

## **Course: American Housing Law & Policy**

**Professor: Monica Teixeira de Sousa**

*This intensive 5-day course introduces Portuguese law students to American housing law and policy, and the historical causes and development of America's contemporary housing crisis. Through a comparative analysis of the American experience, students will gain valuable insights for addressing Portugal's own housing challenges, including rising urban housing costs, gentrification, and the balance between tenant protections and housing development.*

### **Course Overview:**

This condensed 5-day course (Monday-Friday, 2 hours each day) provides Portuguese law students with an intensive introduction to American housing law and policy. The course is designed not only to convey substantive knowledge about housing law but also to introduce students to American legal education methods. Each day features landmark cases, key legal doctrines, statutory excerpts, and examples of grassroots organizing for housing justice. The professor, who was born in Portugal, will encourage students to engage in a comparative analysis of the U.S. and Portuguese legal systems, thereby deepening and enriching all participants' knowledge of their respective systems. The course takes a critical approach, using Catherine Bauer's *Modern Housing* as a framework to evaluate the American model and consider the alternative approaches that may be more relevant to the Portuguese context.

### **Class 1: Constitutional Frameworks and Origins of Modern Land Use Control in the U.S.**

- *Euclid v. Ambler Realty Co.* (1926)
- *Lindsey v. Normet* (1972)
- Article 65 of the Portuguese Constitution on the Right to Housing
- *Excluded* by Richard D. Kahlenberg, (excerpts)
- *Overview of the Current Crisis:*
  - National Low-Income Housing Coalition, [No State Has an Adequate Supply of Affordable Rental Housing for the Lowest-Income Renters](#)
  - U.S. Chamber of Commerce, [The State of Housing in America](#)

### **Class 2: Housing Discrimination, Segregation, and Civil Rights**

- *Shelley v. Kraemer* (1948)
- Fair Housing Act of 1968 (excerpts)
- *The Color of Law* by Richard Rothstein (excerpts)

### **Class 3: Public Housing/Social Housing and Government Action: Alternative Visions**

- *Department of Housing & Urban Development v. Rucker* (2002)

- *Modern Housing* by Catherine Bauer (1934) (excerpts)
- *New Deal Ruins* by Edward G. Goetz (excerpts)
- Housing Act of 1937 (key provisions)

#### **Class 4: Market-Based Solutions and Source of Income Discrimination**

- *Texas Department of Housing and Community Affairs v. Inclusive Communities Project* (2015)
- Center on Budget and Policy Priorities, [Prohibiting Discrimination Against Renters Using Housing Vouchers Improves Results](#)
- *The Voucher Promise* by Eva Rosen (excerpts)

#### **Class 5: Local Innovation, Alternative Legal Strategies, and Future Directions**

- *Karten v. Town of Warren Zoning Board of Review* (2024)
- *Key to the City* by Sara C. Bronin (excerpts)
- Nik DeCosta-Klipa, [What's the Next Frontier of Housing Reform in Mass.? A State Commission Has Some Ideas](#)
- Example of Tenant Opportunity to Purchase Act (TOPA): [New York Bill](#)

#### **Assessment:**

- Class Participation (30%)
- Daily Reflections (30%)
- Final Paper (40%)