ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE (AIFHC)

SEPTEMBER 17, 2012

Toni Preckwinkle, President
Cook County Board of Commissioners

Submitted to:
Cook County
Department of Planning and Development
within the Bureau of Economic Development
69 W. Washington St.
Chicago, Illinois 60602
www.cookcountyil.gov
http://blog.cookcounty.gov

Submitted By:
Applied Real Estate Analysis, Inc.
914 S. Wabash Ave.
Chicago, Illinois 60605
www.areainc.net

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SECTION I.
INTRODUCTION

PURPOSE OF THE STUDY

As a recipient of Federal funds from the U.S. Department of Housing and Urban Development (HUD), the government of Cook County is required to "affirmatively further fair housing." The definition of "affirmatively furthering fair housing" has not been codified, but HUD has defined it through obligations of the funding recipients:

1. "Conduct an analysis to identify impediments to fair housing choice within the jurisdiction."

2. "Take appropriate actions to overcome the effects of any impediments identified through the analysis."

3. "Maintain records reflecting the analysis and actions taken in this regard."[1]

The County has not conducted a full written analysis of impediments to fair housing choice (AIFHC) since 1997. Although HUD does not require a completed AIFHC each year, it is recommended that an AIFHC be updated in coordination with the jurisdiction's consolidated plan five-year cycle (currently 2010–2014).

Although the AIFHC is required by HUD, it is important to note that the County procured this analysis because it recognizes and appreciates the value of a diverse population. This diversity can only be maintained and expanded if all individuals have equal access to a broad range of housing in thriving communities. The County desires that through this analysis and implementation of its recommendations, individual residents, families, businesses, and municipalities recognize the intrinsic value of diversity and that it makes the county more effective and competitive.

The problem of equal access to communities of opportunity and fair housing is so pernicious and ingrained that no single entity or field can single-handedly remove impediments. Addressing the challenge of affirmatively furthering fair housing will require interdisciplinary, multijurisdictional solutions.

Because it has been 15 years since the last AIFHC was completed, it is important that the County begins by establishing a baseline understanding of the status of fair housing in the county. This report focuses on providing County officials with an overview of the population and some trends as well as helping it to understand existing impediments to

[1] "Fair Housing Planning Guide," HUD.

fair housing choice. The plan also provides recommendations for overcoming the identified impediments.

This document is the first of several analyses that the Department of Planning and Development will need to undertake in order to identify and effectively address all impediments to fair housing in its jurisdiction. The County is embarking on a new era that includes greater accountability for not only Cook County administration officials and employees, but also for those who receive funding through the County.

In the words of one human rights organization, the goal of this AIFHC is not to provide a method for policing the activities of the funding recipients but rather to assist the County in developing a more strategic approach to affirmatively furthering fair housing by not only itself but also funding recipients, including municipalities.[2]

WHO CONDUCTED THE STUDY

Through a competitive procurement process, the County selected Applied Real Estate Analysis (AREA), Inc., to conduct an analysis of impediments to fair housing choice and awarded a contract in August 2011. AREA is a real estate research and public policy consulting firm located in Chicago, Illinois. The firm regularly conducts studies for local agencies as an independent third party. The project director is Maxine V. Mitchell, CRE®, President of AREA, and the project manager is Maria-Alicia Serrano, Assistant Vice President and Director of Public Sector Services of AREA. Ms. Serrano and Ms. Mitchell are the authors of the study.

METHODOLOGY

The primary data sources for demographics for this study were the 1990, 2000, and 2010 U.S. Decennial Census and American Community Survey (ACS) 2005–2009, five-year estimate. These are the most consistent data sources that provide information at a census-tract level. In some cases, the ACS 2010 one-year estimates were used if county- or municipality-level data were acceptable. Consequently, the data may not match in all cases. In almost all cases, the data and analysis presented exclude the city of Chicago whenever practicable. It should be assumed when reading the report that information does not reflect the city of Chicago unless otherwise stated.

The researchers also relied on several reports and studies on fair housing and related topics, all of which are cited throughout the report. Finally, conversations and roundtables with municipalities, local fair housing advocates, and real estate professionals assisted in identifying challenges and potential solutions. AREA

[2] Opportunity Agenda, Public Policy Brief, "Reforming HUD's Regulations to Affirmatively Further Fair Housing," March 2010.

conducted online surveys for residents of Cook County, real estate professionals, and municipalities.

ORGANIZATION OF THE STUDY

The study is organized into nine sections:

I. Introduction.

II. Overview of Cook County provides contextual information on the County, government organization, grant programs, and the Human Rights Ordinance.

III. Demographics provides a detailed discussion of the population of each of the protected classes as well as discussions on the rental and for-sale housing markets in the county, employment, and transportation.

IV. Fair Housing Policies and Procedures highlights the County's current policies related to fair housing, including the enforcement of the Human Rights Ordinance and the monitoring of funding recipients' fair housing activities.

V. Fair Housing Programs, Activities, and Outreach describes steps currently being taken by the County and other organizations to further the goals of fair housing.

VI. Fair Housing Complaints analyzes data on housing discrimination complaints submitted to the County, State of Illinois, and HUD.

VII. Fair Housing Surveys analyzes the results of three fair housing surveys conducted by the research team.

VIII. Findings/Identified Impediments and Recommended Actions lists and describes the identified impediments to fair housing choice as well as the recommended actions the County should take to overcome the impediments.

IX. Implementation provides narrative on the timeline for implementing the various actions recommended for overcoming identified impediments.

Appendices contain detail on the tiered approach for fair housing compliance, the fair housing survey responses, and the public comment period.

ACKNOWLEDGEMENTS

The authors would like to thank the Cook County Department of Planning and Development within the Bureau of Economic Development, and the Cook County Commission on Human Rights for the data and assistance in developing this AIFHC. Additionally, discussions with the HUD Fair Housing and Equal Opportunity (FHEO) Office in Chicago, Chicago Area Fair Housing Alliance (CAFHA), municipalities, and realtors were invaluable in developing the report. Reference to an organization within this study does not constitute an endorsement of the analysis or recommendations.

SECTION II.
OVERVIEW OF COOK COUNTY

Cook County is located in northeastern Illinois and is home to more than 5.25 million people, or 41 percent of the population of the state of Illinois.[3] Approximately 54 percent of the county's population lives in the city of Chicago, and 46 percent live in 129 other municipalities and unincorporated areas of the county.[4]

Exhibit II-1.
Cook County in Regional Context

GOVERNMENT

Cook County is governed by a president who is elected to a four-year term and a 17-member Board of Commissioners who are also elected to four-year terms. The County's fiscal year runs from December 1 to November 30 while its Federal program year runs from October 1 to September 30.

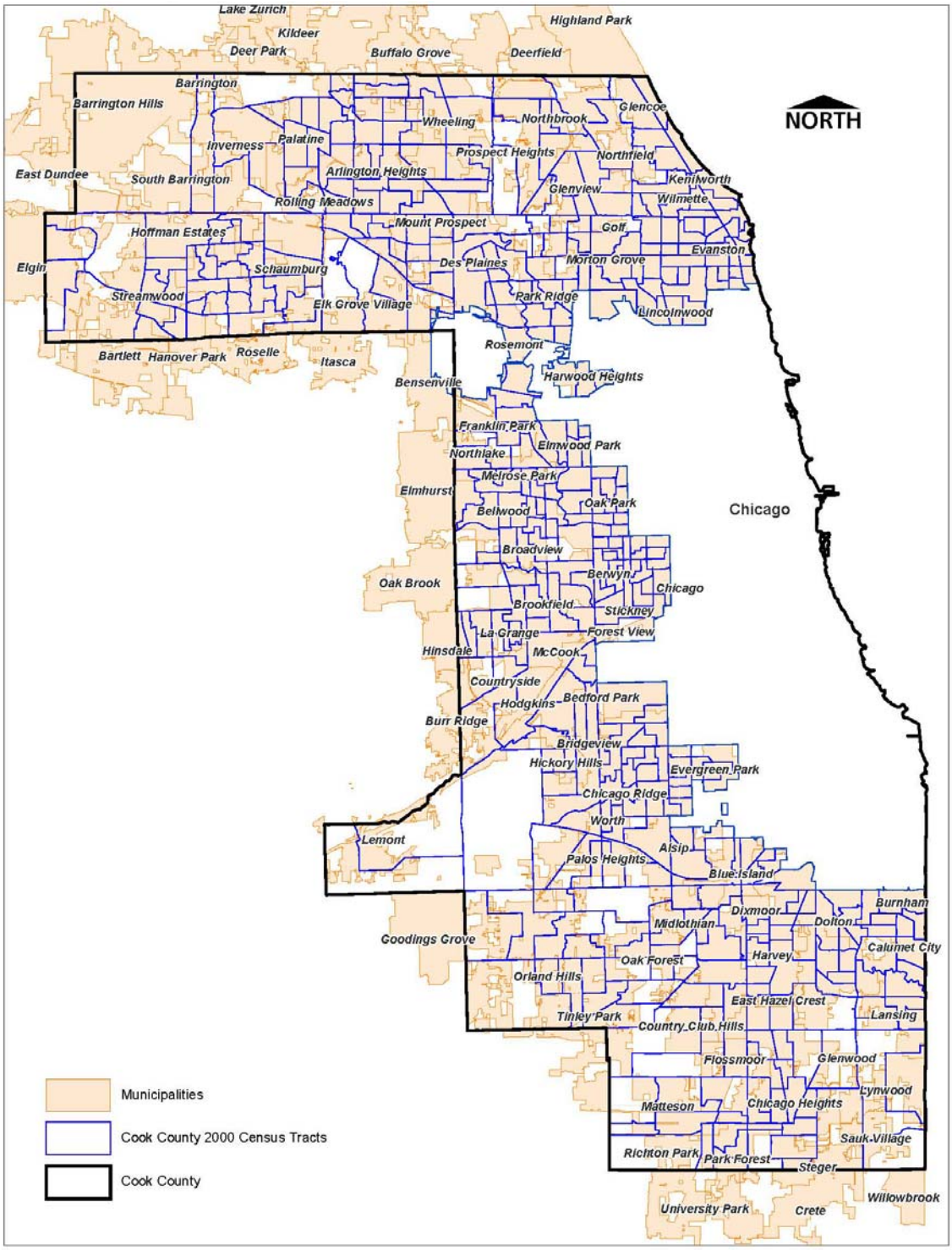
Home Rule

The majority of municipalities in Cook County have enacted home rule. Home-rule status allows the municipalities to set laws and ordinances based upon the needs of the municipality as long as the laws and ordinances are in accordance with state and federal constitutions and laws.

A map of Cook County municipalities is provided on the following page.

