building Inspection is recommended as a solution to illegal conversion. This paper also expresses the belief that rent withholding may be responsible for inducing code compliance in Pittsburgh. Finally, the author offers a proposal of public education to inform tenants of their right to safe and sanitary housing.

Columbia University Legislative Drafting Research Fund, *The Civil Housing Court: A New Approach in Legal Remedies in Housing Code Enforcement in New York City* 230 (1965).

This study laid the groundwork for the adoption of New York's 1972 Housing Court Act, which created the Housing Court of New York City. It is probably the first in-depth proposal urging the creation of a separate court to deal with housing litigation. There is a brief description of the workings of such a court and a detailed proposal suggesting which actions the court should have jurisdiction over. Related constitutional and organizational considerations are discussed.

Court Study Group of the Junior League of Brooklyn Landlord and Tenant Court (1973) (National Clearinghouse on Legal Services, No. 10,470). 61 pp.

A study of the Landlord and Tenant Court in Brooklyn. 1,000 cases were observed during a three-month period and seventy-five variables were accounted for. The report describes the failures of the court in two areas: inadequate court facilities, insufficient staff, and inefficient scheduling; and, inadequate judicial functioning including improper manner towards parties, inadequate trial procedures, and ineffective disposition of cases. To remedy these problems a number of recommendations are offered, directed at improving court operation and judicial practices.

R.S. Dillard, Housing Mediation Project—1979: LEAA “Alternative Dispute Resolution” Guideline (1979) (preliminary draft version number two, unpublished internal working paper). 5 pp.

In this report, Susan Dillard, Clerk of the Boston Housing Court, reviews the functions and importance of housing specialists in the mediation of housing-related disputes.

Final Report of the Commission to Study the Creation of a Housing Court or Housing Division of the Court of Common Pleas (April 1, 1977) (unpublished paper submitted pursuant to Special Act 76-65 of the Connecticut Legislature).

The report initially identifies several reasons that warrant the creation of a housing court in Connecticut—inadequacy of code enforcement, the fragmentation of criminal and civil housing proceedings, pervasive delay, and the failure to preserve and rehabilitate housing. After describing the housing courts of Boston, Springfield, and New York City the report analyzes the Commission's proposed legislation.

First Annual Report of the Housing Court of the City of Boston (1973) (unpublished paper). 24 pp.

This report reviews the history of the Boston Housing Court, describes its physical facilities, rules and forms and provides a breakdown of the court's large caseload and budget. Finally, after explaining the responsibilities of the court's Housing Specialist Department, the paper examines the creation of the Citizens' Advisory Council and a television project featuring videotapes of actual Housing Court sessions for educational purposes.

E. Goffin, *A Study of Alternative Housing Tribunals* (1975) (unpublished paper). 98 pp.

This study was conducted to determine the tribunal best able to serve the needs of Buffalo in its housing code enforcement program, and the powers that tribunal should possess. The authors first examine the criminal jurisdiction of the Buffalo City Court in housing code enforcement and the jurisdiction of county and supreme courts in code enforcement through civil proceedings, reviewing the drawbacks and advantages of such an approach and suggesting needed reforms. The paper details a recommendation that a court in Buffalo be given civil jurisdiction in code enforcement. Finally, the authors consider several alternative forums for code enforcement including and administrative tribunal; county court; present City Court Housing Term; an altered, more powerful Housing Term; a separate and distinct housing court; and division of the supreme court. The benefits and disadvantages to each are summarized and the report comes out favoring a special city housing court or the supreme court, New York State's court of plenary jurisdiction, for housing code enforcement.

E. Goodman, *Courts*, in *The Tenant Survival Book* 125 (1972).

A book written for the benefit of tenants, which familiarizes the reader with all aspects of being a tenant and protecting tenants' rights. In the chapter on courts, Goodman explains the judicial system: how it works, how it may affect the tenant, and how it may be used by the tenant. To aid the tenant in understanding the judge, Goodman describes what type of people they are and how they became judges. All this helps the tenant comprehend the judicial system, a critical element in landlord-tenant relations.

A. Gorin, *Housing Code Enforcement in the City of Buffalo under the Special Housing Part* (1976) (unpublished paper at the State Univ. of New York at Buffalo). 51 pp.

This paper examines the effectiveness of the Buffalo Housing Court in using criminal sanctions for housing code enforcement. Gorin first reviews the origins and jurisdiction of the court. He then describes the enforcement of housing, safety, and sanitary codes by various city agencies. After discussing several case studies of code enforcement through criminal sanctions, the author notes the success of the court's first judge, Judge Denman, in obtaining code compliance. The author concludes, however, that much effort is needed to preserve the Buffalo housing stock.

F. Grad, *Legal Aspects of Housing Code Enforcement in Baltimore City* (June 21, 1971) (unpublished paper). 73 pp.

Grad enumerates the ways in which Baltimore could improve its housing code enforcement process. Primarily, he recommends that sole reliance on criminal prosecution be abandoned in favor of wide-ranging remedies and sanctions aimed at improving code compliance. Within this paper, Grad describes how the housing court or an administrative adjudicatory proceeding might enforce more modern remedies like civil penalties. He proposes that a special housing court be established, presided over by a judge sensitive to housing problems and appointed for a long term.

J. Greaney, *Annual Report: Hampden County Housing Court: January-June, 1974* (1974) (unpublished paper). 45 pp.

Judge Greaney of the Hampden County Housing Court begins by reviewing the origins and history of the court. After discussing the jurisdiction and caseload of the court, he describes the roles of the Housing Specialist Department, the Clerk's Office and the Citizen Advisory Committee (CAC). He also examines the efforts of the court in disseminating information to the public about its services. The appendices of the paper provide reports from the Clerk's Office, the Housing Specialist Department and the CAC.

J. Greaney, *et al*, *Annual Report: Hampden County Housing Court: Covering the Period from July 1, 1974 to June 30, 1975* (1975) (unpublished paper). 39 pp.

This report is a compilation of the reports of Judge Greaney of the Hampden County Housing Court, the Clerk's Office, the Housing Specialist Department and the Court's Citizen Advisory Committee. Judge Greaney examines the court's caseload and then speaks of the court's operation in criminal, eviction, small claims, and other civil cases. In other sections he describes the function of the Housing Specialist Department, the Clerk's Office and the

Citizen Advisory Committee. Finally, after reviewing the court's activity in informing the public about its rights and duties, Judge Greaney examines the needs of the court.

