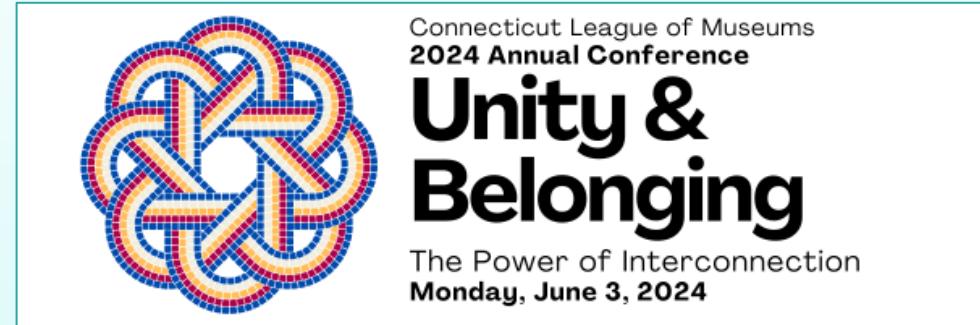


# **Two Public Histories of Housing Discrimination in Connecticut**



Jack Dougherty, Professor, Trinity College

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Sabrina Buckwalter, Producer,  
Connecticut Public

# **Two Public Histories of Housing in Connecticut**

## **Part 1:**

How to find and  
reject racist  
covenants in  
Connecticut Town  
Land Records  
[myCTdeed.com](http://myCTdeed.com)

## **Part 2:**

Fighting for Home:  
How Housing Policy  
Keeps Connecticut  
Segregated  
Airs 6/27 !

# These Connecticut homes have something in common...

“No persons of any race other than the White race shall use or occupy any building or any lot, except that this covenant shall not prevent the occupancy by domestic servants of a different race domiciled with an owner or tenant.”



**Cheshire 1790**  
Covenant added later



**Woodbridge 1958**



**Hamden 1941**



**Manchester 1949**

# Reading Connecticut Land Records



## Documents to Look For:

### Agreements

AGREEMENT made at New Haven, Connecticut, this 1st day of October, A.D. 1940, by and between JOSEPH L. MATZ and ALICE M. MATZ, husband and wife, both of the Town of New Haven, in the County of New Haven and State of Connecticut, hereinafter referred to as the Parties of the First Part, and JOSEPH E. MASELLI and DeROSA, both of the Town of Hamden, in said County and State, hereinafter referred to as the Parties of the Second Part, WITNESSETH:

THAT WHEREAS said Parties of the First Part have this day purchased Parties of the Second Part, the premises located in said Town of Hamden

square feet, and a width of less than 60 feet at the front building set back that no persons of any race other than the white race shall use or occupying on any lot except that this covenant shall not prevent the occupancy of servants of a different race domiciled with an owner or tenant; that any structure erected shall cost not less than \$5000., and that the ground floor area structure, exclusive of one-story open porches and garages, is to be not less than 625 square feet, in the case of a one story structure, and not less than 525 square

### Schedule A

#### SCHEDULE A

All that certain piece or parcel of land with the buildings and improvements thereon situated in the Town of Hamden, County of New Haven and State of Connecticut, known as #83 Gillies Road, also known as Lot 21 on a certain map entitled "Map #2, Section One, Gilridge, Hamden, Conn., owned and developed by J. Maselli and P. DeRosa, Scale 1 in equals 80 feet, Charles H. Miller, Surveyor, May 1940", on file in the Hamden Town Clerk's Office, bounded and described as follows:

NORTHERLY: By Gillies Road, 74 feet;

EASTERLY: By Lot #22, on said map, 107 feet;

SOUTHERLY: By land now or formerly of Estate of James A. Gillies, on said map, 74 feet; and

WESTERLY: by Lot #20 on said map, 107 feet.

### Warranty Deeds

TO ALL PEOPLE TO WHOM THESE PRESENTS SHALL COME - GREETING:

KNOW YE, THAT I, August Anderson, of the Town of Cheshire, County of New Haven, and State of Connecticut, for the consideration of One Dollar and other valuable considerations but less than One hundred Dollars, received to my full satisfaction of Irving B. Anderson, of said Town of Cheshire, do give, grant, in, sell, and confirm unto the said Irving B. Anderson and unto his heirs assigns forever, all that certain piece or parcel of land, with the buildings and improvements thereon, situated in said Town of Cheshire, containing three (43) acres more or less, and bounded and described as follows:

#### QUIT CLAIM DEED

TO WHOM THESE PRESENTS SHALL COME---GREETING:

THAT, The Berner Lohne Company, Incorporated, a corporation organized pursuant to the laws of the State of Connecticut, and located in the Town of New Haven, and State of Connecticut, for the consideration of One Dollar and other valuable considerations, but less than \$100. received to its full satisfaction of Martin Lohne, of the Town of New Haven, in the County of New Haven, and State of Connecticut, doth remise, release and forever QUIT CLAIM unto the said Martin Lohne, and unto his heirs and assigns forever, all the right, title,