[3] American Community Survey 2005–2009.
[4] The analysis will exclude the city of Chicago unless otherwise indicated.

Exhibit II-2.
Cook County Municipalities and Census Tracts



HUD Formula Grant Programs

Within Cook County government, the Department of Planning and Development within the Bureau of Economic Development is responsible for administering U.S. Department of Housing and Urban Development (HUD) formula grant programs. Currently, the County receives entitlement funds from three grant programs: Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), and Emergency Solutions Grants (ESG) formerly known as the Emergency Shelter Grants. For the 2011 program year, the County was awarded $15,361,875 in funds. The allocation is as follows:

- CDBG: $9,405,820
- HOME: $5,523,940
- ESG: $432,115

Of the CDBG funds, 47.1 percent is anticipated to be directed to the southern portion of the county, 20.3 percent to the western portion, 9.3 percent to the northern portion, and 23.3 percent countywide. The funding allocation is reviewed by the Cook County Community Development Advisory Council (CDAC), an 11-member council that is also responsible for reviewing the performance of the program. Council members include elected officials from across the county and members of the nonprofit sector.

Cook County Human Rights Ordinance

The Cook County Human Rights Ordinance was originally adopted on March 16, 1993, and amended on November 19, 2002. The ordinance is meant to prevent discrimination and sexual harassment in employment, public accommodations, housing, credit transactions, and County services and contracting. The ordinance states that:

> "… Behavior which denies equal treatment to any individual because of his or her race, color, sex, age, religion, disability, nation origin, ancestry, sexual orientation, marital status, parental status, military discharge status, source of income [excluding Section 8][5], gender identity, or housing status undermines civil order and deprives individuals of the benefit of a free and open society."[6]

In contrast, the Federal Fair Housing Act (42 USC § 3601) only includes race, color, religion, national origin, sex, disability, and familial status. The Illinois Human Rights Act (775 ILCS 5/3-101) includes the protected classes of the Federal Fair Housing Act with the additional protected classes of ancestry, age, marital status, unfavorable military discharge, and sexual orientation.

[5] The Cook County Board of Commissioners subcommittee approved an amendment to the ordinance that would remove the Section 8 exclusion. The amendment has yet to be forwarded to the full Board for a vote.
[6] Cook County Ordinance Number 93-0-13, page 0, as amended.

SECTION III.
DEMOGRAPHICS

This section provides an overview of the demographic characteristics of Cook County and changes over time. The primary purposes of this section are to provide an understanding of the size and location of the protected classes in the county as well as trends in the size and location of the protected classes over time. Unless otherwise indicated, the data presented excludes the city of Chicago.

RESIDENT POPULATION

Cook County is the second-most populous county in the United States. Located in northeastern Illinois, the county's population is 2,499,077 individuals. Although this is an increase in population from 2000, it is a much smaller increase than the one that occurred between 1990 and 2000.

Exhibit III-1.
Total Population of Cook County

Year	Population	% Change
1980	2,248,583	NA
1990	2,321,341	3.2%
2000	2,481,073	6.9%
2010	2,499,077	0.7%

Sources: 1980, 1990, 2000, and 2010 U.S. Census.

POPULATION OF PROTECTED CLASSES

Using the 2005–2009 American Community Survey, AREA identified the population of the protected classes within the county. This was compared with data from the 2000 U.S. Census to identify any changes in population.

Race and Color

The U.S. Census currently provides seven options for individuals to identify their race:

- White alone
- Black or African American alone
- American Indian and Alaska Native alone
- Asian alone
- Native Hawaiian and Other Pacific Islander alone
- Some other race alone
- Two or more races

These categories are separate from the Hispanic ethnic category. Individuals who identify themselves as Hispanic must also identify a race. In the remainder of this

document, we have combined the “American Indian and Alaska Native alone” category with “Native Hawaiian and Other Pacific Island alone” category, as they represent 0.1 percent of the population in the county.

Maps showing the concentrations of the various racial and ethnic groups are presented on the following pages.