R. Green, *Housing Code Enforcement—Philadelphia's Paper Tiger*. (1971) (unpublished paper).

Green details the many problems with Philadelphia's system of housing code enforcement and proposes adoption of Grad's cumulative per diem civil penalty as a remedy to code enforcement shortcomings.

Housing Committee of the Citizen Planning and Housing Association, *A Proposal for Improved Enforcement of Housing Standards in Baltimore City*. (August 1975) (unpublished paper). 60 pp.

The Committee details the problems of the Baltimore court system as the last step in the code enforcement process. Among the problems: limited jurisdiction, short judicial terms, ineffective delivery of summonses, and a worthless initial appearance procedure. After noting the importance of flexibility, the study explores alternative enforcement systems—criminal, civil, equity, and various levels of administrative and quasi-judicial enforcement.

Housing Committee of the Citizens Planning and Housing Association, *The Baltimore City Housing Court: Analysis and Recommendations* (March 25, 1971) (unpublished paper). 30 pp.

The Citizens Planning and Housing Association (CPHA) conducted this study to analyze the effectiveness of Baltimore's Housing Court. CPHA found the Court to be inefficient in code enforcement and inadequate in criminal prosecution for punishing violators and inducing code compliance. Major recommendations include granting the court civil powers and general equitable jurisdiction, combining the Housing Court with the Rent Court of Baltimore, and appointing a new full-time judge with housing expertise and equity experience to hear all housing and rent cases.

R. Johnson, *Legislative History of the Housing Court of the City of Boston* (Sept. 1972) (unpublished paper). 22 pp.

This paper primarily describes the legislative history of the Boston Housing Court, tracing it from a 1964 study to the enactment of enabling legislation in October 1971.

G. Leonardson, *The Pittsburgh Housing Court and the Pittsburgh Housing Clinic as Models of Orion White's Dialectical Organization*

(Fall 1970) (unpublished paper). 18 pp.

The paper compares Orion White's "dialectical organization" model to the operation of Pittsburgh's Housing Court and Housing Clinic. The paper concludes that the Pittsburgh experience demonstrates that a hierarchical structure with a non-bureaucratic mentality can respond to the personal needs of the individual client as those needs change over time.

S. Maas, *Housing Court Proposal* (n.d.) (unpublished paper). 13 pp.

The paper first reviews the difficulties associated with available mechanisms for housing and safety code enforcement in Rochester, New York. The paper then examines the innovations of the 1972 Housing Court Act of New York, which created the New York City Housing Court. The author also summarizes the advantages and the difficulties of the system of code enforcement in Chicago. The report ends by recommending the creation of a separate court with exclusive jurisdiction over building, housing, zoning, and related land use matters for Rochester.

Massachusetts Continuing Legal Education, *Practice and Procedure in the Housing Courts of the Commonwealth and Trends in Landlord-Tenant Law* (Dec. 16, 1974). 65 pp.

This booklet stands as a quick reference for the practitioners asked to represent a client in either the Boston or Hampden County Housing Court.

Metropolitan Housing and Planning Council, *Study of Housing Court* (April 1970) (unpublished paper). 65 pp.

This study of the Chicago Housing Court, a part of the Municipal Division which hears municipal and chancery cases concerning housing code violations, was performed in May and June 1978. After describing the overwhelming caseload of the Housing Court's five courtrooms, the study reviews the advantages and drawbacks of various sanctions available to the court in code enforcement—fines, receivership, demolition, and the order to vacate. Also examined are the problems faced by the Housing Court in relation to lead poisoning and buildings without heat, extreme threats to health and safety. Other traditional difficulties are mentioned, such as delay in the operation of the Housing Court and cumbersome and antiquated record keeping, both which hamper code enforcement. The final section includes a list of conclusions and comprehensive proposals for reform.

National Center for State Courts, Northeastern Regional Office, A Study of the Boston Housing Court (April 5, 1974) (unpublished paper). 70 pp.

After summarizing its numerous recommendations, this comprehensive study details various aspects of the Boston Housing Court while explaining the rationale behind suggested reforms. The areas analyzed by the study include the history of the court, its organization and administration, the operation of the court, and other more technical matters like budgeting, docketing cases, court facilities, and the need for a computerized management information system. The study's principal recommendation is the addition of a judge to the court.

National Street Law Institute, *Housing Law*, in Street Law 151 (1975). (Teacher's Manual also available)

As a text for classes at Washington, D.C. high schools, and D.C. prisons and juvenile institutions, this book was written to provide the reader an understanding of law that can be of practical use to him in his everyday life. In the chapter of the book on housing law, there is a section which explains the many aspects of landlord-tenant courts. The author first generally describes the process of the landlord-tenant court, a special court which has been set up in many cities and counties to handle landlord-tenant disputes. Next, the book details a variety of defenses available to the tenant in eviction suits. Finally, the section discusses how a tenant may bring a landlord to court to obtain needed repairs and how the tenant may sue the landlord if he or his family is injured because of the landlord's failure to repair.

C. Odell, Code Enforcement for Multiple Dwellings in New York City: Part II: Enforcement Through Criminal Court Action (Jan. 1965) (unpublished paper, prepared for the Community Service Society of New York, Committee on Housing and Urban Development). 87 pp.

This is a report of an inquiry into the procedures of criminal enforcement employed by the New York City Department of Buildings and Department of Health in the prosecution of cases through Housing Court. The report begins with a variety of conclusions and recommendations concerning housing code enforcement. Though many involve methods for improving efforts at investigating and prosecuting violators, several recommendations concern reforming court procedure. These include the imposition of more severe fines, the suspension of sentences on condition that

offenders remove code violations, consistent court policy regarding the admissible grounds for adjournments and reinspection, and the elimination of substituting corporations for individual defendants in Housing Court. The body of the report discusses efforts by the Department of Buildings and the Department of Health in code enforcement. Considerable attention is given to describing the jurisdiction, administration and operation of the Housing Court. The report ends with many comments and observations concerning the Department of Buildings and the Housing Court.

Office of the City Comptroller, Monitoring Report on the Performance Analysis of the New York City Housing Court (Jan. 8, 1979). 147 pp.