# A Typical Homeowner Deed Search

## Tracing the Land Record Back in Time



Present  
Day



Earliest  
Land  
Record

**Current  
Homeowner**  
Current Owner  
is the GRANTEE  
Seller is the  
GRANTOR

**Previous  
Conveyance**  
Previous owner is  
now the GRANTEE  
There is a prior  
GRANTOR

**Previous  
Conveyance**  
Previous owner is  
now the GRANTEE  
There is a prior  
GRANTOR

**Previous  
Conveyance**  
Previous owner is  
now the GRANTEE  
There is a prior  
GRANTOR

**Previous  
Conveyance**  
Previous owner is  
now the GRANTEE  
There is a prior  
GRANTOR

# Working With Physical Records

## Where to Begin?

- Everything is part of the public record.
- Known covenant – research the surrounding neighborhood or other homes with the same developer.
- Use maps to begin – then research those developments.
- Finding names – use property cards or the town tax database.
- Browse volumes that contain documents in the relevant years.
- Go down the rabbit hole any way you can! Some of this is intuitive.
- READ EVERYTHING after looking up the property. The deed history of a home is the complete record, not just a snapshot.
- A covenant may be found “buried” in the document, or referred to in Schedule A.



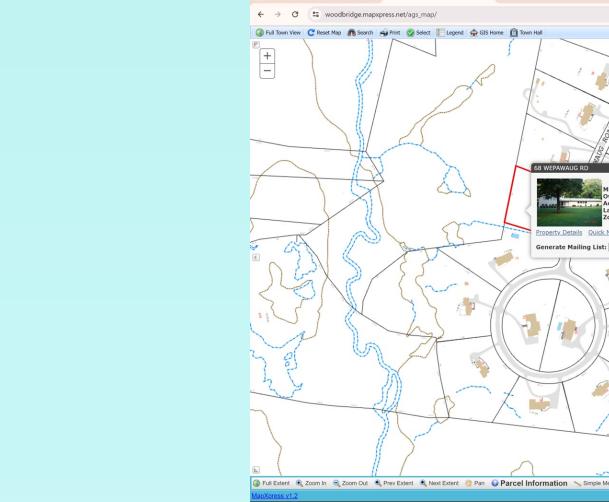
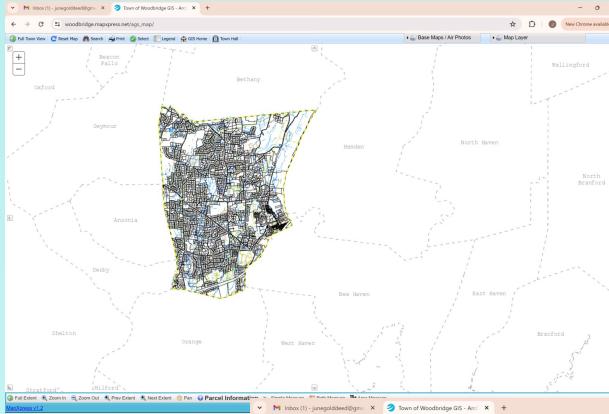


# Working Online

## Juggling the Tools of Online Covenant Research

- Some towns have robust land records online.
- Open the Lands Records database for the town you are searching.
- Open the GIS map for the town you are searching.
- Click on a neighborhood and plot. Open the property card in a separate window. Search the volumes and pages listed on the card.
  - Be aware of private transactions; more research is needed
  - Quit claim deeds are often incomplete; more research is needed
  - Other conveyances (inheritances, gifts, recorded on statutory forms, etc.)
  - Some property cards have a fuller record of conveyances and recordings

# 68 Wepawaug Rd.



The Assessor's office is responsible for the maintenance of records on the ownership of properties. Assessments are computed at 70% of the estimated market value of real property at the time of the last revaluation which was 2019.

Property Summary Information

Parcel Data And Values   Building   Outbuildings   Sales   Permits

Owner History - Sales

Owner Name	Volume	Page	Sale Date	Deed Type	Sale Price
DVORKIN ELIK &	0762	0255	10/14/2015	Warranty Deed	\$425,000
RAMIREZ RANDOLPH	0749	0158	01/21/2015	Quit Claim	\$0
RAMIREZ RANDOLPH & COLLEEN D	0620	0068	05/19/2009	Warranty Deed	\$385,000
BRENZEL JEFFREY B & SALLY A	0277	0308	12/22/1997	Trustee Deed	\$270,000
HOFFMAN REVOCABLE TRUST	0277	0304	12/22/1997	Quit Claim	\$0
HOFFMAN PAULA E L/U &	0243	0124	12/29/1995	Fiduciary Deed	\$0
HOFFMAN HENRY R EST OF	0222	0148	09/15/1994	Probate	\$0
HOFFMAN HENRY R	0153	0180	02/21/1989		\$0