Exhibit III-2.
Suburban Cook County White Population

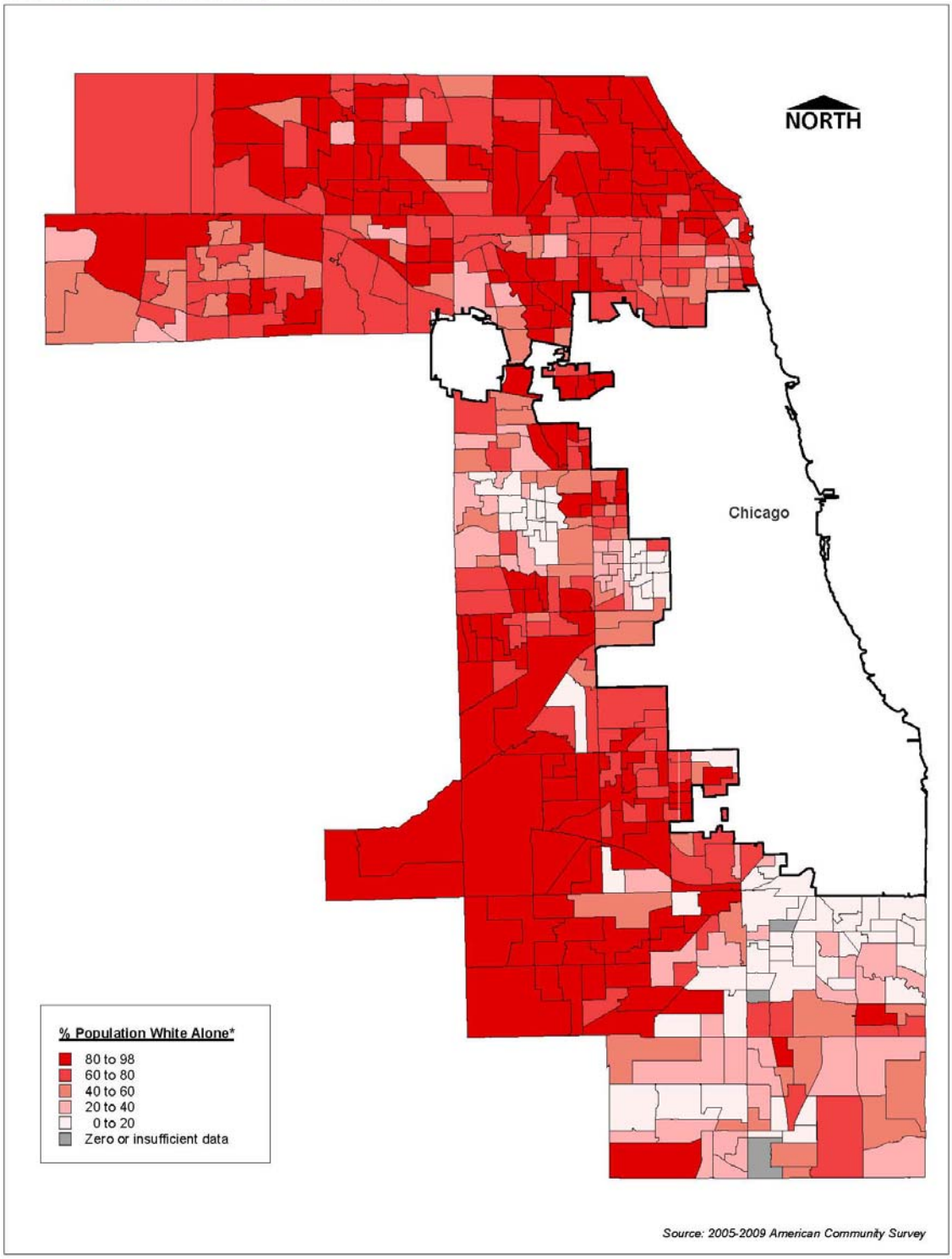


Exhibit III-3.
Suburban Cook County Black/African American Population

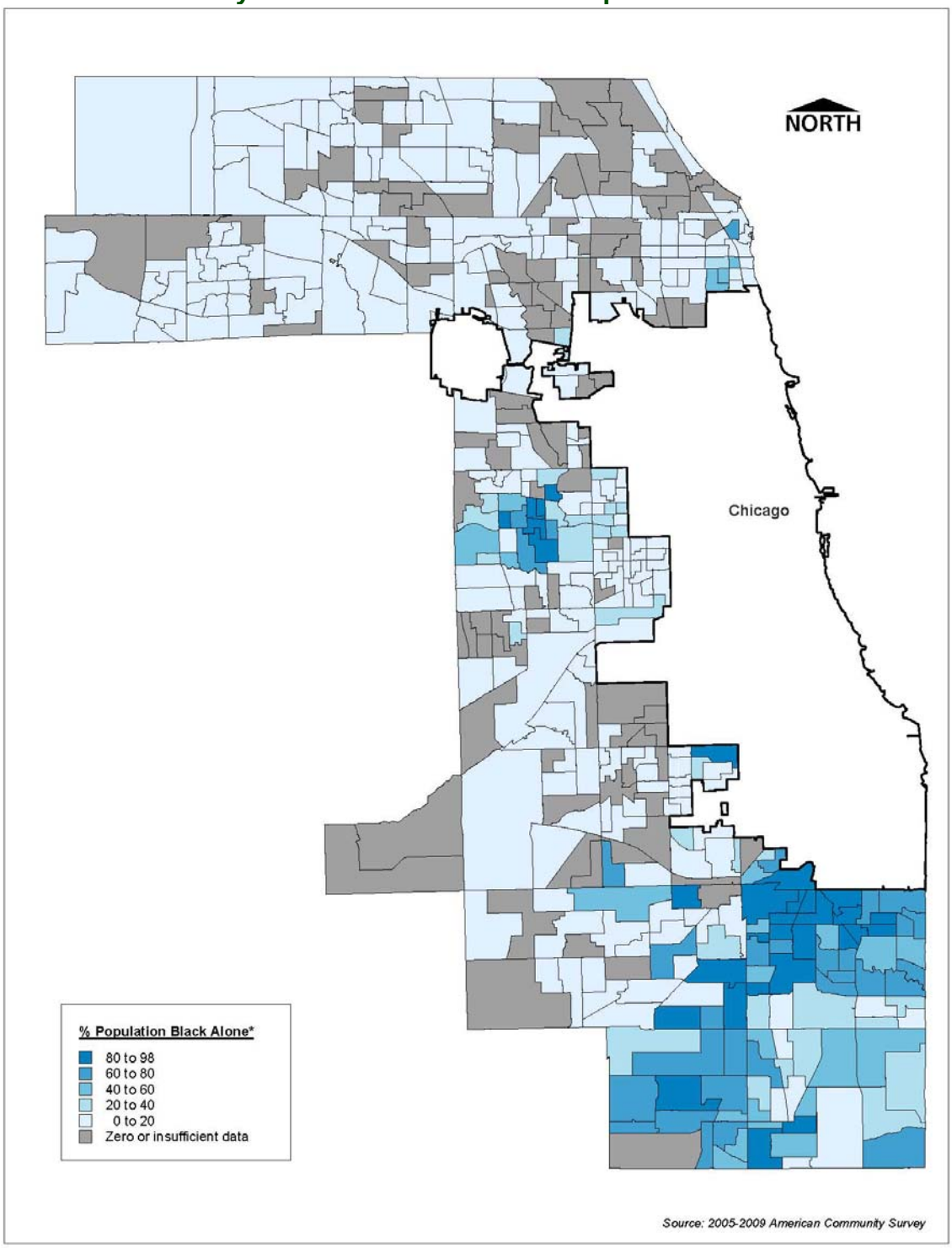


Exhibit III-4.
Suburban Cook County Hispanic Population

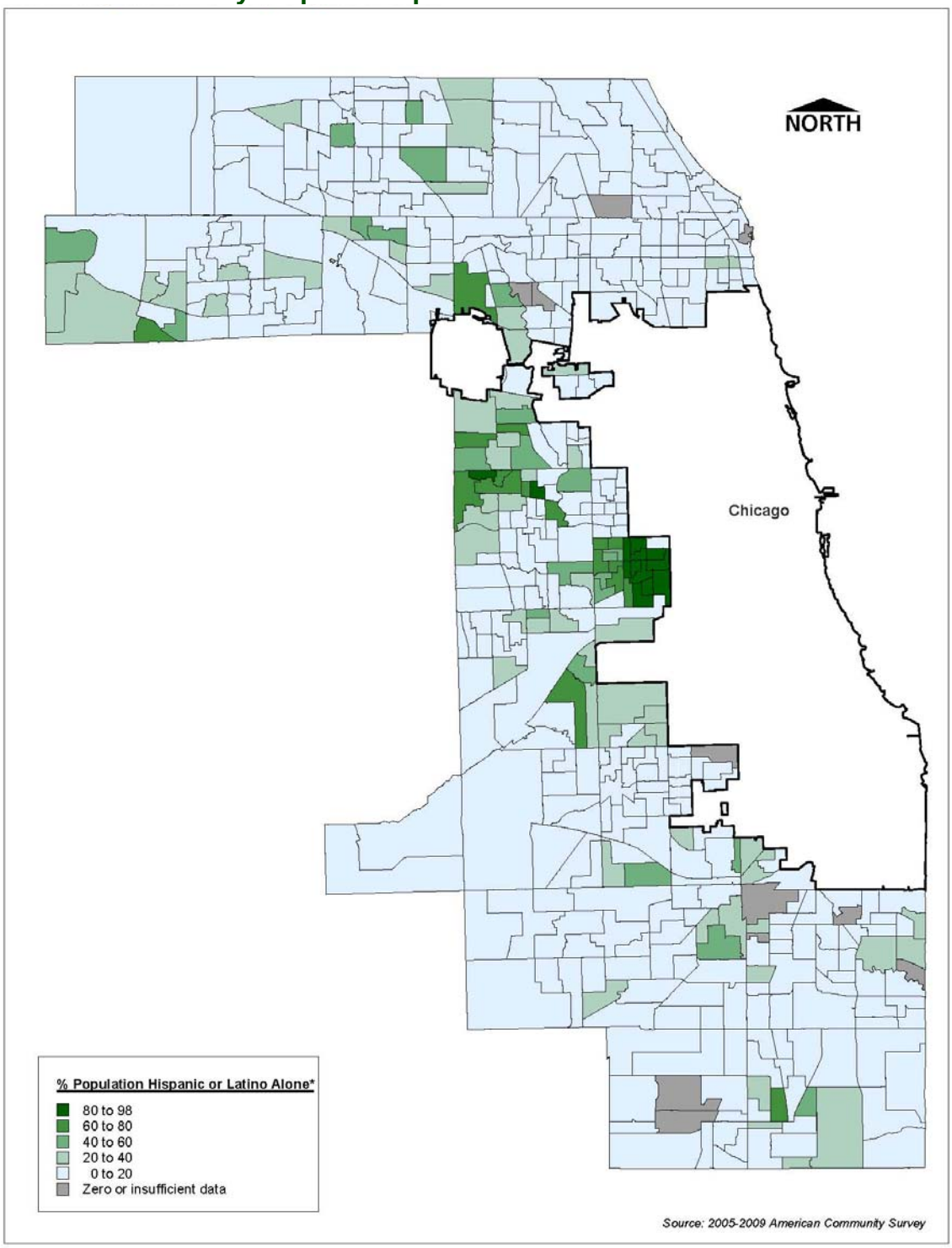


Exhibit III-5.
Suburban Cook County Asian Population

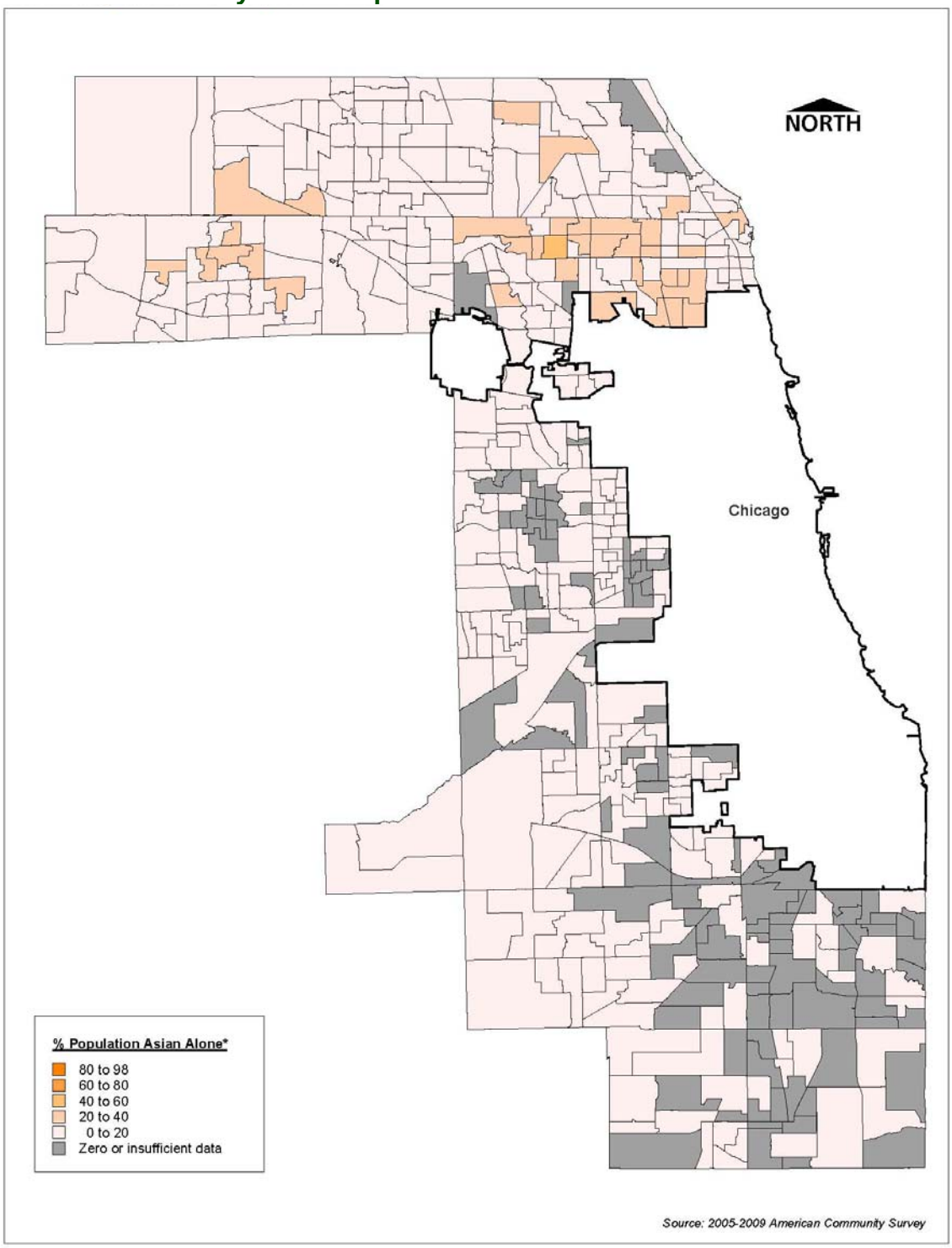


Exhibit III-6.
Suburban Cook County American Indian, Alaska Native, Native Hawaiian, and Other Pacific Islander