The report evaluates enforcement by the New York City Housing Court of the city's Housing Maintenance Code during the period January 1976 through May 1978. The city's Comptroller compares the study's findings with those of an earlier report which focused on the period January 1975 through July 1976. The report concludes that the Housing Court is not as effective and efficient as it could be. The court still fails to: comprehensively consider all needed repairs in the buildings with cases before it; make efficient use of courtroom time; collect money owed the city by landlords appearing before it; deter future deterioration of buildings by acting effectively against those who break the law and fail to maintain their buildings as required by law. Numerous recommendations are provided throughout the report, aimed at improving housing code enforcement and better serving the public.

Office of the City Comptroller, Performance Analysis of the New York City Housing Court (Jan. 7, 1977). 84 pp.

The report first discusses the objectives, history, and jurisdiction of the Housing Part of the New York City Civil Court, commonly called the Housing Court. Included are sections on landlord-tenant cases, Housing and Development Administration cases, the internal workings of the Court, losses to the City of revenue from the failure to collect from tax delinquent landlords, and finally, a section on the imposition of sanctions available to the court. Spread throughout the report are thirty recommendations directed at improving the Housing Court's efficiency and effectiveness as a tool for housing maintenance, and for the collection of tax arrears from delinquent landlords. The report documents numerous difficulties in the operation and policies of the court, which include unwarranted delays in processing cases, lack of a coordinated effort in

dealing with repairs and violations covering an entire building, internal court inefficiency, and a failure to assess civil penalties against long standing code violations, among others.

P. Perry, *A Housing Court for Dade County (1970)* (unpublished paper). 21 pp.

This paper suggests judicial alternatives for dealing with housing-related disputes in Dade County, Florida. Initially, the author details the jurisdiction and powers of Dade County's Metro Court, which hears code violation cases. She also explains that the Dade County Civil Court of Record, a state court, has exclusive jurisdiction over landlord-tenant disputes like eviction proceedings or civil complaints. The author then describes interviews that she had with people knowledgeable about Dade County's court structure and the effectiveness of housing code enforcement. Next, the paper reviews the jurisdiction and respective powers of the housing courts of Detroit, Baltimore, and New York City, assessing their effectiveness and efficiency. Finally, a model of a housing court for Dade County is offered and legislative efforts at adopting such a model are discussed.

R. Porter, *Analysis of Pittsburgh's Housing Court (1976)* (unpublished paper). 12 pp.

This study examines the Pittsburgh Housing Court's effectiveness in obtaining compliance with the city's housing, health and safety codes. Though there is substantial delay in achieving abatement of violations, the author observes that compliance almost always occurs. The paper ends by explaining how the Housing Court and Housing Clinic function to induce code compliance.

The Pittsburgh Housing Court and the Code Enforcement Process, Joint study conducted by the Program in Engineering in Public Affairs of the Carnegie Institute of Technology, the Masters' Program of the School of Urban and Public Affairs of Carnegie-Mellon University, and Duquesne Law School (May 5, 1976) (unpublished paper). 124 pp.

This comprehensive study evaluates the effectiveness of the Pittsburgh Housing Court in the code enforcement process. Initially, the study defines the code enforcement process, which covers a variety of relevant codes, the complaint/inspection process conducted by the Allegheny County Health Department and the Bureau of Building Inspection, and the operation of the Pittsburgh Housing Court. Next, the study evaluates the long-range effects of code enforcement on the landlord and code-enforced property.

It found that the court does not reverse the decline in substandard housing; demolition or short-term advances in rehabilitation are achieved, nothing more. The study also discovered that the court could probably increase its caseload up to 20% at no additional expense. After surveying alternative legal and equitable remedies for substandard housing, the study recommends that a new county-wide housing court be given the power to utilize an expanded range of remedies. Suggestions for administrative improvements aimed at promoting efficiency also are discussed.

Report of the Advisory Council for the Housing Part of the Civil Court of the City of New York (Nov. 15, 1978) (unpublished paper). 10 pp.

This report reviews the efforts of the Advisory Council toward improving the New York Housing Court in 1977.

Report of the Hearing Panel on Housing Code Enforcement (Feb. 1978) (unpublished paper). 24 pp.

The report begins by recommending that Philadelphia create a fully staffed, independent Housing Court with complete jurisdiction over all aspects of the landlord-tenant relationship. Details of the proposal include speedy access to all relevant information for the judge, a housing specialist staff, selection of judges based upon housing expertise, and encouraged access to the courts by tenants and other community members to aid in code enforcement. The advantages and drawbacks to a bill in the Pennsylvania legislature to create housing courts are discussed. Though the report favored a separate housing court, it also explains a number of immediate changes which easily could be implemented by the appropriate agencies and courts. These changes concern the Department of Licenses and Inspections, the Municipal Court, and the Revenue Department.

Report of the Special Commission on a Housing Court for Boston (Feb. 5, 1968) (House Document No. 4498). 29 pp.

In its study the Commission observed delay and ineffective housing code enforcement in Boston. After studying the approaches of other cities to this problem, the Commission proposed that an independent Housing Court be established in Boston. The comprehensive powers and jurisdiction of the proposed court are outlined. The Commission also examines several changes in the law which would be required for the proposed court to assume a totally civil jurisdiction and to effectuate a truly *in rem* proceeding. The Commission recommends a Housing Clinic, modeled after the one

in Baltimore, to educate landlords and tenants about caring for their dwellings. Proposed legislation for the establishment of a Boston Housing Court is included.

J. Ruhnka, *Housing Justice in Small Claims Courts* (1979). *See also* J. Ruhnka, "Housing Justice in Small Claims Courts": Executive Summary (Fall 1979). 29 pp.

This report is based on the examination of fifteen small claims courts across the nation in the last half of 1975. Ruhnka analyzes the data of the study in relation to housing disputes. He discovered that 12-15 percent of the small claims caseload could be attributed to housing disputes, most of which are landlord-tenant problems. Other areas examined concerning landlord-tenant litigation include the rate of filing counterclaims, the use of attorneys, the types of litigants and case outcomes. Ruhnka also reports on the effect of attorney representation, default judgments, pre-trial settlement, collection of judgments, and problem areas as identified by litigants—all in the small claims setting.