Information Published With Permission From The Assessor

Back To Search   View Field Card   Print View





# 68 Wepawaug Rd.

SCHEDULE A

Vol.762 Pg. 255

All that certain piece or parcel of land, with all the improvements thereon, situated in the Town of Woodbridge, County of New Haven, and State of Connecticut, known as Lot #27 on a map entitled, "Wepawaug Estates, Woodbridge, Conn. owned by The Berner Lohne Co., Inc., New Haven, Conn., scale 1 inch equals 200 feet, Dec. 1, 1939, Mar. 1, 1942", Frederick C. Hahn, Civil Engineer and Surveyor, on file in the Woodbridge Town Clerk's Office as Map No. 43R, and bounded:

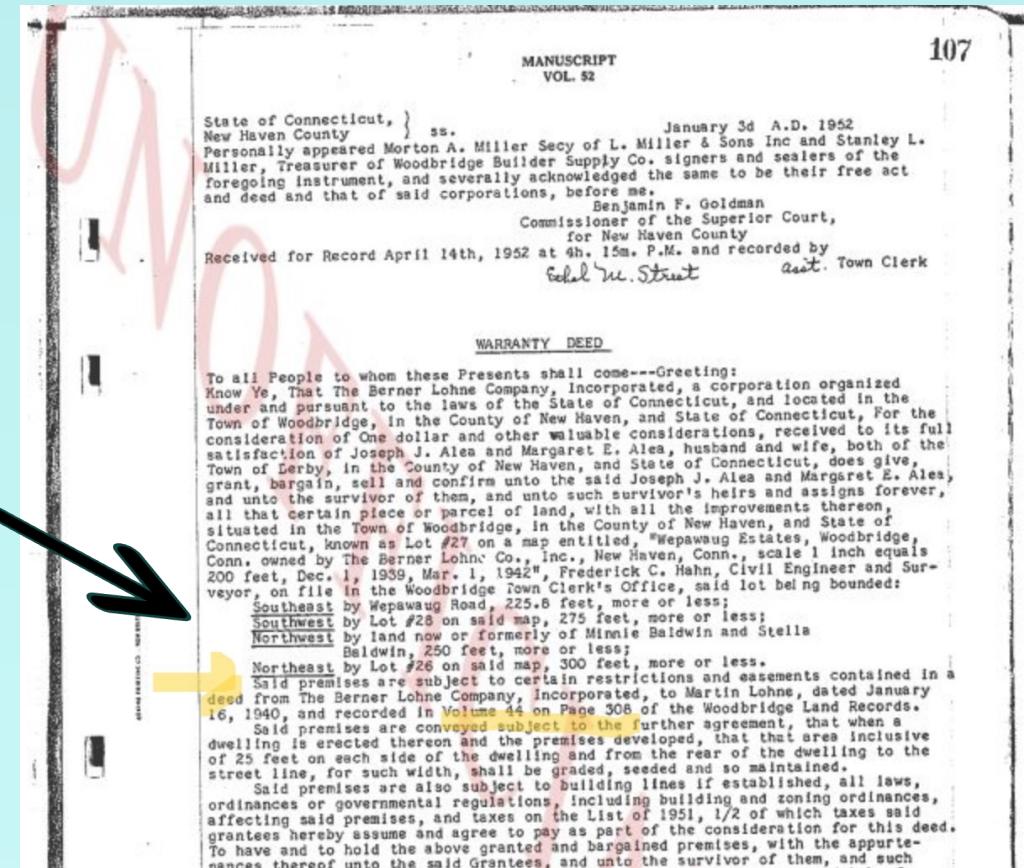
Southeast by Wepawaug Road, 225.8 feet, more or less;  
Southwest by Lot #28 on said map, 275 feet, more or less;  
Northwest by land now or formerly of Minnie Baldwin and Stella Baldwin, 258 feet, more or less;  
Northeast by Lot #26 on said map, 292 feet, more or less.

Said premises are also known as 68 Wepawaug Road, Woodbridge, Connecticut

SUBJECT TO:

1. Taxes on the Grand List of OCTOBER 2014, which the Grantees herein assumes and agree to pay as part consideration hereof.
2. Any and all provisions of any ordinance, municipal regulations, public or private law.
3. Any assessments or pending assessments for which a lien or liens have not as yet been filed.
4. Any provisions, if applicable, of any inland/wetlands, or coastal wetlands statutes, ordinances, rules and regulations.

5. Restrictions, easements, and an agreement contained in a deed from The Berner Lohne Company to Joseph J. Alea and Margaret E. Alea, dated April 10, 1952 and recorded in Volume 52 Page 107 of the Woodbridge Land Records.