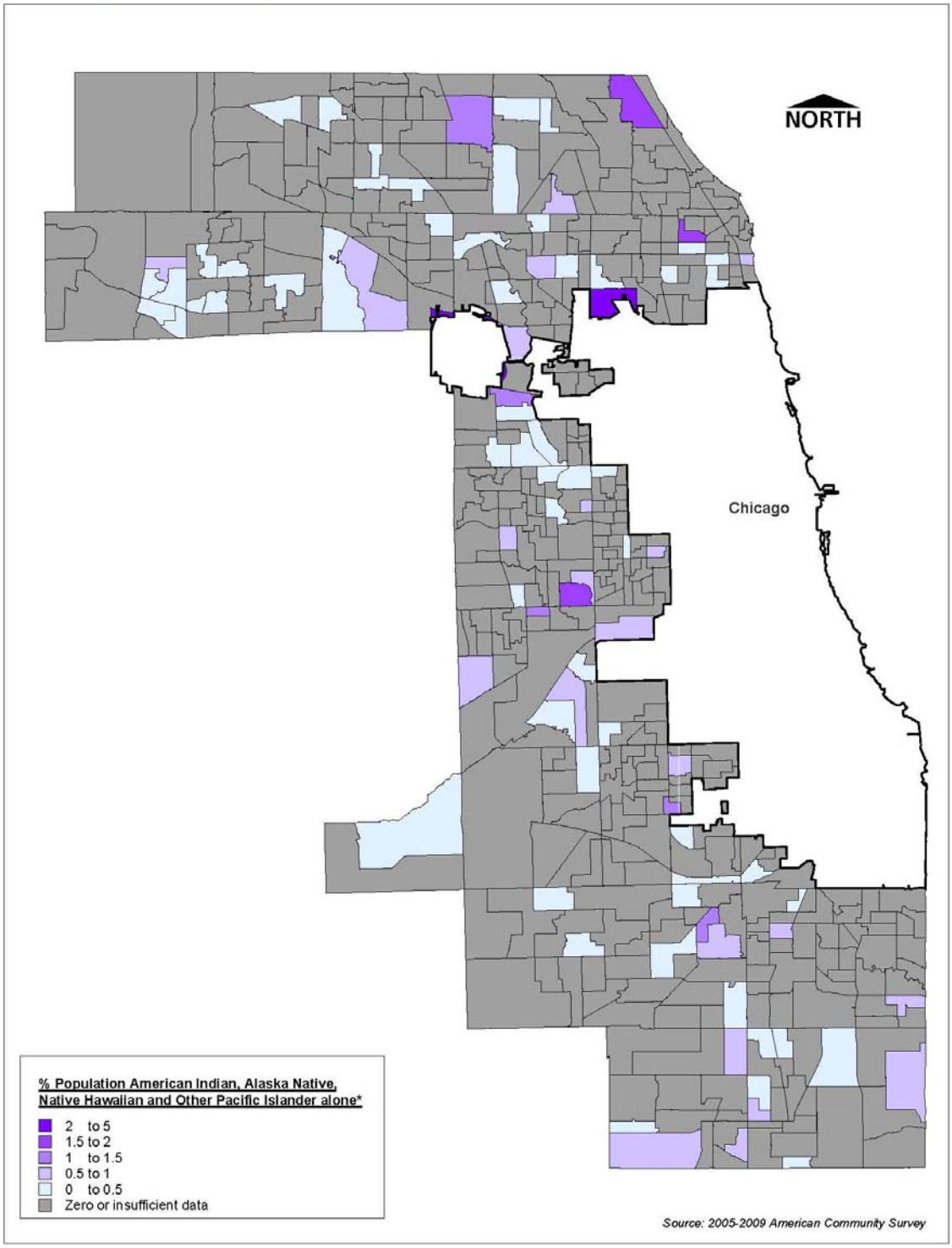


Exhibit III-7.
Race and Ethnicity of Individuals–Cook County

	1990		2000		2009	
Race	**Number**	**Percentage**	**Number**	**Percentage**	**Number**	**Percentage**
White	1,959,920	83.7%	1,810,742	73.0%	1,650,692	67.8%
Black/African American	229,815	9.8%	340,361	13.7%	378,748	15.6%
Asian	84,228	3.6%	134,221	5.4%	158,361	6.5%
American Indian, Alaska Native, Native Hawaiian, and Other Pacific Islander	3,679	0.2%	5,979	0.2%	3,602	0.1%
Some other race	62,995	2.7%	137,974	5.6%	204,512	8.4%
Two or more races	NA	NA	51,796	2.1%	37,627	1.5%
Total	2,340,637	100.0%	2,481,073	100.0%	2,433,542	100.0%

	1990		2000		2009	
Ethnicity	**Number**	**Percentage**	**Number**	**Percentage**	**Number**	**Percentage**
Hispanic	149,105	6.4%	318,113	12.8%	407,586	16.7%
Not Hispanic	2,191,532	93.6%	2,162,960	87.2%	2,025,956	83.3%

NA: Category was not available at the time.
Sources: 1990 U.S. Census, 2000 U.S. Census, 2005–2009 American Community Survey.

As shown above in Exhibit III-7, over the past two decades Cook County has become more racially and ethnically diverse. From 1990 to 2009, the number of Black/African-American, Asian, and Hispanic individuals increased across the county. The most significant increase occurred among those who self-identified as Hispanic. In 1990, Hispanics represented 6.4 percent of individuals in the county. By 2009, Hispanics represented 16.7 percent of the population, a nearly 175 percent increase. During this same time period, the number of White households decreased by 16 percent.

Sex

As of 2009, 49 percent of the county population is male (1,180,290), and 51 percent of the population is female (1,253,252). This ratio is similar to the national and state of Illinois ratio of males to females.

Age

Cook County residents are predominantly aged 54 and younger (75 percent). This is a slight decrease from 1990 and 2000, when this age range represented 78 percent of the population. Near senior individuals (55 to 61 years of age) represent 8 percent of the population, and seniors (62 years of age and above) represent 16 percent, which is basically steady from 2000 and a slight increase from 1990.

An initial examination of the data appears to indicate that the age cohorts as a percentage of the population have remained relatively steady since 1990. However, when the number of individuals within the age cohort is examined, we see that the number of individuals within three smaller age cohorts has increased significantly since 1990. Specifically:

- The number of residents aged 17 and younger increased 4 percent.
- The number of residents aged 55 to 61 increased 32 percent.
- The number of residents aged 75 and above increased 32 percent.

The other two age groups, 18 to 54 and 62 to 74, showed decreases of 2 and 11 percent, respectively. In contrast, the total population of the county increased by only 4 percent. What this seems to indicate is that the county population is increasing at the extremes of the age ranges.

Exhibit III-8.
Age of Individuals
Cook County

	0–17 years old		18–54 years old		55–61 years old		62–74 years old		75 years old and older	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
1990	560,948	24%	1,252,572	54%	153,419	7%	249,338	11%	124,360	5%
2000	637,990	26%	1,289,528	52%	164,910	7%	225,876	9%	162,769	7%
2009	618,175	25%	1,226,825	50%	202,312	8%	222,296	9%	163,934	7%

Sources: 1990 U.S. Census, 2000 U.S. Census, 2005–2009 American Community Survey.

As the postwar “baby boom” generation—those born from 1946 to 1964—ages, their housing preferences will begin to shift. In 2011, the first members of this generation reached retirement age, and by 2029, all members will be at or above retirement age. As these seniors continue to age, they will begin to consider alternatives to their current housing options. The housing options available to seniors fall into two broad categories. Seniors can choose (1) to remain in their existing homes, or (2) to live in age-restricted housing. Many seniors choose to “age in place”—to remain in their existing single-family homes, apartments, or condominiums.

Religion

There is limited available data on the religious affiliation of individuals below the state level. While various organizations collect information on religion, the methodology varies widely, and many cannot be considered independent researchers. One source used in the *2011 Statistical Abstract of the United States* is the American Religious Identification Survey (ARIS). ARIS 2008 provides the religious affiliation of residents at a state level. One drawback of the data is that non-Christian religions are combined into one category, “Other Religion.” Nonetheless, the data indicates that the religious makeup of Illinois is shifting from Catholicism and other Christian religions to no religious affiliation.

Exhibit III-9.
Self-Identified Religious Affiliation of Illinois Residents

Year	Catholics	Other Christian Religions	Other Religion	No Religious Affiliation	Don't Know/Refused
1990	33%	53%	3%	8%	3%
2008	32%	45%	3%	13%	6%

Source: Kosmin, Barry A. and Ariela Keysar. “American Religious Identification Survey (ARIS 2008) Summary Report,” 2009. Hartford, CT: Institute for the Study of Secularism in Society & Culture.

Disability

Nearly 10 percent of the Cook County population are persons with a disability and non-institutionalized. Of these individuals, 48 percent are aged 65 years and older and 45 percent are aged 18 to 64. The population of persons with a disability as a percentage of the entire population has not changed significantly over the last three years. The U.S. Census Bureau changed the questions related to disability in 2008; therefore, comparison with prior years is not possible.

Exhibit III-10.
Population of Persons with a Disability

	2008		2009		2010	
	Number	Percent	Number	Percent	Number	Percent
With a Disability	244,210	9.6%	224,152	9.3%	240,909	9.7%
Without a Disability	2,287,573	90.4%	2,190,093	90.7%	2,242,315	90.3%
Total	2,531,783	100.0%	2,414,245	100.0%	2,483,224	100.0%

Sources: 2008, 2009, and 2010 American Community Survey one-year estimates.

The majority of the population of persons with a disability has difficulty walking or climbing stairs (ambulatory difficulty). The second-most frequent disability is related to the ability to conduct independent activities of daily living (IADLs). IADLs include activities such as grocery shopping and housekeeping.

Exhibit III-11.
Characteristics of the Population of Persons with a Disability

	Number of Individuals[1]	As a Percentage of the Population of Persons with a Disability
With a Cognitive Difficulty	81,017	34%
With a Hearing Difficulty	65,240	27%
With a Self-Care Difficulty	56,751	24%
With a Vision Difficulty	38,356	16%
With an Ambulatory Difficulty	136,693	57%
With an Independent Living Difficulty	97,960	41%

[1]Individuals may have more than one disability and therefore may be included in multiple categories.
Source: 2010 American Community one-year estimate.

National Origin and Ancestry

The majority (80 percent) of Cook County residents were born in the United States or U.S. territories. The 20 percent of the population that is foreign born was born in Latin America (7.6 percent), Europe (6.3 percent), Asia (5.5 percent), Africa (0.4 percent), and Canada (0.2 percent).

This estimate of the non-U.S. born residents is most likely low as undocumented individuals tend to not respond to Census surveys. A map showing concentrations of foreign-born populations is provided on the following page.