F. Smith, *Reply to City Comptroller Goldin's Monitoring Report of His Earlier Performance Analysis of the Housing Part of the Civil Court* (n.d.) (unpublished paper 1979). 17 pp.

Judge Smith, Administrative Judge of the New York City Civil Court, devotes a substantial part of his reply to identifying a basic error in the City Comptroller's 1978 Monitoring Report of the Housing Court. The same error was also made in the Comptroller's 1977 Performance Analysis of the court. Both reports assumed that in 1972 the New York State Legislature created the Housing Court as a judicial super "administrative agency" to prosecute and adjudicate all actions and proceedings for the enforcement of state and local laws pertaining to housing. Backing his viewpoint by quoting legislative findings and statement of policy for establishing a New York City Housing Court, as well as quoting the law itself, Judge Smith describes the court as a judicial body and not an administrative agency. Finally, Judge Smith responds to each of the Monitoring Report's recommendations.

Summary of Proceedings of Advisory Council and the Housing Court (Nov. 18 and 19, 1975) (unpublished report of hearings on the New York City Housing Court). 13 pp.

This report provides a summary of the arguments made by people testifying at hearings concerning the New York City Housing Court and the Advisory Council's recommendations for housing court

improvement based on that testimony.

Tenant Action Group, *Everything You Ever Wanted to Know About Code Enforcement, But Were Sorry You Ever Asked*. (June 1977) (unpublished paper). 85 pp.

This report outlines the Philadelphia housing code enforcement system and offers numerous recommendations for its improvement. The principal suggestion revolves around establishment of a separate housing court consisting of housing specialists, judges with a special knowledge of housing issues, better court facilities, more convenient court hours and location, and allowing individuals to initiate code compliance actions against owners.

E. Thompson, *Part II: The "Housing Court"*, in Annual Report of the Civil Court of the City of New York 18 (1979).

After making several broad observations about the operation of the New York City Housing Court, Judge Thompson details many new court responsibilities and powers fostered by new statutes, administrative directives and judicial interpretation. The New York State Legislature made the warranty of habitability statutory law in 1975, leaving the courts to fashion procedures and remedies. The Housing Court enlarged its jurisdiction by voluntarily agreeing to determine the fuel cost adjustment of rents. Appellate Divisions promptly adopted a rule proposed by the court which outlined in clear and concise form the allegations required to be pleaded in every petition brought to recover possession of real property in a Summary Proceeding. Court ordered repairs have dramatically increased and a record sum of almost two million dollars in rent money was deposited with the court. Judge Thompson also reviews a number of court decisions affecting the jurisdiction, powers and operation of the Housing Court. Decisions of the court illustrating its effectiveness in improving the housing stock are described. Finally, after outlining several directives geared toward bettering court procedure, Judge Thompson discusses a few innovations which have improved court operation.

E. Thompson, *Part II: The "Housing Court"*, in Civil Justice in a Dynamic City, Annual Report of the Civil Court of the City of New York 19 (1974).

This part of the report first explains the numerous changes implemented by the New York State Legislature in creating the New York City Housing Court, officially called the Housing Part of the Civil Court of the City of New York. Judge Thompson discusses the

respective functions of the Court's Advisory Council and its Hearing Officers. The court's cross-index system, which provides a total profile of buildings before the court, is described. The report then examines a great number of legislative enactments and administrative directives which expanded the court's dimensions, targets and aims in 1974. Next, Judge Thompson details Housing Court policy which encourages conciliation in an informal atmosphere and fashions sanctions and remedies responsive to the needs of each case. Examples are provided which illustrate the court's success in improving the housing stock of New York City.

E. Thompson, *Part II: The New "Housing Court" and A Primer: The "Housing Court"*, Justice Never Rests, Annual Report of the Civil Court of the City of New York 19 (1973).

Judge Edward Thompson, Administrative Judge of the New York City Civil Court, explains the ineffectiveness of code enforcement hoped to be remedied by the Housing Court of New York City, which opened on October 1, 1973. After reviewing the difficulties and administrative hurdles which were surmounted before opening the Court, Judge Thompson offers a Primer on the court, meant to describe its operation. The Primer discusses the jurisdiction of what was then the new Housing Court, the role of its Advisory Council, and new remedies available to landlords and tenants, to name a few.

WCBS-TV News Public Affairs, Eye On...The Housing Court: Landlord-Tenant Battleground (n.d.) (unpublished transcript of television program, available from WCBS-TV, New York City). 17 pp.

On this television program a number of people offered their opinions on the effectiveness of the New York City Housing Court in maintaining the City's housing stock. Those interviewed included landlords, tenants, court hearing officers, the City Comptroller, Housing Preservation and Development officials, an assemblyman and an ex-assemblywoman, a legal services attorney, and several housing inspectors. Most agreed that the Housing Court is a failure for reasons such as delay, biased judges and hearing officers, understaffing and underfunding, and an inability to enforce court orders and collect assessed fines.

J. Zeisel, R. McCarty, & O. King, Recommendations for Design, Procedures and Information Flow for the Housing Court of the City of Boston, Appendix A to First Annual Report of the Housing Court of the City of Boston (1973) (unpublished paper). 32 pp.

After research in the housing courts of New York, Philadelphia,

and Boston, the authors developed an understanding of what different people need in order to be able to use the Boston Housing Court in an effective manner. "User" needs are reported and over two dozen recommendations are made, suited to fulfill those needs. The first group of recommendations is aimed at improving the design of court facilities to best accommodate the formal proceedings and informal operation of the court. The next group focuses on improving administrative procedures to help the public get a fair hearing and to minimize the amount of time the judge must spend on issues where he is not needed. The final set of recommendations is an attempt to offer alternatives for bettering the flow of information to people to educate them about the Housing Court's existence, its formal procedures, and the way it really works. Many of these reforms already have been adopted by the Boston Housing Court.

II. Periodicals

S. Abbott, *Housing Policy, Housing Codes, and Tenant Remedies: An Integration*, 56 B.U.L. REV. 1 (1976).

This article describes the failures and successes of efforts to resolve the housing problems of low-income tenants. Among the issues discussed are the revolution in tenant rights; the coverage, history, and objectives of housing codes; the nature of the housing problems for housing deprived families; and efforts at reforming housing code standards.

