

# WASHINGTON UNIVERSITY JOURNAL OF URBAN AND CONTEMPORARY LAW

---

---

Volume 28

1985

---

---

## TABLE OF CONTENTS

### ARTICLES

- SUBDIVISION IMPROVEMENT REQUIREMENTS  
AND GUARANTEES: A PRIMER ..... *Michael M. Shultz* 3  
*Richard Kelley*
- THE ELMWOOD EXPERIMENT: THE USE OF  
COMMERCIAL RENT STABILIZATION TO PRESERVE  
A DIVERSE NEIGHBORHOOD SHOPPING  
DISTRICT ..... *W. Dennis Keating* 107
- GENTRIFICATION, ABANDONMENT, AND  
DISPLACEMENT: CONNECTIONS, CAUSES, AND  
POLICY RESPONSES IN NEW YORK CITY ..... *Peter Marcuse* 195
- INTERPRETING GENTRIFICATION CASE  
STUDIES: A PERSPECTIVE ..... *Roger Montgomery* 241
- NOTES
- TEACHER COMPETENCY TESTING AND MERIT PAY  
PROPOSALS UNDER THE EQUAL PROTECTION  
CLAUSE AND TITLE VII ..... *Elizabeth M. Bagdon* 251
- CONSUMER REMEDIES FOR DEFECTIVE  
COMPUTER SOFTWARE ..... *Kevin P. Cronin* 273

LONG-TERM LIABILITY FOR HAZARDOUS  
WASTE INDUCED INJURY IN MISSOURI:  
LATENT HARM SUFFERERS BEWARE .... *Thomas J. Martin* 299

STATUTES PROHIBITING COST RECOVERY  
FOR CANCELLED NUCLEAR POWER PLANTS:  
CONSTITUTIONAL? PRO-CONSUMER? ... *Constance A. Olson* 345

## COMMENTS

A NEW DEFERENCE TOWARDS EXCLUSIONARY ZONING IN  
PENNSYLVANIA: *APPEAL OF M.A. KRAVITZ CO.* ..... 381

BENIGN RACIAL QUOTAS IN PUBLIC HOUSING: *BURNEY V.*  
*HOUSING AUTHORITY OF THE COUNTY OF BEAVER* ..... 397

IMPLEMENTING EQUALITY IN EMPLOYEE PENSION PLANS  
UNDER TITLE VII: *ARIZONA GOVERNING COMMITTEE FOR*  
*TAX DEFERRED ANNUITY AND DEFERRED COMPENSATION*  
*PLANS V. NORRIS* ..... 411

RESIDENCY REQUIREMENTS FOR MUNICIPALLY-FINANCED  
CONSTRUCTION CONTRACTS AND THE DORMANT  
COMMERCE POWER: *WHITE V. MASSACHUSETTS COUNCIL*  
*OF CONSTRUCTION EMPLOYERS* ..... 429

## RECENT DEVELOPMENT

THE CHANGING LANDSCAPE OF FEDERALISM: THE SUPREME COURT REJECTS *NATIONAL LEAGUE OF CITIES* AND AFFIRMATIVE STATE RIGHTS IN *GARCIA V. SAN ANTONIO METROPOLITAN TRANSIT AUTHORITY* ..... 445

---

Copyright © 1985 by Washington University. Published semi-annually by the Students of the Washington University School of Law, St. Louis, Missouri 63130. Library of Congress Card Number 78-1667. ISSN 8756-0801. Printed at Joe Christensen, Inc., Lincoln, Nebraska 68521. Second-class postage paid at St. Louis, Missouri.

Subscription price: \$8.50 per volume. If the subscription is to be discontinued at the end of a volume year, notice to that effect should be sent to the JOURNAL; otherwise the subscription will be renewed automatically. Send change of address to the JOURNAL at least 30 days before the date of the issue for which it is to take effect. Complete sets, individual volumes, and single issues prior to the current volume may be obtained from William S. Hein & Co., Inc., 1285 Main Street, Buffalo, New York 14209.

The JOURNAL welcomes the submission of unsolicited manuscripts. We regret that only upon receipt of the correct amount for postage and handling can we return such manuscripts.

Please address all correspondence to the WASHINGTON UNIVERSITY JOURNAL OF URBAN AND CONTEMPORARY LAW, Washington University School of Law, St. Louis, Missouri 63130. Phone: (314) 889-6436.

Cite as 28 WASH. U.J. URB. & CONTEMP. L. (1985).



**THIS VOLUME IS  
DEDICATED TO  
MRS. GERTRUDE KOCH**

Who faithfully served as secretary of the JOURNAL OF URBAN AND CONTEMPORARY LAW from its inception in 1968 as the URBAN LAW ANNUAL until her retirement in 1985. On behalf of all who have worked with Mrs. Koch over the years on this publication, we thank her for her loyal and loving efforts.



## **ARTICLES**