Language

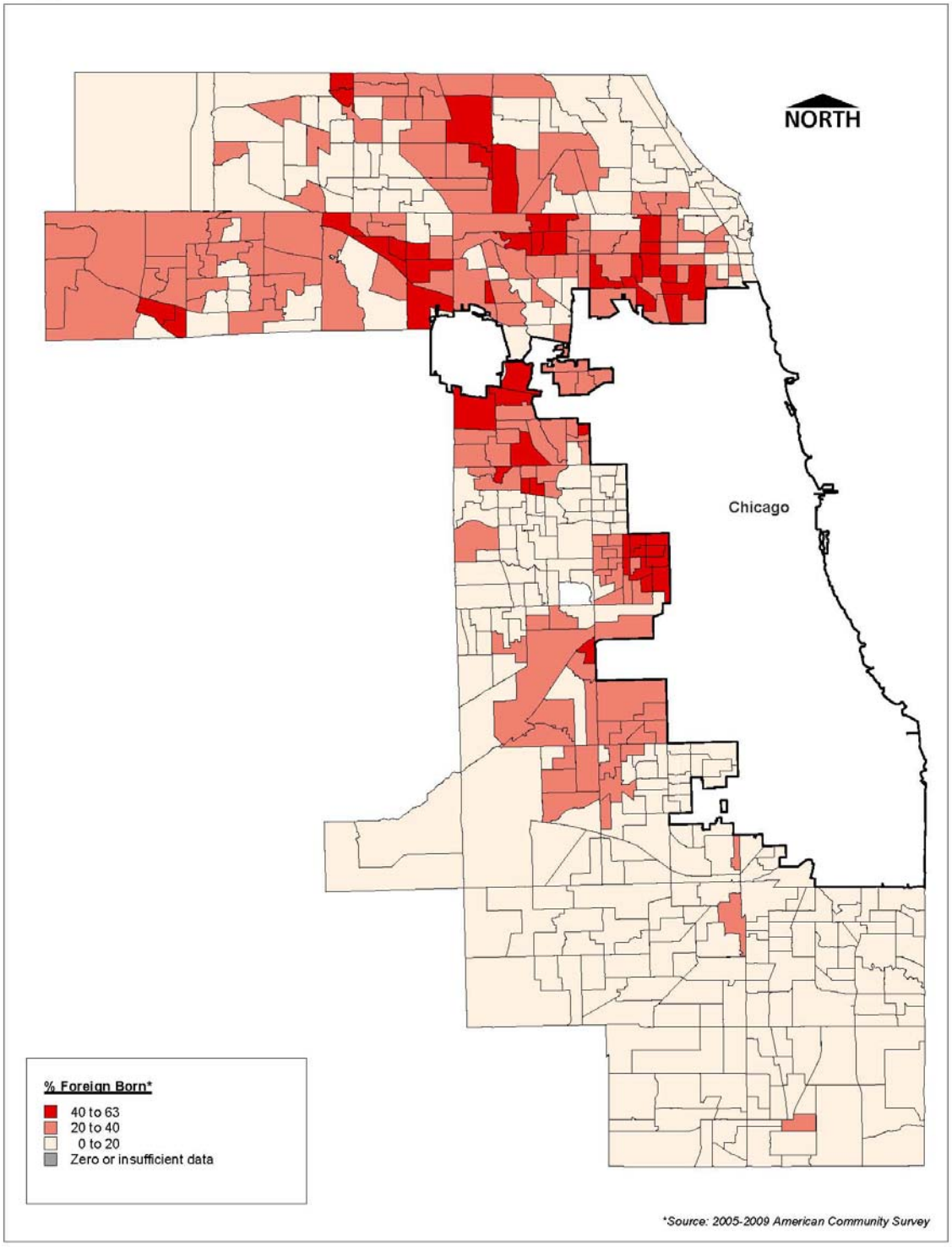
Sixty-seven percent of the suburban Cook County population speaks only English at home. The remaining 33 percent either do not speak English at all or speak it less than "very well" as defined by the U.S. Census. As noted in the following exhibit, the most commonly spoken non-English languages are Spanish or Spanish Creole and Polish.

Exhibit III-12.
Languages Spoken at Home

	Number of Persons*
Total	2,347,872
Speaks only English	1,571,095
Speaks another language**	
Spanish or Spanish Creole	178,586
Polish	45,427
Korean	12,422
Russian	10,199
Arabic	9,772
Tagalog	8,768
Gujarati	7,896
Other Indo-European languages	6,514
Other Slavic languages	6,379
Other Asian languages	6,056
Italian	5,973
Chinese	5,703
Urdu	5,525
Greek	4,836
Serbo-Croatian	4,490
Other language	26,652

* Five years of age and older.
** This includes households who speak English less then "very well."
Source: 2010 American Community Survey one-year estimate.

Exhibit III-13.
Foreign-Born Population



The U.S. Census provides 72 options to identify ancestry. The first ancestry reported by nearly a million residents was one not listed by the Census. This was followed by Polish, German, and Irish.

Exhibit III-14.
Reported Ancestry of Cook County Residents

First Ancestry Reported	Number	Percent
Other groups (not listed)	928,671	38.2%
Polish	248,552	10.2%
German	235,995	9.7%
Irish	217,436	8.9%
Italian	160,479	6.6%
Unclassified or not reported	118,785	4.9%
English	59,739	2.5%
American	48,212	2.0%
Greek	35,693	1.5%
Russian	34,269	1.4%
Swedish	30,650	1.3%
Arab	24,985	1.0%
Dutch	23,277	1.0%

Source: 2005–2009 American Community Survey.

Sexual Orientation

Reliable data are unavailable on the sexual orientation of individuals. One method to assist in identifying the population of lesbian, gay, bisexual, and transgendered individuals is reviewing the issuance of civil union licenses. In June 2011, Cook County began issuing civil union licenses to same-sex and heterosexual couples. During the first month of issuance, 831 licenses were issued, 778 of which were to same-sex couples.[7]

One newly available data source for identifying same-sex households is the U.S. Census. Beginning with the 2010 data collection year, the U.S. Census began asking whether a same-sex household was living together as unmarried partners or spouses. During data processing, same-sex unmarried partners or spouses were combined. As of 2010, an estimated 5,300 same-sex couples live in Cook County, representing 0.5 percent of all households.

[7] Civil Unions in Cook County, June 2011. Cook County Clerk.

Exhibit III-15.
Same-Sex Couples

Gender of Couple	Total	With Children	Without Children
Female	3,000	1,056	1,944
Male	2,362	619	1,743
Total	5,362	1,675	3,687

Source: 2010 U.S. Census.

Marital Status

Seventy percent of county residents are or have been married at some point. This includes those who are currently married (54 percent), widowed (7 percent), and divorced (9 percent). A review of the data on household type shows a few interesting facts. African-American and Hispanic households are disproportionately composed of female-headed families. Although this household type represents 12 percent of all households independent of race, it represents nearly 30 percent of African-American households and 14 percent of Hispanic households. In contrast, Asian households are disproportionately composed of married-couple families.

Exhibit III-16.
Marital and Familial Status

Household Type	All Households	White	African-American	Asian	Hispanic
Married-Couple Family	53%	54%	33.9%	71.0%	62.0%
Male Householder, No Wife Present	4%	3%	6.2%	3.4%	9.0%
Female Householder, No Husband Present	12%	8%	29.6%	7.1%	14.0%
Householder Living Alone	27%	31%	26.7%	15.4%	11.0%
Householder Not Living Alone	4%	4%	3.6%	3.1%	4.0%
All Households	**100%**	**100%**	**100%**	**100%**	**100%**

Source: 2005–2009 American Community Survey.

Military Discharge Status

According to the American Community Survey 2010 one-year estimates, there are an estimated 130,257 veterans in suburban Cook County. Nine percent of these veterans have a service-related disability.

Income

As shown in the exhibits on the following pages, minorities tend to make up a higher percentage of households at the lower end ($34,999 or less) of the income range and lower percentage of households at the higher end of the income range. Despite the fact that non-Whites are 28 percent of the population, they make up 34 percent of the households at the lower end of the income range.

Exhibit III-17.
Number of Households in Income Range

Race	Total	Less than $10,000	$10,000 to $14,999	$15,000 to $19,999	$20,000 to $24,999	$25,000 to $29,999	$30,000 to $34,999	$35,000 to $39,999	$40,000 to $44,999
White	593,818	22,672	21,063	23,788	24,146	23,632	25,669	23,482	26,593
Black	129,701	11,999	6,457	6,789	6,730	6,797	7,189	6,717	6,409
Asian	48,701	2,276	713	1,130	1,308	1,288	1,905	1,787	1,536
Native Hawaiian or Other Pacific Islander	187	16	59	0	0	24	0	46	17
American Indian/Alaskan Native	1,008	19	106	21	90	46	10	33	46
Other Race	49,956	2,095	1,419	2,487	2,806	2,958	3,504	3,043	3,754
Two or More Races	7,006	413	317	227	222	282	344	507	328
Total	830,377	39,490	30,134	34,442	35,302	35,027	38,621	35,615	38,683
Ethnicity									
Hispanic	100,108	4,662	3,529	4,628	5,741	5,586	6,419	5,524	6,696

Source: 2005–2009 American Community Survey.

Exhibit III-17.
Number of Households in Income Range (Continued)

Race	Total	$45,000 to $49,999	$50,000 to $59,999	$60,000 to $74,999	$75,000 to $99,999	$100,000 to $124,999	$125,000 to $149,999	$150,000 to $199,999	$200,000 or more
White	593,818	22,476	47,230	62,813	84,293	61,857	38,109	39,545	46,450
Black	129,701	6,306	11,696	14,930	17,309	9,874	5,028	3,582	1,889
Asian	48,701	1,865	3,708	5,416	7,773	6,134	4,272	4,012	3,578
Native Hawaiian or Other Pacific Islander	187	0	17	8	0	0	0	0	0
American Indian/Alaskan Native	1,008	100	99	52	158	138	55	5	30
Other Race	49,956	3,166	5,858	5,999	7,001	3,088	1,283	1,075	420
Two or More Races	7,006	325	802	1,021	1,055	527	235	213	188
Total	830,377	34,238	69,410	90,239	117,589	81,618	48,982	48,432	52,555
Ethnicity									
Hispanic	100,108	6,122	10,801	12,293	14,457	6,460	3,256	2,650	1,284

Source: 2005–2009 American Community Survey.

Exhibit III-18.
Percentage of Households in Income Range as a Percentage of All Households

Race	Total	Less than $10,000	$10,000 to $14,999	$15,000 to $19,999	$20,000 to $24,999	$25,000 to $29,999	$30,000 to $34,999	$35,000 to $39,999	$40,000 to $44,999
White	72%	57%	70%	69%	68%	67%	66%	66%	69%
Black	16%	30%	21%	20%	19%	19%	19%	19%	17%
Asian	6%	6%	2%	3%	4%	4%	5%	5%	4%
Native Hawaiian or Other Pacific Islander	0%	0%	0%	0%	0%	0%	0%	0%	0%
American Indian/Alaskan Native	0%	0%	0%	0%	0%	0%	0%	0%	0%
Other Race	6%	5%	5%	7%	8%	8%	9%	9%	10%
Two or More Races	1%	1%	1%	1%	1%	1%	1%	1%	1%
Total	100%	100%	100%	100%	100%	100%	100%	100%	100%
Ethnicity									
Hispanic	12%	1%	0%	1%	1%	1%	1%	1%	1%

Source: 2005–2009 American Community Survey.

Exhibit III-18.
Percentage of Households in Income Range as a Percentage of All Households (Continued)

Race	Total	$45,000 to $49,999	$50,000 to $59,999	$60,000 to $74,999	$75,000 to $99,999	$100,000 to $124,999	$125,000 to $149,999	$150,000 to $199,999	$200,000 or more
White	72%	66%	68%	70%	72%	76%	78%	82%	88%
Black	16%	18%	17%	17%	15%	12%	10%	7%	4%
Asian	6%	5%	5%	6%	7%	8%	9%	8%	7%
Native Hawaiian or Other Pacific Islander	0%	0%	0%	0%	0%	0%	0%	0%	0%
American Indian/Alaskan Native	0%	0%	0%	0%	0%	0%	0%	0%	0%
Other Race	6%	9%	8%	7%	6%	4%	3%	2%	1%
Two or More Races	1%	1%	1%	1%	1%	1%	0%	0%	0%
Total	100%	100%	100%	100%	100%	100%	100%	100%	100%
Ethnicity									
Hispanic	12%	1%	1%	1%	2%	1%	0%	0%	0%

Source: 2005–2009 American Community Survey.