# 68 Wepawaug Rd.

308

MANUSCRIPT  
VOL. 44

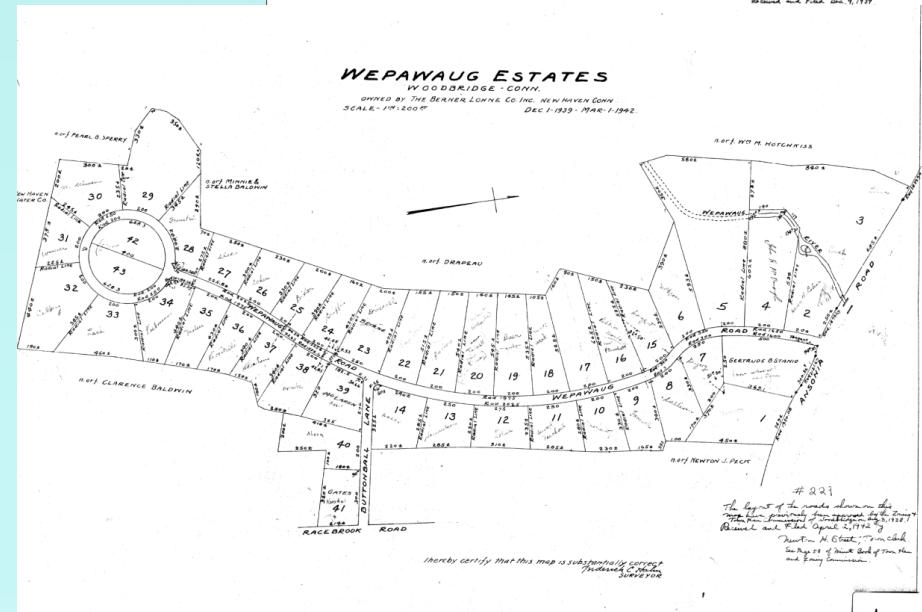
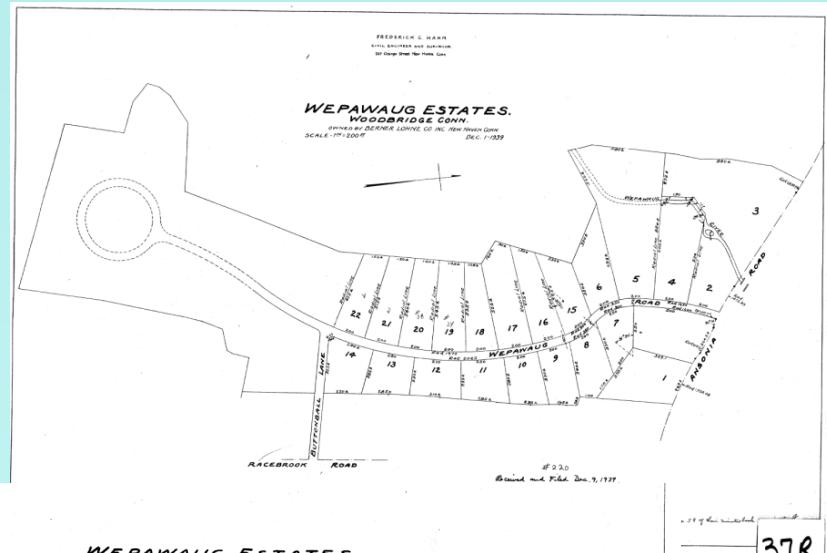
QUIT CLAIM DEED

TO ALL PEOPLE TO WHOM THESE PRESENTS SHALL COME---GREETING:

KNOW YE, THAT, The Berner Lohne Company, Incorporated, a corporation organized under and pursuant to the laws of the State of Connecticut, and located in the Town and County of New Haven, and State of Connecticut, for the consideration of One Dollar and other valuable considerations, but less than \$100. received to its full satisfaction of Martin Lohne, of the Town of New Haven, in the County of New Haven, and State of Connecticut, doth remise, release and forever QUIT CLAIM unto the said Martin Lohne, and unto his heirs and assigns forever, all the right, title, interest, claim and demand whatsoever as it, the said releasor, hath or ought to have in or to all those certain pieces or parcels of land, with all the improvements thereon, situated in the Town of Woodbridge, in the County of New Haven, and State of Connecticut, being Lots #5 to 22, inclusive, and as shown on a map entitled, "Wepawaug Estates, Woodbridge, Conn., owned by Berner Lohne Co., Inc., New Haven, Conn., scale 1 inch equals 200 feet, December 1, 1939," Frederick C. Hahn, Civil Engineer and Surveyor, and on file in the Woodbridge Town Clerk's Office.