A. Alpern, *The Judicial Process in Housing Code Enforcement*, 3 URB. LAW. 574 (1971).

A short article on the operation and accomplishments of the Pittsburgh Housing Court.

Association of the Bar of the City of New York, Committee on Housing and Urban Development, *Housing Code Enforcement: New York City's Fresh Approach*, 9 REAL PROP. PROB. TR. J. 254 (1974).

The article explains the broad jurisdiction and powers granted to the New York City Housing Court Advisory Council and Housing Development Administration under the 1972 "Housing Court Act."

Association of the Bar of the City of New York, Committee on Housing and Urban Development, *Memorandum in Support of Proposed Amendments to "Housing Court Act"*, 28 RECORD 133 (1973).

A report by a special committee of the New York City Bar in

favor of amending New York's 1972 Housing Court Act. Among the reforms suggested: elimination of hearing officers, increasing the power of The Department of Housing Preservation and Development with respect to certifications of the correction of code violations, broadening the powers of the Department with respect to abating penalties or providing alternative methods of inducing code compliance, improving the service of process, and stripping the Housing Court of its powers to direct that penalties for code violations be used for rehabilitation.

Codes Notes, *Housing Court Established in Cleveland*, 26 J. HOUSING 621 (1969).

Short note about the creation of a housing court in Cleveland, designated to handle all cases dealing with real property and landlord-tenant disputes.

Codes Notes, *St. Louis Housing Court Considered Too Lenient*, 26 J. HOUSING 622 (1969).

This note describes tenant dissatisfaction with the St. Louis Housing Court. The tenant group activities attempted to force more delinquent absentee owners into court and encourage stricter court decisions in enforcing the housing code.

S. Comay, *The City of Pittsburgh Housing Court*, 30 U. PITT. L. REV. 459 (1969).

The author, who at the time was the Housing Court Magistrate of Pittsburgh, examines the background, operation and experience of the court during the first two years of its existence.

Comment, *Arbitration of Landlord-Tenant Disputes*, 27 AM. U.L. REV. 407 (1978).

Initially, the comment summarizes law reforms that have increased the bargaining power of the tenant. Next, there is an analysis of the features of arbitration that make it a particularly suitable vehicle for the resolution of landlord-tenant disputes. Lastly, the author discusses the potential drawbacks in the use of arbitration in this area.

Comment, *Housing Abandonment and the Courts: An Innovative Approach to Housing Court Reform*, 21 ST. LOUIS U.L.J. 795 (1978).

This comment examines the St. Louis and Boston housing courts, comparing the powers and jurisdiction, service and warrant problems, courtroom and administrative procedures, and supportive staff availability. Reforms are proposed to correct the

deficiencies in the St. Louis system based on the more successful Boston experience. The author recommends a comprehensive, separate housing court to deal with all housing disputes, established by the state legislature.

Comment, *The New York City Housing Part: New Remedy for an Old Dilemma*, 3 FORDHAM URB. L.J. 267 (1975).

This comment describes the operation of the Housing section of the Civil Court of New York City during its first year of existence. The jurisdiction of the court as well as the remedies and penalties provided in the enabling legislation are outlined. The duties of the court's hearing officers and its Advisory Council are examined and several cases affecting the operation of the Housing Court are analyzed. Also described are the various settlement procedures which are aided by the settlement officers. Finally, the author examines the influence of the Housing and Development Administration upon the operation of the Court.

R. Cunningham, *The New Implied and Statutory Warranties of Habitability in Residential Leases: From Contract to Status*, 16 URBAN LAW ANN. 3 (1979).

E. Ewing, *Baltimore's Housing Clinic Substitutes Teaching for Fining Housing Code Violators*, 19 J. HOUSING 321 (1962).

The author, Assistant Director for Renewal Operations in the Baltimore Urban Renewal and Housing Agency, reviews the history, curriculum, successes and failures of the Baltimore's Housing Clinic's efforts to instruct housing code violators on code compliance in an urban setting. Finally, the author reviews the Clinic's success in changing attitudes through education that result in better kept homes.

L. Gerwin, *A Study of the Evolution and Potential of Landlord-Tenant Law and Judicial Disputes Settlement Mechanism in the District of Columbia, Part II: A Critical Examination and Proposal for Reform*, 26 CATH. U.L. REV. 641 (1977).

Gerwin details the workings of the Landlord and Tenant Branch of the District of Columbia Superior Court. Also explained are the functions of legal services, the Landlord-Tenant Consultant Service, and housing inspectors in this dispute resolution process. The deficiencies in the court and its related services are explored and previous recommendations for reform are analyzed. The author lastly proposes a comprehensive judicial mechanism for the

resolution of landlord-tenant disputes and identifies the procedural devices and relevant substantive considerations to be included in that system.

J. Greaney, *County Housing Court Deals with Full Range of Housing Problems in Big-City, Suburban, and Rural Housing*, 32 J. HOUSING 402 (1975).

Judge Greaney provides a detailed description of the Housing Court of Hampden County, Massachusetts, and its related services. The court has a comprehensive jurisdiction, both criminal and civil, dealing with problems ranging from the enforcement of the state sanitary code and zoning cases, to landlord-tenant disputes. The author outlines the workload and procedure of the court, and the function of the housing specialist staff and the Citizen Advisory Committee. Finally, the judge analyzes the problems and accomplishments of the court.

J. Greaney, R. Praetz & D. Modzelewski, *Hampden County Housing Court: A Product of Citizen Initiative*, 58 JUD. 277 (1975).

The authors describe the history, objectives, and operation of the Hampden County Housing Court during its first year. The article's principle focus is the Citizens Advisory committee to the court. The article examines the Committee's major functions: (1) to serve the citizens of Hampden County as an impartial observer of the procedures and activities of the court with the express purpose of insuring the court's effectiveness; (2) providing a liaison between the court and the citizenry through efforts like its consumer education program; and (3) advising the court, the public, and local officials of developments in county housing-related matters.

M. Greene, *A Proposal for the Establishment of a District of Columbia Landlord-Tenant Agency*, 38 D.C.B.J. 25 (1971)

Chief Judge Greene of the District of Columbia Superior Court first gave this speech before the Young Lawyers Section of the D.C. Bar on Dec. 23, 1970. He reviews the burden put on his court by the increasing number of landlord-tenant disputes. He notes that the system operates to unfairly favor the tenant on some occasions and the landlord on others. As a basis for a solution, Judge Greene proposes the creation of and describes a Landlord-Tenant Agency.

