

A Statement
October 28, 1949

Honorable Kenneth Cass
The Mayor and Members of the City Council
of Greenville, South Carolina

Mr. L. E. Brookshire, President
Greenville County Democratic Voters League
Greenville, South Carolina

Honorable C. Granville Wyche
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P. O. Box 1169
Greenville, South Carolina

Gentlemen:

In the Housing and Rent Act of 1949, Congress provided that rent control shall be terminated in any incorporated city, town or village, upon the receipt by the Federal Housing Expediter of a resolution of its governing body adopted for that purpose, in accordance with applicable local law. The law provided that the decontrol resolution must be based upon a finding by such governing body, reached as the result of a public hearing held after 10 days notice, that there no longer exists such a shortage in rental housing accommodations as to require rent control in such city, town or village. It further provided that such resolution must be approved by the Governor of the State before being transmitted to the Housing Expediter.

Some months ago, a decontrol resolution adopted under this act by the governing board of the Town of Cayce, reached me for transmission to the Housing Expediter. I made a study of the act of Congress at that time, and concluded that its intent was to place the fact-finding function and the responsibility for determining local needs and conditions upon the local city councils, as the duly elected representatives of the people. Accordingly, after ascertaining that the local action had complied with the act as to a public hearing after 10 days' notice, I transmitted the Cayce resolution to the Housing Expediter.

When the decontrol resolution of the City Council of Greenville reached me in September, a hearing before me was requested by both those who favored the resolution and those who opposed it. I denied these requests temporarily, on the ground that a test case on the Housing Act would probably be heard at the October term of the United States Supreme Court, and that a decision was expected very shortly. Since then, the Clerk of the U. S. Supreme Court has informed me that this case probably will not be reached until December, and it now appears that a decision may not be rendered before 1950.

When I learned this, I invited both sides to present their views as to the interpretation of the Act, and a hearing on this question was held by me on October 26th. After careful consideration, I am of the opinion that the policy previously followed by me is sound, and that it is my duty to transmit the resolution of the City Council of Greenville to the Housing Expediter, as provided in the act of Congress.

The local city councils are in a better position to know the facts bearing on local housing conditions than I am, or than some outside agency could be, and the Governor has no facilities to make an

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extensive investigation into local housing conditions. Congress clearly intended that the local authorities of a community should have the responsibility of terminating rent control after giving the public a hearing, and any outside interference with their findings would only tend to diminish their sense of responsibility in passing upon decontrol resolutions, and perhaps encourage hasty or ill-considered action.

With kindest regards and best wishes,

Very truly,

J. Strom Thurmond
Governor

JST:shf