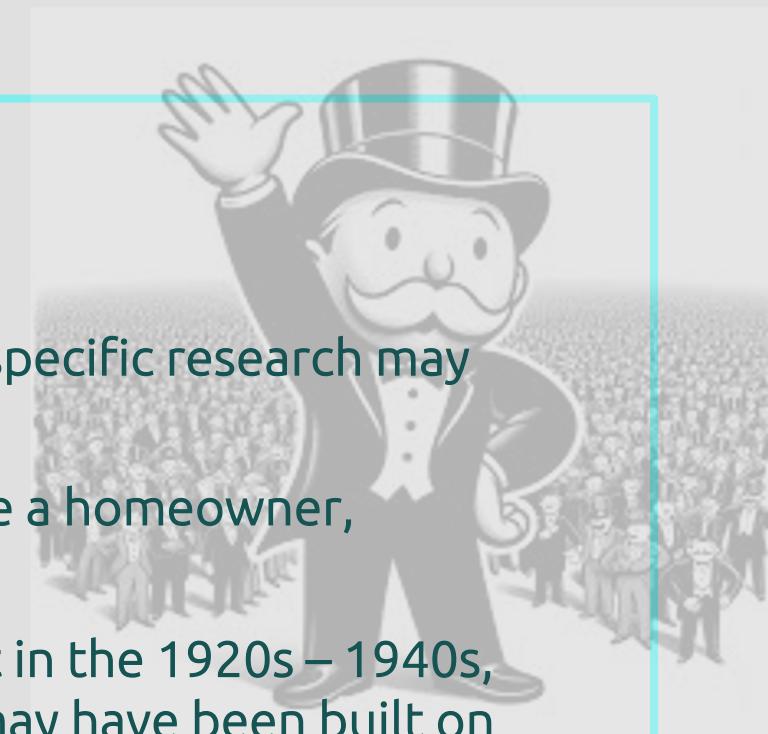
Said premises are conveyed subject to the following restrictions: that all lots in the tract shall be known and described as residential lots; that the same shall be used solely and wholly for residential purposes; that no noxious or offensive trade or activity shall be carried on upon any lot, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood; that no chicken coops shall be built or maintained thereon; that no structures shall be erected, altered, placed or permitted to remain on any residential plot other than one detached single family dwelling, not to exceed 2-1/2 stories in height, and a private garage for not more than three cars, which must be attached to the dwelling, that any building so erected shall be located not nearer than 75 feet to the front lot line, nor nearer than 75 feet to any side street line, and no part of any building shall be located nearer than 20 feet to any side lot line; that no residential structure shall be erected or placed on any building plot which plot has an area of less than 60,000 square feet, and a width of less than 200 feet at the street line; that no persons of any race other than the white race shall use or occupy any building or any lot, except that this covenant shall not prevent the occupancy by domestic servants of a different race domiciled with an owner or tenant; that any building erected thereon shall cost not less than \$6000., and that the ground floor area of the main structure, exclusive of one-story open porches and garages, to be not less than 750 square feet, in the case of a one-story structure, nor less than 600 square feet, in the case of a 1-1/2, 2 or 2-1/2 story structure.

Page 1.



## Tips and Tidbits

- An agreement might exclude certain plots, however home-specific research may show that the restrictive covenant was later included.
- Remember, databases are searchable by name, which can be a homeowner, developer, or name of a development. Use everything!
- While generally homes with restrictive covenants were built in the 1920s – 1940s, be aware that covenants run with the land. Newer homes may have been built on razed plots that are racially covenanted.
- Make a grid of a town and sample each section.
- Take a bird's eye approach! What do you know about this town's history? Do the shapes of the neighborhoods on the GIS map provide clues?
- A town's taxpayer database is a good source for finding names.
- Developers touted "exclusivity" in newspaper ads. These sources may lead to results.



# Legal Background

In Corrigan v. Buckley (1926): Supreme Court decides racial restrictions are constitutionally **permitted**; 14th Amendment does not limit actions of private individuals

Consistent with other court decisions like Plessey v. Ferguson (separate but equal) and with a general prevalence of segregation practices during “Jim Crow” era

In CT, racially restrictive covenants appear to peak late 30's to late 40's



Unenforceable

## Shelley v. Kraemer (1948)

SUPREME COURT DECIDES **ENFORCEMENT** OF RACIALLY RESTRICTIVE COVENANTS VIOLATES EQUAL PROTECTION CLAUSE OF 14<sup>TH</sup> AMENDMENT

Unconstitutional

14<sup>th</sup> AMENDMENT CONCERNS GOVERNMENT ACTIVITY, SO **ENFORCEMENT**, I.E. USE OF THE JUDICIAL MACHINERY OF THE STATE, TO UPHOLD UNEQUAL TREATMENT OF RACES, **IS UNCONSTITUTIONAL**

But still there...