J. Gribetz & F. Grad, *Housing Code Enforcement: Sanctions and Remedies*, 66 COLUM. L. REV. 1254 (1966).

The authors describe the history of housing code enforcement.

They then examine the ineffectiveness of criminal prosecutions for code violations. As a solution to the ineffectiveness of criminal prosecutions for code violations, the article suggests civil remedies for housing code enforcement, such as fines. The authors also recommend that all aspects of code enforcement be consolidated into a single housing court of civil jurisdiction and a social service department, organized as part of the court, to educate and advise both landlords and tenants concerning their rights and duties.

J. Maslow, *Judge Paul Garrity and His Boston Marathon*, JURIS DOCTOR, March 1974, at 44.

This article provides a biography of Judge Paul Garrity of the Boston Housing Court.

G. Matish, *A Housing Court in Detroit?*, DET. LAW., Nov. 1973, at 6.

The author, General Counsel for the Legal Aid Division of the Legal Aid and Defender Association, explains that jurisdiction over landlord-tenant disputes is spread over several courts in Detroit, resulting in duplication of effort, and needless costs and delays. As a solution, he urges the establishment of a Housing Court and offers three alternatives, explaining the relative advantages and drawbacks to each. The paper then outlines several objectives to be considered in establishing the ideal Housing Court: competent judges; wide-ranging jurisdiction; a computerized data bank on code violators; closer ties with the Department of Buildings and Safety Engineering; and a better working relationship with the Department of Social Services directed at providing opportunities for extra-legal resolution of housing problems and education for landlords and tenants concerning their rights and duties.

R. McNamara, *The District of Columbia Landlord and Tenant Court: An Obsolete Structure in Need of Reform*, 23 CATH. U.L. REV. 275 (1973).

A short summary of the problems of the Landlord and Tenant Branch of the District of Columbia Superior Court. This article primarily deals with the legal justifications for and possible powers and duties of hearing examiners in the court.

M. Mosier & R. Soble, *Modern Legislation, Metropolitan Court, Miniscule Results: A Study of Detroit's Landlord-Tenant Court*, 7 U. MICH. J.L. REF. 8 (1973).

A detailed statistical analysis of over 20,000 cases in the Landlord-Tenant Division of the Detroit Common Pleas Court in

1970-1971. Based on the data gathered, the authors make a variety of conclusions and recommendations. Moderate proposals for reform include (1) the use of clearly drafted printed forms for complaint, summons and notice of judgement, and (2) the provision of counsel for those parties which cannot afford one.

I. Nebron & A. Ides, *Landlord-Tenant Court in Los Angeles: Restructuring the Justice System*, 11 Loy. L.A.L. REV. 537 (1978).

This article provides a history of the creation and workings of the Landlord-Tenant Court in Los Angeles, which began in June 1977. The authors describe the needs which led to Los Angeles Municipal Court to create this specialized tribunal. The options available in the search for a landlord-tenant court appropriate for the needs of that city are examined. The design for the court that was decided upon is explained and the evolution of the court's operations is followed. Innovations included a Night Landlord-Tenant Court and Settlement Officers, consisting of volunteer attorneys acting as arbitrators.

Note, *Administration and Enforcement of the Philadelphia Housing Code*, 106 U. PENN. L. REV. 437 (1958).

After an introduction concerning the importance of housing codes, the Note examines and evaluates enforcement procedures under the Philadelphia Housing Code. The bulk of the Note deals with the efforts of various agencies at code enforcement, and the sanctions allowed for code violations. One section, however, analyzes the role of the Magistrate's Court in housing code enforcement. Judicial attitudes and political pressures account for some of the court's shortcomings in relation to code enforcement. As a solution, the Note suggests a special housing court or a branch of the municipal court to enforce the Housing Code. Some of the advantages of these alternatives are outlined. Finally, the author proposes the utilization of pre-trial administrative hearings and public education to promote code compliance.

Note, *Enforcement of Municipal Housing Codes*, 78 HARV. L. REV. 801 (1965).

This comprehensive Note provides an in-depth analysis of housing code enforcement. Among other aspects of the administration of code enforcement, the authors discuss the procedure of judicial enforcement and related problems. The effectiveness and efficiency of various housing courts is also examined. A broad range of remedies is suggested to induce or compel compliance with code

provisions and the Note ends by detailing how an expanded code enforcement program might lead to compliance with municipal housing codes.

Note, *Legal Services and Landlord-Tenant Litigation: A Critical Analysis*, 82 YALE L.J. 1495 (1973).

By examining court records for all summary process actions initiated in New Haven during the last six months of 1971, the author discovered that the involvement of legal services attorneys tended to increase the amount of time required for disposition of the action. Among the other remedies to alleviate this condition, the author suggests that a special summary process court be created to deal with landlord-tenant disputes. This court would be closed to lawyers and similar to a typical small claims in that the judge would assume full control of the hearing.

Note, *New York City's Housing Court Has Two Year's of Operation Behind It: Results Reported*, 32 J. HOUSING 405 (1975).

The article defines the jurisdiction of the New York City Housing Court. The function of the Advisory Council to the Court is explained. Lastly, the beneficial effects of the court and concerns about its limitations are explored.

Note, *The New York City Civil Housing Court: Consolidation of Old and New Remedies*, 47 ST. JOHN'S L. REV. 481 (1973).

This Note describes the creation of the Housing Part of the New York City Civil Court. Details of the legislation creating the court—the 1972 Housing Court Act—are discussed, mostly involving the court's jurisdiction and powers. The author also analyzes how this law interacts with existing legislation and case law, and what sorts of innovations have been instituted.

J. Rose & R. Scott, "*Street Talk*" *Summonses in Detroit's Landlord-Tenant Court: A Small Step Forward for Urban Tenants*, 52 J. URB. L. 967 (1975).

The Detroit Landlord-Court has helped attain the goal of better quality housing by instituting two reforms: "street talk" summonses and eviction notices and an in-court legal aid office. The authors assert that these innovations have encouraged tenants to appear and raise defenses, though they note that the actual outcome of the litigation remains almost exclusively pro-landlord. In conclusion, Rose and Scott suggest a many-faceted reform effort to strengthen the enforcement of Tenants' Rights Acts. Copies of

private forms, old court forms, and the new "street talk" forms are included.

