



Advancing Economic Security
and Community Prosperity

July 5, 2019

Board of Directors

Chair

Byna Elliott
Fifth Third Bank

Treasurer

Manuel Jimenez
Marquette Bank

Secretary

Michael Seng
John Marshall Law School

Members

Natalie Abatemarco
Citi Community Development

Ravi Aurora
MasterCard

Bobbi Ball
Partners in Community Building

Calvin Bradford
Calvin Bradford & Associates, Ltd.

Eva Brown
Fifth Third Bank

Thomas FitzGibbon, Jr.
Evergreen Bancgroup

Jesus Hernandez, PhD
JCH Research

Martina Hone
YWCA Loop Center

Juan Carlos Linares
City of Chicago

Dory Rand
Woodstock Institute

Gabriela Roman
Spanish Coalition for Housing

Matthew Roth
IFF

Founder

Sylvia R. Scheinfeld
1903-1990

67 E. Madison, Suite 2108
Chicago, Illinois 60603-3014
Phone: (312) 368-0310
Fax: (312) 368-0316
www.woodstockinst.org

Submitted via e-mail

Director N. Keith Chambers
Cook County Human Rights Commission
69 W. Washington, Suite 3040
Chicago, IL 60602
humanrights@cookcountyil.gov

RE: **Initial Comment Regarding Rules for
the Just Housing Amendment, Ordinance No. 19-2394**

Dear Director Chambers:

Woodstock Institute offers this comment regarding the rules being drafted in connection with the implementation of the Just Housing Amendment (JHA). We strongly support the JHA because it helps reduce barriers to housing that disproportionately impact people of color and people with disabilities. Our primary concern is that no loopholes worm their way into the rules that would undermine the important purpose of the JHA.¹

About Woodstock Institute

Woodstock Institute is a member of the Just Housing Initiative and is a leading nonprofit research and policy organization in the areas of equitable lending and investments; wealth creation and preservation; and safe and affordable financial products, services, and systems. Woodstock Institute works locally and nationally to create a financial system in which lower-wealth persons and communities of color can safely borrow, save, and build wealth so that they can achieve economic security and community prosperity. Our key tools include: applied research; policy development; coalition building; and technical assistance. Woodstock Institute has been a recognized economic justice leader and bridge-builder between communities and policymakers in this field since it was founded in 1973 near Woodstock, Illinois. Among the issues recently on Woodstock's policy agenda are payday and auto title lending, check-cashing fees, small business lending, abusive municipal fines and fees, and the Community Reinvestment Act.

¹We are also a signatory to the comments submitted by the Shriver Center on Poverty Law.

About the Author, Personal Story

I began working on consumer financial protection as the Policy Director at Citizen Action/Illinois from 2003-2006. In 2006, the Illinois Department of Financial & Professional Regulation (IDFPR) hired me as a deputy general counsel overseeing legal matters involving non-bank financial institutions: payday lenders, credit unions, and currency exchanges, among others. In 2009, Governor Pat Quinn appointed me to serve as Secretary of IDFPR, making me the State's chief regulatory official overseeing most of the State's financial institutions, including state banks and licensed professions. I served in that role until 2012 when I moved to Brooklyn, New York, to be an English teacher and debate coach at a college preparatory school until 2015. In 2016, I began my current role at Woodstock, advocating for regulatory reform to protect consumers.

This issue is near and dear to my heart because I am a disabled person with an arrest record. People with disabilities are more likely to be arrested than non-disabled people.² My disability is directly related to my arrest. In May 2014, I was exhibiting unusual behavior in public, which drew the attention of the police and resulted in my arrest. The criminal charges were later dropped. In 2015, I was fortunate to secure a lease from a housing provider that did not know or did not care about my arrest. On all accounts, I have been an exemplary tenant.

The Rules Must Ensure Consistent Enforcement and Avoid Loopholes

The Commission's rules should create clear guidelines so that applicants seeking housing are equipped to fully enforce their rights, particularly when it comes to notice and opportunity to dispute. Leaving the task to individual housing providers would subject applicants to a patchwork of policies that would be difficult to navigate and would hinder housing access. A patchwork of disparate individual provider policies would also make it extremely difficult for the Commission to enforce the JHA consistently and efficiently.

A perfect example of a possible loophole in our view is the Chicagoland Apartment Association's (CAA's) proposal to allow landlords to fill an apartment with another applicant while the individualized assessment process is still pending for an applicant who has a conviction. A landlord should not be required to hold an apartment indefinitely, of course, but the CAA's proposal would be a loophole. The JHA's protections would be weakened substantially if a landlord could evade the JHA's protections by slipping another person into the unit while the applicant with a conviction awaits the completion of his or her individualized assessment. The applicant would be denied housing just as though the JHA did not exist. We urge the drafters to bring a keen eye to avoiding loopholes in the rules.

Conclusion

To deny a person housing is, perhaps, the singular worst thing you can do to people who are struggling to get back on their feet. We hope the rules implementing the JHA avoid creating loopholes that would undermine the ordinance's important purpose.

Very truly yours,



Senior Vice President of Policy & Communication

²See, e.g., Ronnie Cohen, *Young People with Disabilities More Likely to be Arrested*, Reuters, Nov. 10, 2017, <https://www.reuters.com/article/us-health-disabilities-law-enforcement/young-people-with-disabilities-more-likely-to-be-arrested-idUSKBN1DA2SZ>