COVENANTS THEMSELVES ARE **NOT** HELD TO BE **ILLEGAL OR VOID**; NO MANDATE TO FORBID OR REMOVE THEM



# Land records still contain thousands of race-based covenants

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AFTER SHELLEY, FEDERAL AND  
STATE FAIR HOUSING  
STATUTES  
OUTLAWED SUCH PRACTICES –  
NOW IT'S UNENFORCEABLE  
AND ILLEGAL

BUT, IN LAND RECORDS  
THEMSELVES, THE COVENANTS  
REMAIN UNREFUTED. FOR  
AFFECTED PROPERTIES, THEY  
ARE THE LAST STATEMENT OF  
RECORD CONCERNING  
SEGREGATION

# States Respond With Legislation

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Oregon (2018)



Washington (2019)



California (2020)



Delaware (1973)



Maryland (2019)



Procedures are  
cumbersome and have  
limited effect

## Connecticut Public Act §21-173

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- Racially Restrictive Covenants are VOID
- New PROCESS created for *Renouncing Covenants* in Land Records
- Simple Forms: *AFFIDAVIT*; and “*FORM*”
  - Property Owner(s) Names(s)
  - Description
  - Volume/Page reference where covenant is found
  - A *Rejection or Renunciation* of the Covenant
- NO Recording Fees
- NO Encumbrance on the property



# FIGHTING FOR HOME

How Housing Policy Keeps Connecticut Segregated



A film by Connecticut Public

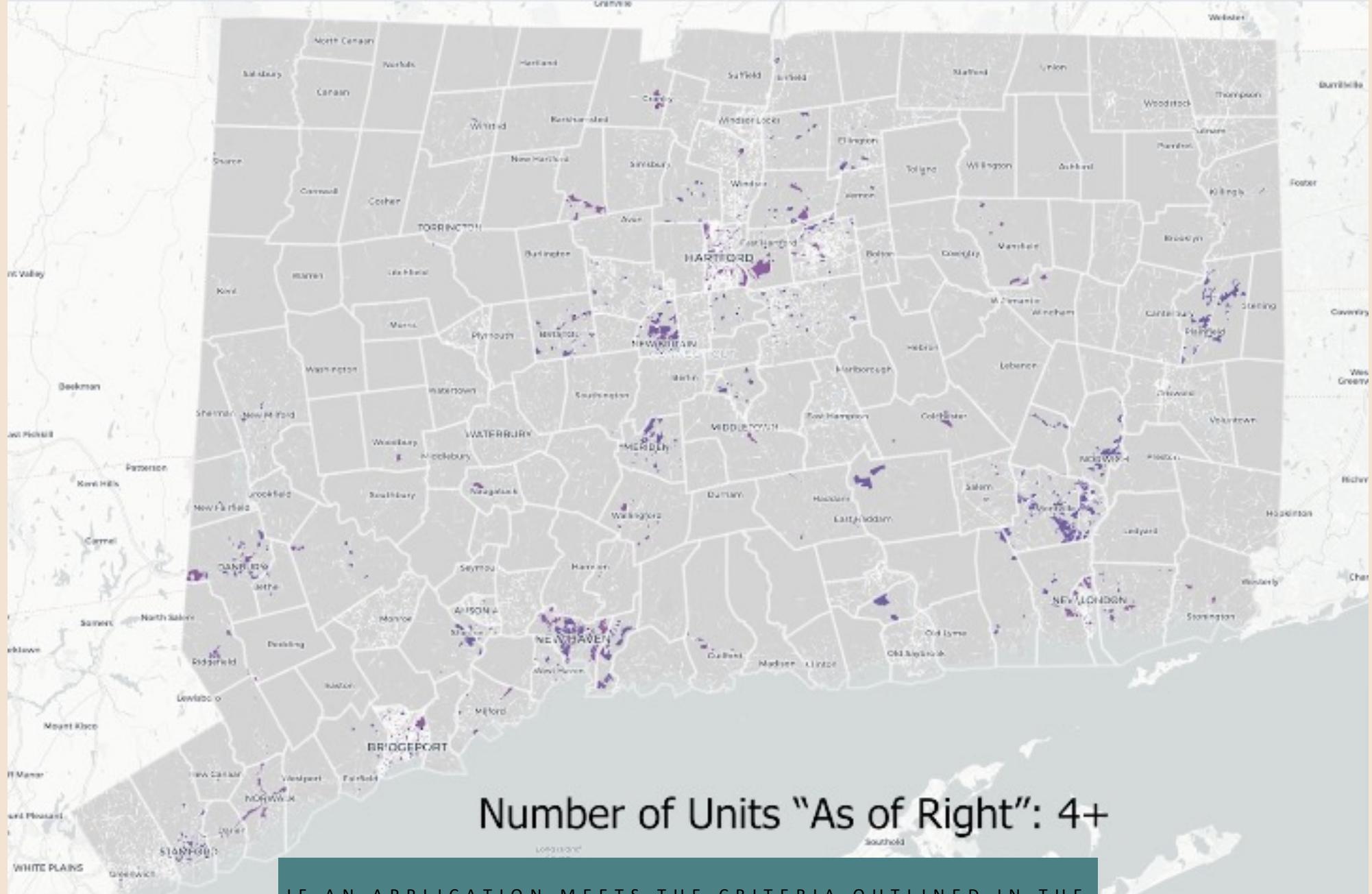
Director Julianne Varacchi Story Producer Sabrina Buckwalter Editor Tyler Russell