Exhibit III-19.
Percentage of Households in Income Range as a Percentage of Households within Race/Ethnicity

Race	Total	Less than $10,000	$10,000 to $14,999	$15,000 to $19,999	$20,000 to $24,999	$25,000 to $29,999	$30,000 to $34,999	$35,000 to $39,999	$40,000 to $44,999
White	100%	4%	4%	4%	4%	4%	4%	4%	4%
Black	100%	9%	5%	5%	5%	5%	6%	5%	5%
Asian	100%	5%	1%	2%	3%	3%	4%	4%	3%
Native Hawaiian or Other Pacific Islander	100%	9%	32%	0%	0%	13%	0%	25%	9%
American Indian/Alaskan Native	100%	2%	11%	2%	9%	5%	1%	3%	5%
Other Race	100%	4%	3%	5%	6%	6%	7%	6%	8%
Two or More Races	100%	6%	5%	3%	3%	4%	5%	7%	5%
Total	100%	5%	4%	4%	4%	4%	5%	4%	5%
Ethnicity									
Hispanic	100%	5%	4%	5%	6%	6%	6%	6%	7%

Source: 2005-2009 American Community Survey

Exhibit III-19.
Percentage of Households in Income Range as a Percentage of Households within Race/Ethnicity (Continued)

Race	Total	$45,000 to $49,999	$50,000 to $59,999	$60,000 to $74,999	$75,000 to $99,999	$100,000 to $124,999	$125,000 to $149,999	$150,000 to $199,999	$200,000 or more
White	100%	4%	8%	11%	14%	10%	6%	7%	8%
Black	100%	5%	9%	12%	13%	8%	4%	3%	1%
Asian	100%	4%	8%	11%	16%	13%	9%	8%	7%
Native Hawaiian or Other Pacific Islander	100%	0%	9%	4%	0%	0%	0%	0%	0%
American Indian/Alaskan Native	100%	10%	10%	5%	16%	14%	5%	0%	3%
Other Race	100%	6%	12%	12%	14%	6%	3%	2%	1%
Two or More Races	100%	5%	11%	15%	15%	8%	3%	3%	3%
Total	100%	4%	8%	11%	14%	10%	6%	6%	6%
Ethnicity									
Hispanic	100%	6%	11%	12%	14%	6%	3%	3%	1%

Source: 2005–2009 American Community Survey.

The recent economic recession, crash of the housing market, and high levels of unemployment have resulted in a significant decrease in the economic status of all households, in particular minority households. Although minority households have had a higher rate of poverty for several decades, this rate has increased with the weak economy. In suburban Cook County, nine percent of all households are below the poverty level. The rate for White and Asian households is six and seven percent, respectively. However, the rate for Hispanic households is 14 percent, and the rate for African-American households is even higher at 16 percent—more than double that of White households.

Exhibit III-20.
Poverty Status by Household

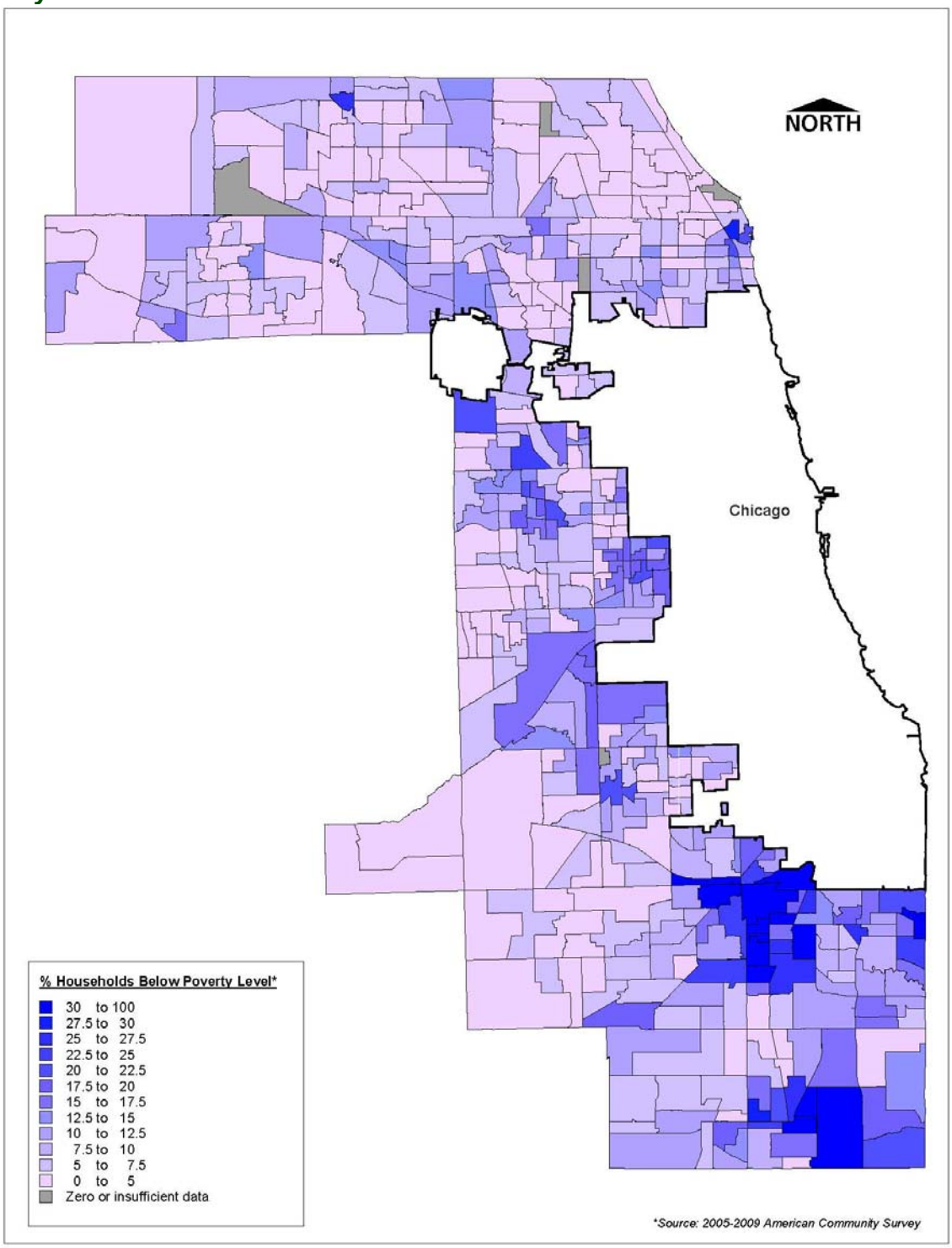
	All	White	African-American	Asian	Hispanic
At or above Poverty Level	91%	94%	84%	93%	86%
Below Poverty Level	9%	6%	16%	7%	14%
Total	100%	100%	100%	100%	100%

Source: 2005–2009 American Community Survey.

Of equal concern is that independent of race or ethnicity, most of the households below the poverty level are not dispersed across the county. As shown on the following map, the concentrations of poverty (defined as a census tract where 30 percent or more of the households have incomes below the poverty line) are located primarily in the southern portion of the county. There are also some concentrations in the western portion of the county. While there are concentrations in the northern portion of the county, it is not at the same rate as the other two regions. A pattern begins to emerge that shows:

- Minority households below the poverty line are concentrated in small geographic areas that tend to have a higher rate of poverty and lower rate of diversity.
- Primarily minority communities tend to have higher rates of poverty.

Exhibit III-21.
Poverty Concentration



Free Market Analysis

Some researchers hypothesize that minorities are often concentrated in specific geographic areas of a community due to economic factors. They indicate that because minorities have lower average incomes, their housing choices are limited. Researchers have developed a model for testing this hypothesis in a community known as the “free market analysis.” The analysis requires a review of data on the income levels of households in a census tract by race/ethnicity. This is then compared to the data on income and race at a larger market level, in this case suburban Cook County. The results of the analysis indicate the racial and ethnic composition of that community if income, not race, were the predominant factor in households selecting a community. This result was then compared to the actual racial and ethnic composition of that community. We conducted this analysis for the 478 census tracts in suburban Cook County. What became clear through the analysis is that Cook County is highly segregated for reasons that go beyond income.

On the following pages are maps that show the difference between the percentage of members of a racial or ethnic group that would live in the census tract in a free market and the percentage of members of a racial or ethnic group that actually live in the census tract. Negative numbers indicate that less members of that racial or ethnic group actually live in the census tract than would exist in a free market. Positive numbers indicate that more members exist in the census tract than would do so in a free market.