M. Rutzich & R. Hoffman, *The New York City Housing Court: Trial and Error in Housing Code Enforcement*, 50 N.Y.U.L. REV. 738 (1975).

The authors, former housing court litigators for New York City's code enforcement agency, outline the history of code-enforcement in the City and the provisions of the Housing Code Act, which created the New York City Housing Court. They then examine the problems affecting the day-to-day operation of the court which prevent the court from having its intended impact. Finally, the authors offer several immediate recommendations to improve Housing Court practices until a long-run comprehensive housing maintenance program can be enacted.

URBAN LAW ANNUAL, Vol. 17 (Washington University School of Law 1979). This volume is exclusively devoted to treatment of landlord-tenant problems. The following is a list of these articles:

L. Cohen, *The New York City Housing Court—An Evaluation*.

C. Croteau, *Housing Specialists in the Hampden County Housing Court*.

D. Ebel, *Landlord-Tenant Mediation Project in Colorado*; also in *Housing Justice Out-Side of the Courts: Alternatives for Housing Dispute Resolution* (R. Scott ed. Aug. 1979) (preliminary draft version).

N. Epstein, *The Los Angeles Landlord-Tenant Court*.

J. Fogel, *The San Jose Housing Service Center*.

A. Fusco, N. Collins & J. Birnbaum, *Chicago's Eviction Court: A Tenant's Court of No Resort*.

P. Garrity, *The Boston Housing Court: An Encouraging Response to Complex Issues*.

E. Goodman, *Housing Court: The New York Tenant Experience*.

D. Jester, *The Indianapolis Environmental Court*.

M. Kargman, *An Analysis of Landlord-Tenant Disputes in Subsidized Housing*.

J. Klein, *The Politics of Housing Dispute Resolution: An Academic Perspective*.

A. Lo Russo, *The Buffalo Housing Court: A Special Court for Special Needs*.

D. McGillis, *Neighborhood Justice Centers and the Mediation of Housing-Related Disputes*.

E. Peck, *The Hampden County Housing Court: An Overview*.

A. Penkower, *The Housing Court of Pittsburgh*.

C. Person, *National Private Court: A Proposal for a Free-Enterprise Court System*.

R. Reed, *Detroit Code Enforcement and the Housing Court Debate*.

J. Rogers, *An Alternative to a Housing Court*.

E. Rothstein, *The Chicago Experience*.

J. Scavo, *Dispute Resolution in a Community Association*.

A. Spada, *The Hartford-New Britain Judicial District Housing Court*.

A. Walsh, *Housing Code Enforcement in New York City—Another Look at an Administrative Tribunal*.

J. Warman, *Mountain View Rental Housing Mediation—A Grass Roots Program*; also in *Housing Justice Out-Side of the Courts: Alternatives for Housing Dispute Resolution* (R. Scott ed. Aug. 1979) (preliminary draft version).

J. Winer, *Pro Se Aspects of Hampden County Housing Court: Helping People Help Themselves*.

L. Wolff, B. Herbert & M. Riechers, *'HOW' Settles Consumer Disputes*.

U.S. Dept. of Housing & Urban Development, *Housing Goes to Court in Boston*, HUD CHALLENGE, May 1973, at 29.

With its wide-ranging jurisdiction, Boston's Housing Court had great potential to deal with many housing problems. The article describes the innovations, such as a Citizen Advisory Council, introduced by Paul G. Garrity, the presiding judge and administrator of the court.

III. American Bar Association Publications

A.B.A. Special Committee on Housing and Urban Development Law, *Urban Housing Courts and Landlord-Tenant Justice: National Models and Experience* (1977) (out of print).

This monograph resulted from a symposium on housing courts held at the ABA's annual meeting. The paper includes profiles of

the housing courts of Boston, Pittsburgh and New York City. There is also an analysis of the resolution of landlord-tenant disputes in small claims courts, based on a two-year study of fifteen courts by the National Center for State Courts Small Claims Project.

A.B.A. National Housing Justice and Field Assistance Program, Quarterly Information Bulletin (R. Scott ed.) (1978-79).

A.B.A. National Housing Justice and Field Assistance Program, Housing Justice Out-Side of the Courts: Alternatives for Housing Dispute Resolution (R. Scott ed. Aug. 1979) (preliminary draft version). 75 pp.

This monograph offers a collection of articles "non-judicial" dispute resolution mechanisms for housing matters. Analysis of the neighborhood justice centers, landlord-tenant mediation projects, housing counseling centers, public information and referral programs, hotlines, and full housing complaint service centers.

J. Bulkley, *Eviction Prevention Program: Cooperative Efforts in Baltimore*, in Housing Justice Out-Side of the Courts: Alternatives for Housing Dispute Resolution (R. Scott ed. Aug. 1979) (preliminary draft version).

This article outlines the operation of the Eviction Prevention Program in Baltimore, Maryland. The program is administered by personnel and supplied with necessities from across the hall from the Rent Court where repossession actions are heard, making it easy for the judge to refer tenants to the program. The staff determines why the rent was not paid and negotiates with landlords to put off the eviction that is impending. Often this only entails the landlord waiting for the tenant's welfare payment to arrive before he gets his rent. The Eviction Prevention Program has received wide support and has shown its effectiveness in preventing the displacement of tenants and in eliminating the costs to landlords of evictions. The program's shortcomings are also discussed.

A. Carney, *The San Hose Housing Service Center: A "Comprehensive" Non-Judicial Model for Housing Disputes*, in Housing Justice Out-Side of the Courts: Alternatives for Housing Dispute Resolution (R. Scott ed. Aug. 1979) (preliminary draft version).

This paper explains how the San Hose Housing Service Center helps low-moderate income tenants, landlords, and homeowners resolve their housing disputes in a non-judicial setting and without the costs and often lengthy process that the legal system offers.

Carney, one of the Center's founders and its first Executive Director, describes the comprehensive housing counseling and the range of other services provided by the Center. Often it is enough to supply people with information regarding their rights and duties; this results in conciliation. In some disputes mediation is required and the Center makes it available. If this is not workable, the case may be assigned to the Center's attorney or a volunteer legal panel. Carney concludes that the Center, which opened in August 1975, has been a success in helping about one thousand people a month solve their housing disputes.

