

Wheat Ridge revisits racist history in housing policy, “untying these nasty, nasty knots” Denver Post

Rachel Hultin was shocked by the words staring back at her from the deed to her Wheat Ridge house, which she bought 10 years ago.

“Only persons of Caucasian race shall use or occupy any building on any lot,” reads one covenant, which appears unremarkably on a list of mundane mid-century rules about setbacks and prohibitions on fur farms and dog kennels. “This covenant shall not prevent use or occupancy by domestic servants of a different race domiciled with or in employ of a white owner or tenant.”

Hultin, who is Wheat Ridge’s mayor pro tem and worked nearly two decades in the real estate industry, said she had never seen that type of language in a deed or plat note before. Her home, built in 1950, was bound by covenants that had been penned just two years before the nation’s high court ruled against such habitability restrictions.

“It was really jarring,” Hultin said.

ASK IRA: Is it time for Erik Spoelstra, Heat to set Bam Adebayo free on offense?

This week, Wheat Ridge City Council tackled the issue — which is not unique to this suburb of 32,000 west of Denver — by passing a resolution declaring race- and religion-based covenants “illegal and unenforceable.”

It directed staff to find city-owned properties that might have such stipulations and remove them from real estate records. The city also pledged to “prepare and make available to private property owners the materials to remove such covenants as permitted by statute.”

It could well be one of the first communities in the state to make such a move, according to the Colorado Municipal League, though other states have been coming to terms with the legacy of whites-only housing policies in recent years.

To some, Wheat Ridge’s efforts might seem unnecessary and redundant given the U.S. Supreme Court’s *Shelley v. Kraemer* ruling in 1948, which struck down race and religion-based covenants as illegal. The court’s opinion was further codified 20 years later, when the Federal Fair Housing Act banned race-based deed restrictions once and for all.

While conceding that the resolution passed unanimously by Wheat Ridge leaders on Monday evening is largely symbolic, Hultin said it is important to acknowledge and address the outwardly racist policies that shaped housing policy in Colorado, and the country as a whole, for decades.

ADVERTISEMENTSCROLL TO CONTINUE READING

“These are legacies that become invisible,” she said. “I think it’s important that we are trying to bring these things out of the shadows.”

Wheat Ridge’s resolution comes on the heels of a couple of tumultuous years of racial justice protests and calls for reform in policing in Colorado, largely fueled by the murder of George Floyd, a Black Minnesota man, by police in 2020. Last year, the Denver City Council changed the name of the Stapleton neighborhood to Central Park as a repudiation of the former Denver mayor and Ku Klux Klan member — Benjamin Stapleton — after whom it was named.

The KKK, a white supremacist organization that targeted Blacks, Catholics and Jews, was a powerful organization in and around Denver in the 1920s and 1930s, with members at the highest levels of government and law enforcement. History Colorado last year released a map of where 30,000 or so Klan members lived in metro Denver during the mid-1920s.

Jefferson County, where Wheat Ridge was incorporated in 1969, was by no means immune to the KKK’s influence. According to the county’s online history page, the first public gathering of the Ku Klux Klan in Jefferson County took place in April 1922 where Heritage Square sits today, “complete with blazing torches.”

The following year, the KKK erected and burned a large wooden cross atop South Table Mountain, overlooking Golden. The location became a “major regional meeting place of the Klan,” according to the county.

Section D of the deed to ...

Helen H. Richardson, The Denver Post

Pictured on on July 26, 2022, Section D of the deed to a house in Wheat Ridge owned by Rachel Hultin describes discriminatory covenants.

At Monday night’s council meeting, Wheat Ridge Councilwoman Valerie Nosler Beck said the resolution denouncing racist language attached to properties in the city is part of a long process of “untying these nasty, nasty knots.”

Jared Shepherd, a co-founder of the Just Deeds Project in Minnesota, applauded Wheat Ridge’s move. The group, formed in 2020, provides free legal and title services to help property owners find and root out discriminatory covenants from their property titles.

“It’s critical we understand how prevalent these covenants were in some of our communities and that we are better able to understand present-day issues and impacts,” Shepherd said. “We’re still dealing with this legacy.”

Just Deeds, working with the University of Minnesota’s Mapping Prejudice project, has documented more than 26,000 properties with racial covenants in the state’s two most populous counties surrounding Minneapolis and St. Paul. The organization provides legal assistance to homeowners who

want to “discharge” the offending language, typically by attaching an affidavit to their deed or title work acknowledging the historical covenants and renouncing them.

Importantly, Shepherd said, the original language is not stricken from the documents.

“It’s a process that doesn’t erase that history — it simply calls it forth to that moment of time and acknowledges it,” he said. “If someone just hits the delete button in 2022, then we don’t learn from it.”

Acknowledgment of the past is critical in dealing with the painful policies of an earlier time, Hultin said.

“We do a disservice when we change history,” she said.

RELATED ARTICLES

State lawmakers work to strip old “whites only” covenants

So long Stapleton, hello Central Park: Denver City Council cements neighborhood name change

“The right thing to do”: Cherry Hills Village officially rename Swastika Acres subdivision

City Manager Patrick Goff said Wheat Ridge can’t force homeowners to inspect their property documents for discriminatory covenants, but the city will be available for those who do.

“We’re going to provide forms for our community that they can bring to the county to have that language discharged,” he said.

Hultin wants to go a step further, given that many of Jefferson County’s neighborhoods were developed and platted during the years when discrimination was part and parcel of housing policy in the state. She intends to bring the issue up to other city leaders in Jefferson County, as well as to the county commissioners, to see if a countywide acknowledgment effort can be launched.

“All we can do is raise awareness of our cities and facilitate them being able to take action,” she said.