Exhibit III-22.
Free Market versus Actual Market Percentages: White Households

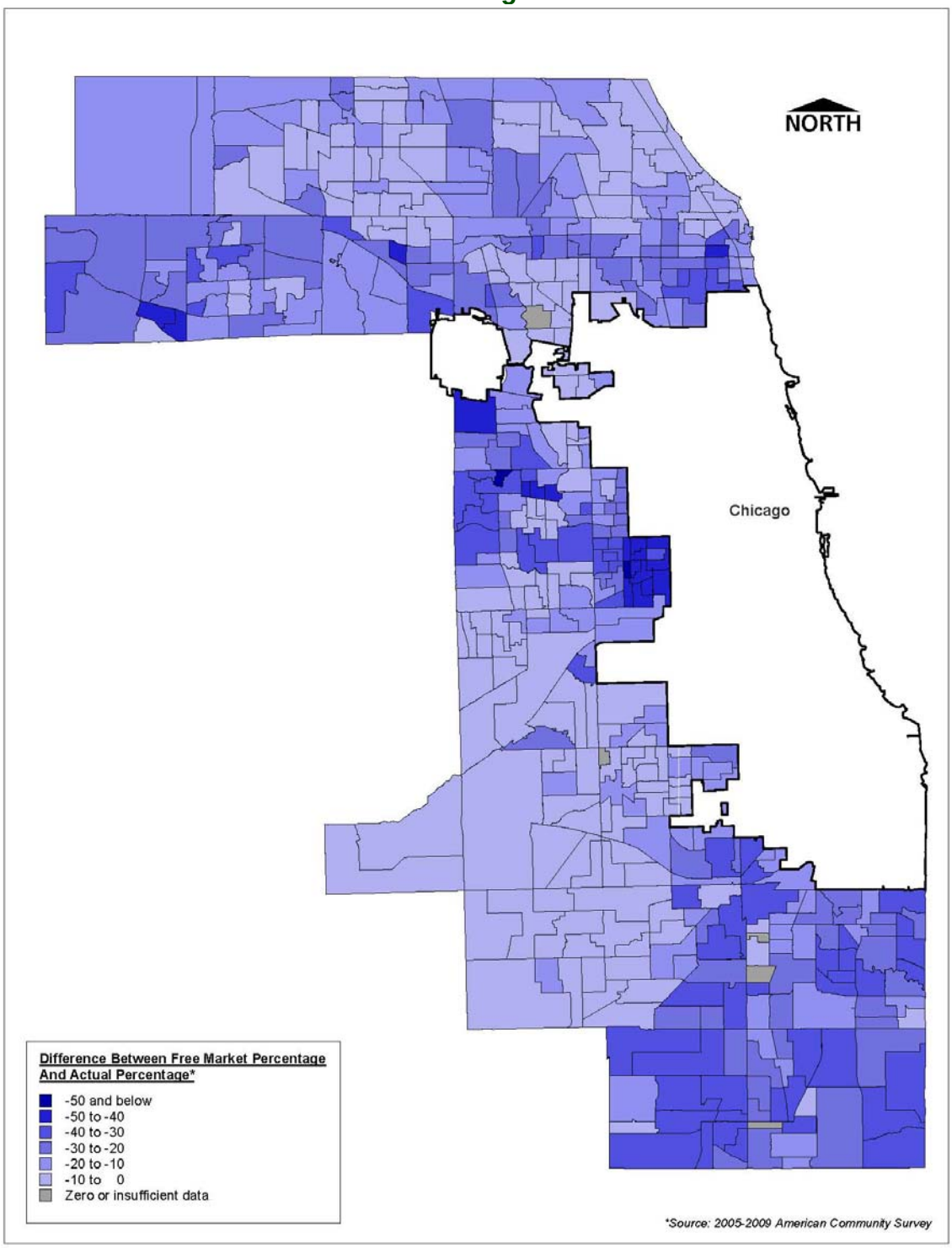


Exhibit III-23.
Free Market versus Actual Market Percentages: Black Households

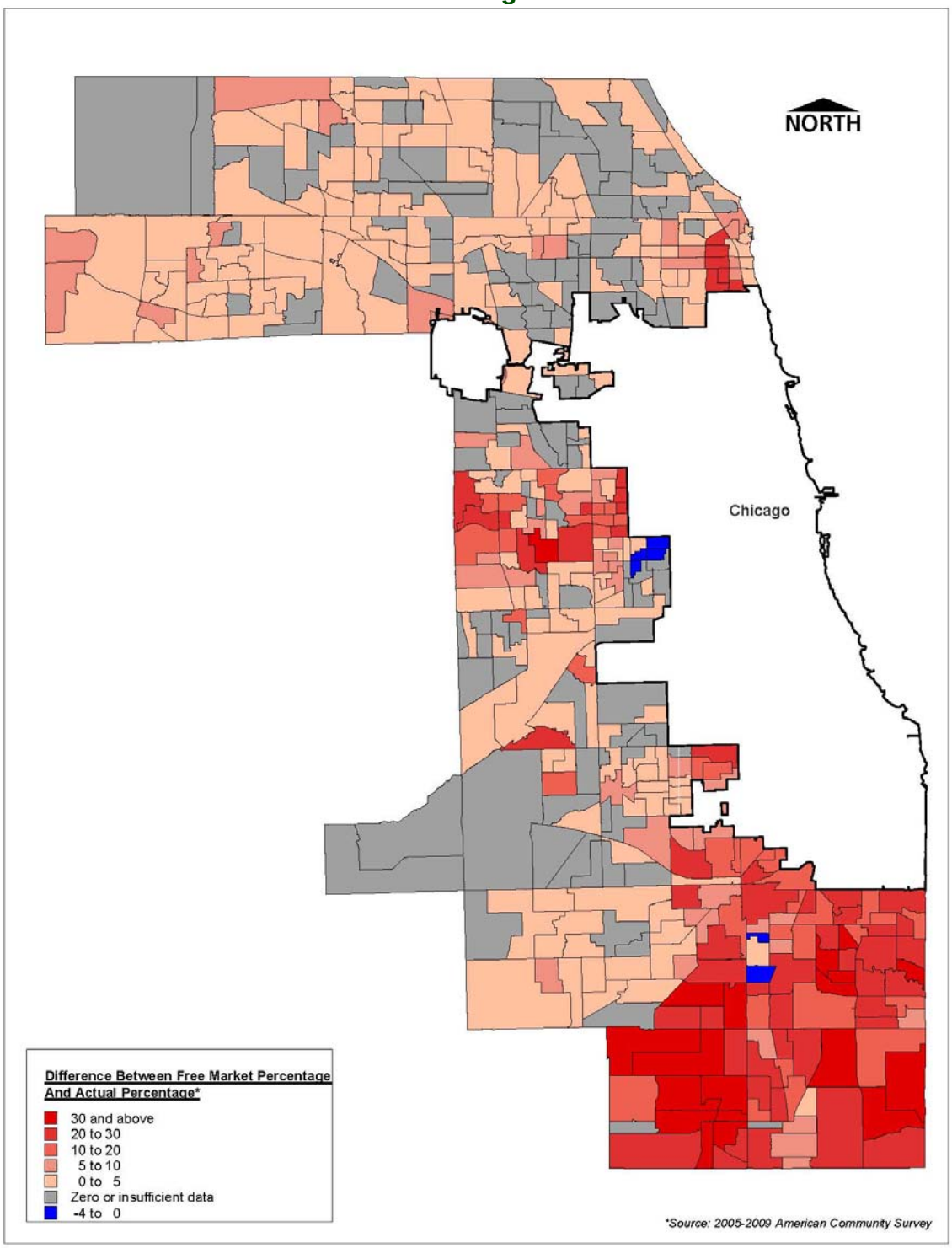


Exhibit III-24.
Free Market versus Actual Market Percentages: Hispanic Households

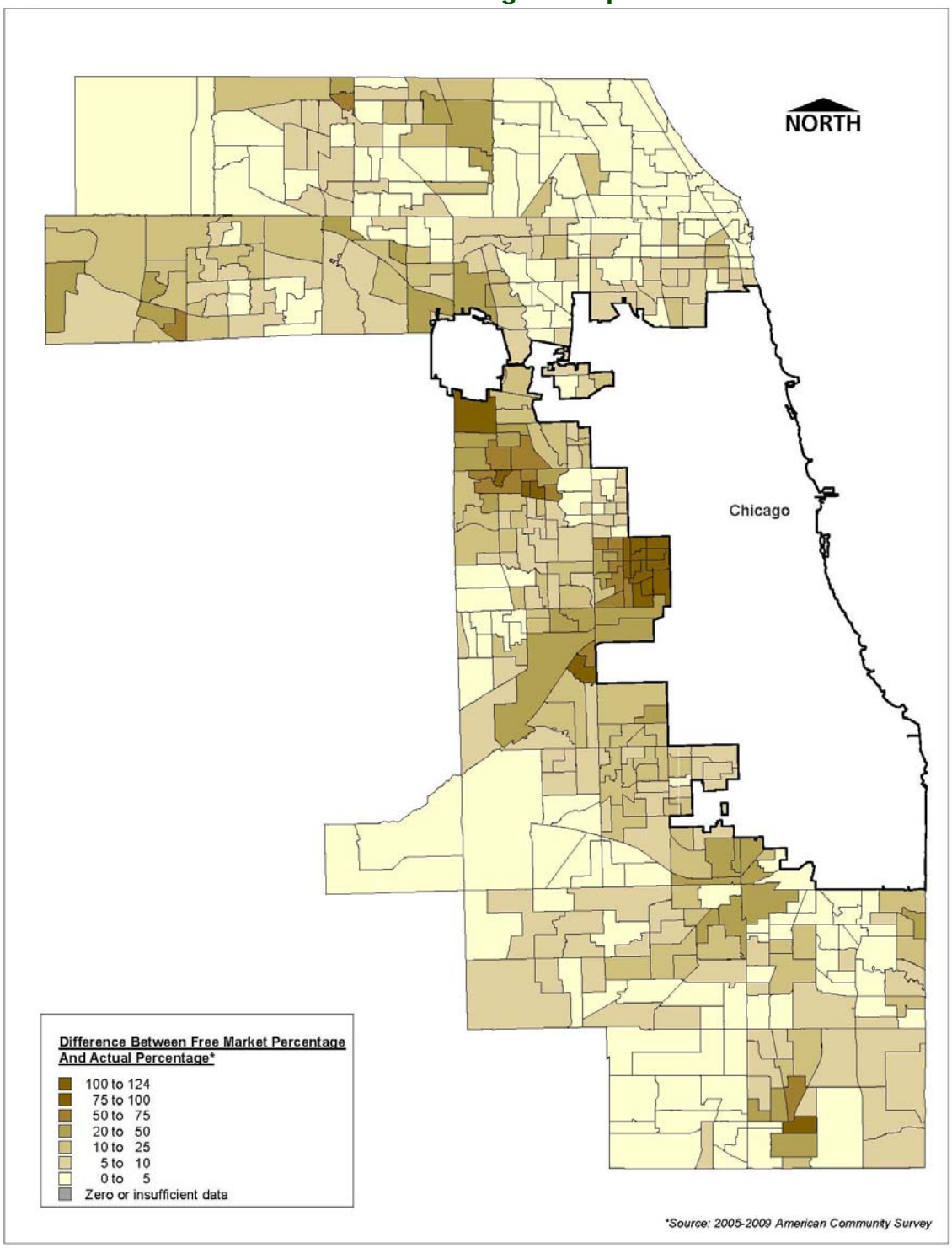
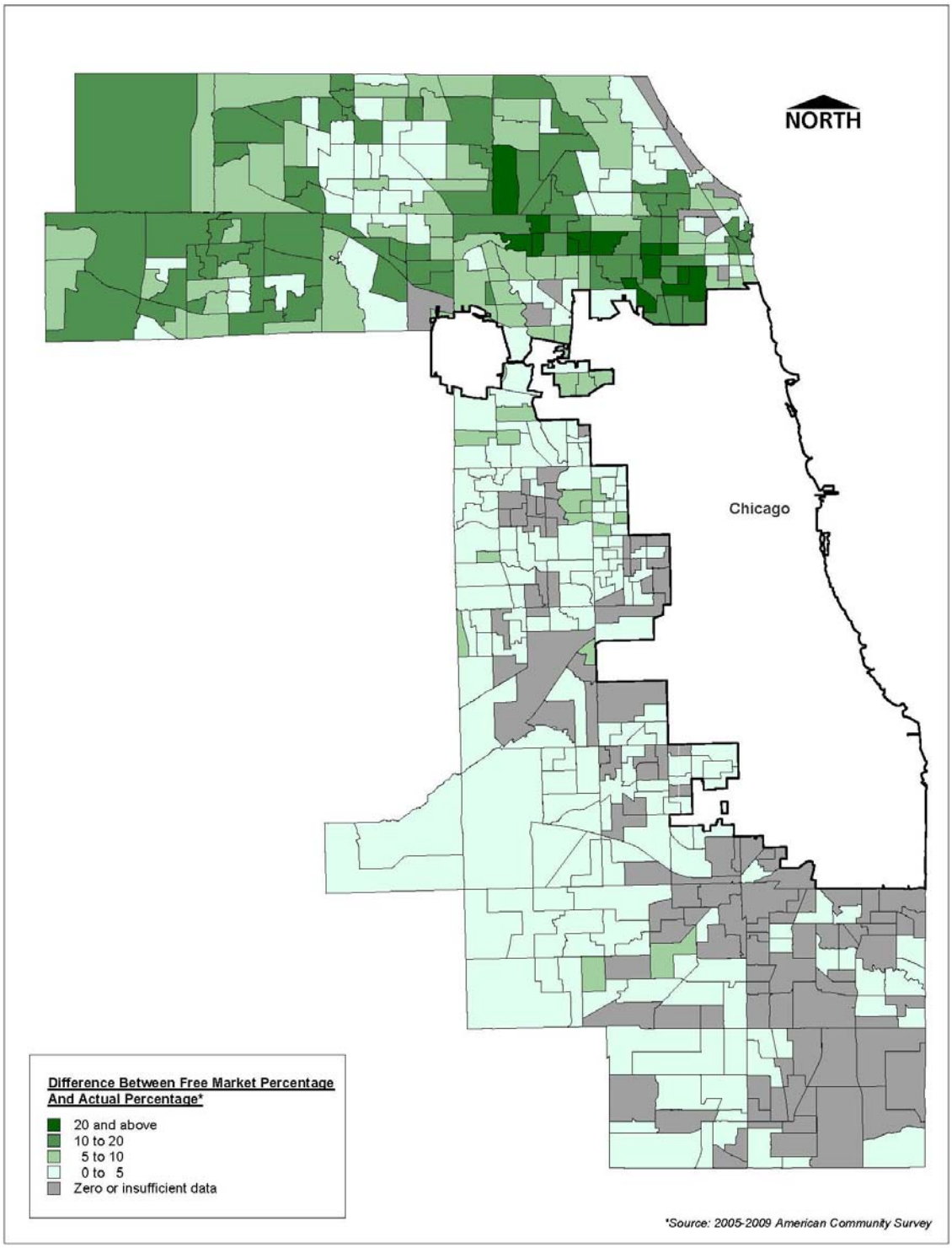