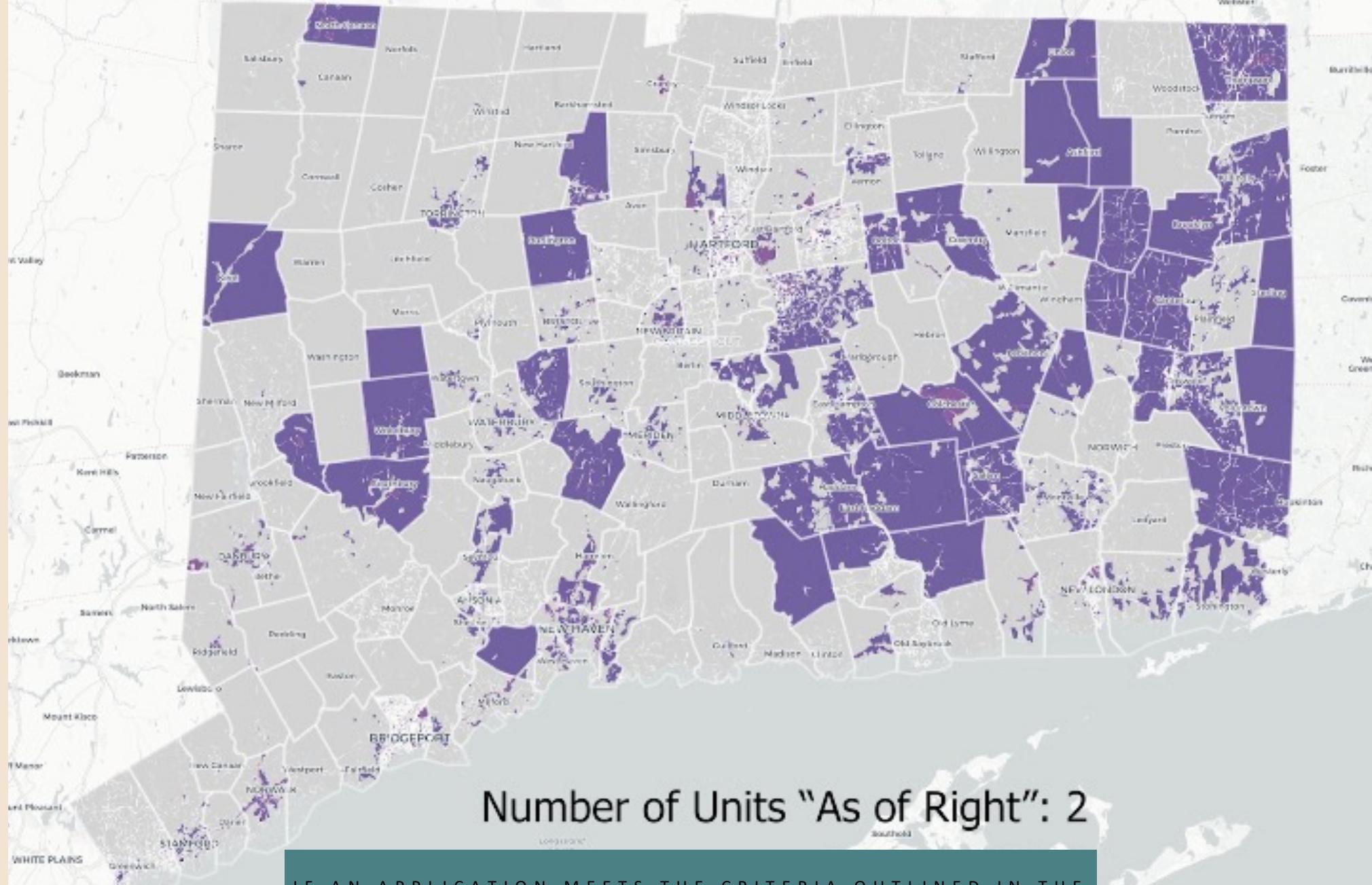
## Why housing?

- Previous work on education inequity
- Ranked worst state in the nation for renters
- More housing is not enough; rise of tenant unions
- CT hit highest numbers of homeless
- Lowest vacancy rate in state 2022
- Sixth overall in oldest housing stock