A. Drew & L. Williams, *Resolution of Housing Disputes Outside the Courts: A Glimpse of 5 Projects*, in *Housing Justice Out-Side of the Courts: Alternatives for Housing Dispute Resolution: Part II* (R. Scott ed. Aug. 1979) (preliminary draft version).

In this study, the authors examine how five cities have dealt with housing disputes in a non-judicial manner. The programs that were studied are the Night Prosecutor's Program of Columbus, Ohio; the Miami-Dade County's Citizen Dispute Settlement Center; the Community Dispute Services Project operated by the American Arbitration Association in Rochester, New York; the Urban Court Program in Dorchester, Massachusetts; and the Office of Rentalsman in Vancouver, British Columbia. For each dispute resolution program, the paper provides a project history. Next, the organization and structure, as well as the operation of each project, are explained. Finally, after describing what portion of each program's caseload is devoted to housing-related disputes, the paper reports the observations of people involved in each project concerning their project. The authors end with an overview of the programs studied.

F. Dellapa, *Alternative Dispute Resolution Mechanisms and Housing Disputes: A Survey*, in *Housing Justice Out-Side of the Courts: Alternatives for Housing Dispute Resolution* (R. Scott ed. Aug. 1979) (preliminary draft version).

Dellapa, former staff director of the A.B.A.'s Special Committee on the Resolution of Minor Disputes, initially surveys the various alternative dispute resolution mechanisms (ADRM). He also summarizes the recently completed results of the Committee's study, which indicate that many ADRM are involved in the attempted resolution of housing disputes, and that the ADRM projects are being well-received by the public. The article lastly

outlines a multi-faceted proposal for dealing with housing disputes within the judicial system, specifically advocating the utilization of hearing examiners and mediators among other reforms.

G. Fogarty, *Dispute Resolution Legislation: An Assessment*, in *Housing Justice Out-Side of the Courts: Alternatives for Housing Dispute Resolution* (R. Scott ed. Aug. 1979) (preliminary draft version).

The article provides a brief review and update of the legislative history of federal dispute resolution legislation. Fogarty, counsel to the House Judiciary Committee on Courts, Civil Liberties, and the Administration of Justice, compares and contrasts a Senate bill and two others by the House, introduced during the 96th Congress. If enacted, each bill would provide a stimulus to states, localities, and organizations to develop and improve primarily non-judicial mechanisms for the resolution of minor disputes. In addition, each bill would establish a Dispute Resolution Resource Center within the U.S. Department of Justice to provide a clearinghouse function, technical assistance, research and development.

R. Klein & D. Skoler, *Landlord-Tenant Disputes in Small Claims Courts: A Profile Based on the Ruhnka-Weller National Center for State Courts Study*, in *Urban Housing Courts and Landlord-Tenant Justice: National Models and Experience 12* (1977) (out of print); See J. Ruhnka, *Housing Justice in Small Claims Courts*

This article is based on the fifteen city Ruhnka-Weller study of small claims courts handling landlord-tenant cases. This study shows that landlord-tenant disputes constitute about 12 percent of the small claims courts' case volume. Businesses tend to fare better than the individual in the court, just as landlords typically prevail in litigation with tenants. The authors offer several reasons and remedies for these results.

D. McGillis, *Brief Case Studies of the Three NJC's: Including Landlord-Tenant Dispute Data*, in *Housing Justice Out-Side of the Courts: Alternatives for Housing Dispute Resolution* (R. Scott ed. Aug. 1979) (preliminary draft version).

The article provides three brief case studies and summaries of some of the housing dispute data for the Neighborhood Justice Centers. McGillis explains the general case criteria and procedure of each center in dealing with disputes. He also provides a statistical analysis of the landlord-tenant disputes that have been handled in each center.

J. Roehl, *Landlord/Tenant and Other Housing Issues: In The Neighborhood Justice Centers*, in *Housing Justice Out-Side of the Courts: Alternatives for Housing Dispute Resolution* (R. Scott ed. Aug. 1979) (preliminary draft version).

Roehl provides a brief summary of landlord-tenant cases in Neighborhood Justice Centers in Atlanta, Kansas City, and Los Angeles. She examines the extent to which these cases make up the NJC caseload and provides a breakdown of them. Finally, the article analyzes the low success rate of NJCs in resolving landlord-tenant disputes through mediation and conciliation. She attributes this failure to landlord refusal to participate in the voluntary process.

J. Rogers, *Minor Dispute Resolution: The Role of the Judiciary*, in *Housing Justice Out-Side of the Courts: Alternatives for Housing Dispute Resolution* (R. Scott ed. Aug. 1979) (preliminary draft version).

Judge Rogers of the Hennepin County Municipal Court, Minneapolis, suggests that small claims courts can deal with minor disputes in a speedy, effective manner if the judiciary is innovative and change-oriented. He explains how his and other courts have improved their functioning. The special advantages of using a court to settle disputes are also mentioned. Though he notes that the most rapidly growing area of minor disputes is in the housing field, Judge Rogers believes that a separate housing court is unnecessary. After reviewing the ways in which his court has dealt with this increasing housing caseload in an effective manner, the article ends by describing several considerations to be observed in deciding how to handle the problem of minor dispute resolution.

L. Slayton, *Training Mediators and Counselors for Comprehensive Dispute Work: The NJC Experience in Atlanta*, in *Housing Justice Out-Side of the Courts: Alternatives for Housing Dispute Resolution* (R. Scott ed. Aug. 1979) (preliminary draft version).

The author, Executive Director of the Neighborhood Justice Center (NJC) in Atlanta, initially provides a general explanation of mediation as an alternative dispute resolution technique. The focus of the article, however, is mediation training. Slayton examines several planning considerations which are critical to designing a mediator training effort, primarily concerning how mediators might be trained. Significant post-training considerations are also reviewed. The author observes that the Atlanta NJC handles a wide variety of housing disputes; he believes this is necessary to guarantee

the flexibility required to facilitate the resolution of all concerns in a dispute—the approach most helpful to the parties. Finally, Slayton notes that it is important for mediators to possess a good working knowledge of applicable law.