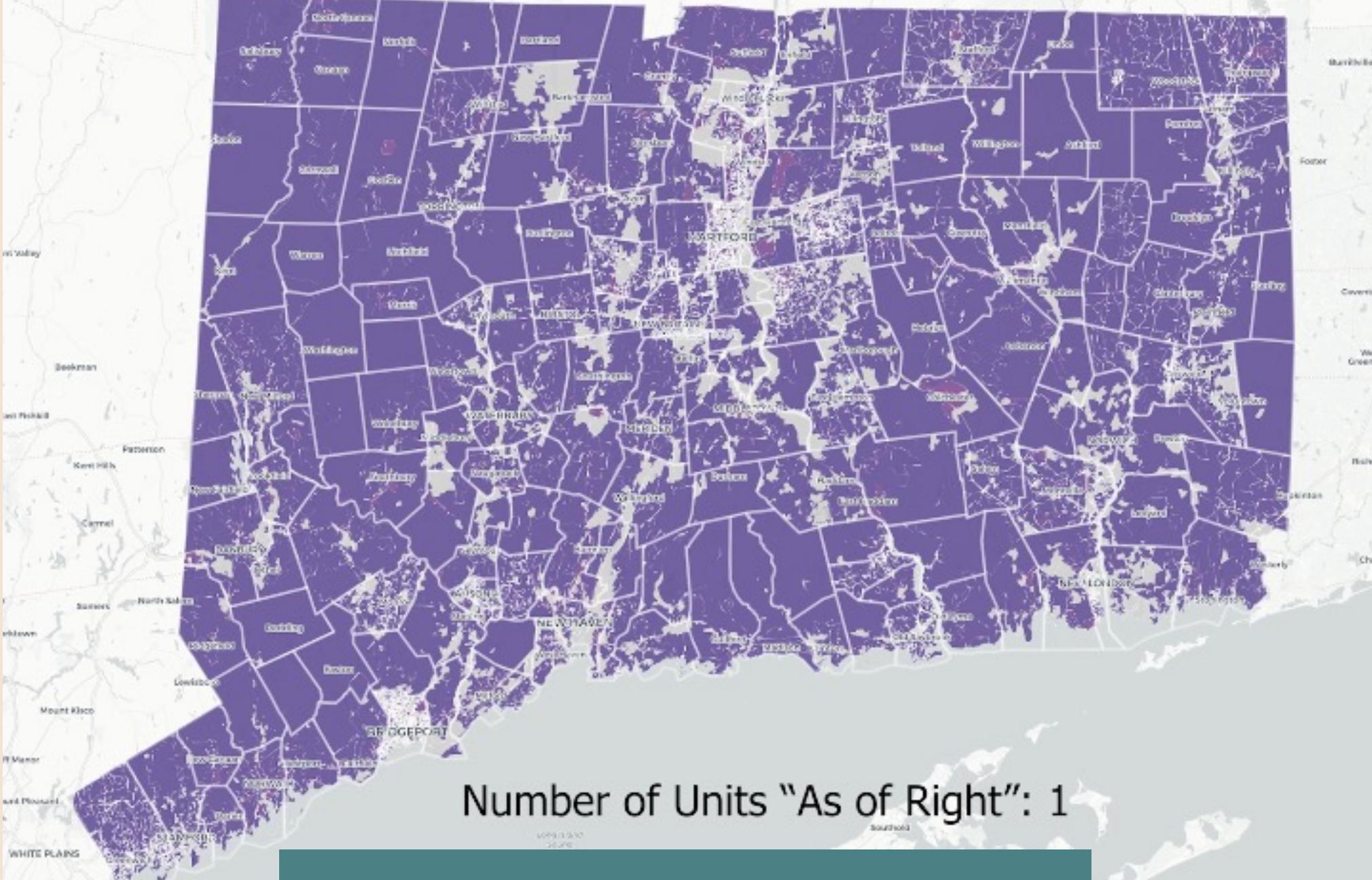
Number of Units "As of Right": 4+

IF AN APPLICATION MEETS THE CRITERIA OUTLINED IN THE DISTRICT'S ZONING CODE, IT WILL BE APPROVED.



Number of Units "As of Right": 2

IF AN APPLICATION MEETS THE CRITERIA OUTLINED IN THE DISTRICT'S ZONING CODE, IT WILL BE APPROVED.



## Rep. Jason Rojas

"I think for all people across the spectrum, I think the conversation often happens in the context of low income people, but I think there are even middle income people and even upper middle income people who are really struggling with the cost of housing...I think it's something that gets taken for granted. We're comfortable in our housing, therefore that's the least of my problems."

How many of you have ever  
struggled with housing?

# What can you do?

“In the UK, Ripon Museums have been working to [help homeless people speak about their experiences](#). In 2018 the Workhouse Museum held an exhibition called ‘Homeless Not Faceless’. It ran in partnership with the Harrogate Homeless Project. The display featured stories and photographs of 12 people. They gave personal accounts of being homeless in their own words. When homelessness becomes a personal story, it helps audiences to engage with it.”

“[Build relationships with the social service nonprofits](#) in your area that work with people experiencing homelessness. You will not be able to work with all of them, and it’s okay to make choices. At the most basic level, they will help you understand the complexities of homelessness, how changes in local politics may impact this population and any other nuances that may be left out of press coverage. As the relationship develops, you may discover programs or institutional partnerships that can benefit both your institution and the social service agency.”

# Thank you!

Jack Dougherty

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**myCTdeed.com**