Exhibit III-25.
Free Market versus Actual Market Percentages: Asian Households



Gender Identity

There are no reliable statistics on gender identity for the county.

Housing Status

The county has a high homeownership rate relative to the national average. Given that this data describe suburban communities, it is not surprising that the homeownership rate is slightly over 75 percent.

Exhibit III-26.
Occupancy by Tenure

	Total		Owner		Renter	
	Number	Percent	Number	Percent	Number	Percent
All Housing Units	878,713	100.0%	662,822	75.4%	215,891	24.6%
White	593,818	100.0%	487,511	82.1%	106,307	17.9%
African American	129,701	100.0%	73,579	56.7%	56,122	43.3%
Asian	48,701	100.0%	34,740	71.3%	13,961	28.7%
Hispanic	100,108	100.0%	62,669	62.6%	37,439	37.4%

Sources: 2005–2009 American Community Survey.

What is important to keep in mind in reviewing the chart above is that the data cover a five-year period, the majority of which preceded the downturn in the housing market. During the beginning of the 2005–2009 timeframe, home purchase lending requirements were loosened, resulting in more homeowners. It is highly probable that the actual current rate of homeownership is lower both countywide and by race.

In reviewing the change in tenure from 2000 to 2009, we see an increase in the rate of homeownership among Whites, Asians, and Hispanics. African Americans, however, saw a slight decrease in the homeownership rate. As discussed in subsequent sections of this chapter, the foreclosure crisis has affected almost every community, in particular those with lower incomes and higher percentages of minorities. Therefore, the current rate of homeownership in the county is most likely significantly lower.

Exhibit III-27.
Change in Occupancy by Tenure

	Total		Owner		Renter	
	2000	**2009**	**2000**	**2009**	**2000**	**2009**
All Housing Units	100%	100%	74%	75%	26%	25%
White	100%	100%	80%	82%	20%	18%
African American	100%	100%	58%	57%	42%	43%
Asian	100%	100%	63%	71%	37%	29%
Hispanic	100%	100%	58%	63%	42%	37%

Sources: 2000 U.S. Census; 2005–2009 American Community Survey.

LAND USE AND ZONING

An often-neglected component of an analysis of impediments to fair housing choice is a discussion of land use, zoning, and related laws. In Cook County, this exercise is challenging given the fact that the majority of municipalities are home-rule jurisdictions and therefore can set their own land use, building code, and zoning laws for properties within their jurisdictions. Unincorporated land within Cook County falls under the County's land use and zoning laws.[8] A summary of the Cook County Residential Zoning Ordinance is provided on the following pages. The ordinance allows for a variety of housing types ranging from single-family to multifamily homes.

Transitional residences are permitted in areas zoned R1, 5a, and 6. Facilities for individuals with mental illness and drug and alcohol addictions are permitted in areas zoned R1, R6, and R7. The zoning ordinance indicates that transitional residences and facilities that care for and treat individuals with mental illness, drug addiction, and alcohol addiction must obtain a special use permits. These permits require additional notification to the public, additional administrative procedures, as well as additional fees. While these additional requirements in and of themselves are not impediments, if the special use requirements are not applied consistently, the requirements could become impediments.

[8] The "Initial Findings Report" of the Cook County Unincorporated Task Force recommends the annexation of all unincorporated areas of the county into existing municipalities. The Cook County President has indicated that the County will prioritize implementing this recommendation.

Exhibit III-28.
Cook County Zoning Ordinance
Residential District Requirements

District Residence Type	R1 Single Family	R2 Single Family	R3 Single Family	R4 Single Family	R5 Single Family	R5A Single Family	R6 General	R7 General	R8 General
Minimum Lot Area (Per Dwelling Unit):									
Single-Family	5 Acres	2 Acres	40,000 Sq. Ft.	20,000 Sq. Ft. Sewer 40,000 Sq. Ft. Septic	10,000 Sq. Ft.	5,000 Sq. Ft.	10,000 Sq. Ft.	10,000 Sq. Ft.	10,000 Sq. Ft.
Two-Family					3,000 Sq. Ft.	5,000 Sq. Ft.	5,000 Sq. Ft.	5,000 Sq. Ft.	
Multifamily					One gross acre per 5 townhomes	5,000 Sq. Ft.	4,000 Sq.ft./4 Bdrm. 3,000 Sq.ft./3 Bdrm. 2,500 Sq.ft./2-1 Bd.rm.	4,000 Sq.ft./4 Bdrm. 2,500 Sq.ft./3 Bdrm. 1,500 Sq.ft./2-1 Bd.rm. 1,000 Sq.ft./Efficiency	
Minimum Lot Width:									
	300 Feet	200 Feet	150 Feet	100 Feet/Sewer 150/Septic	60 Feet	40 Feet 50 Feet Corner	60 Feet	60 Feet	60 Feet
Yard Requirements:									
Front	50 Feet	50 Feet	50 Feet	40 Feet	30 Feet	20 Feet: SFR 25 Feet: Multi	30/20 Feet	20 Feet	20 Feet
Interior Side	30 Feet	20 Feet	15 Feet	15 Feet	10 Feet	2 Feet or 10% of lot width 2½ Feet or 10% of lot width	10 Feet	5 Feet	5 Feet
Corner Side	50 Feet	35 Feet	25 Feet	25 Feet	15 Feet	10 Feet: SFR 15 Feet: Multi	15 Feet	10 Feet	10 Feet
Rear	100 Feet	75 Feet	50 Feet	50 Feet	40 Feet	20 Feet	40 Feet	40 Feet	40 Feet

Exhibit III-28. (continued)
Cook County Zoning Ordinance
Residential District Requirements

Floor Area Ratio:									
Single-Family	0.1	0.1	0.15	0.25	0.4	0.5	0.4	0.4	0.4
Two-Family						0.5	0.5	0.7	0.7
Multifamily						0.4	0.6	0.8	1
Minimum Size:									
Single Family	1,000 Sq. Ft.	1,000 Sq. Ft.	1,000 Sq. Ft.	900 Sq. Ft.	720 Sq. Ft.	720 Sq. Ft.	720 Sq. Ft.	720 Sq. Ft.	720 Sq. Ft.
Two Family						600 Sq. Ft.	600 Sq. Ft.	600 Sq. Ft.	600 Sq. Ft.
Multifamily						500 Sq. Ft.	500 Sq. Ft.	500 Sq. Ft.	500 Sq. Ft.
Minimum Area of Project:									
	5 Acres	2 Acres	40,000 Sq. Ft.	20,000 Sq. Ft.	10,000 Sq. Ft.	5,000 Sq. Ft.	10,000 Sq. Ft.	10,000 Sq. Ft.	10,000 Sq. Ft.
Required Parking: (Per Dwelling Unit)									
	2 Spaces	2 Spaces	2 Spaces	2 Spaces	2 Spaces	Same as R6	2 Spaces Per One or Two-Family Dwelling 1½-Efficiency Multifamily 2-One + Bedroom Multifamily	Same as R6	Same as R6

Source: Cook County Building and Zoning.

Although a comprehensive review of each of the municipalities' regulations related to zoning, land use, and development is not possible within the scope of this assignment, the various data sources did reveal some potential challenges related to affirmatively furthering fair housing.

A national study of nearly 2,650 communities found a high correlation between the income or home value and the level of regulation. That is, the higher the median income or home value of an area, the higher the amount of regulation related to zoning, land use, and development.[9] Higher levels of regulations then increase the cost of development in a community, which in turn increases the market price of a home, which then increases the minimum income needed to afford a home in the community. This cycle continues and results in the increase in cost of higher-cost communities.

While communities have set these regulations in some cases with the goals of preserving the physical character and uniqueness of the community, maintaining property values, and ensuring health and safety, the consequence of a highly regulated environment is that the status quo is normally maintained. The result is that a homogenous community remains homogenous.

Reviewing regulatory barriers is challenging because they are constantly changing, as well. Most communities do not take a comprehensive, communitywide, strategic approach to land use and building codes. Plans are often updated in a patchwork fashion without reviews to check if existing laws should be amended. For example, one fair housing organization pointed to a community in the northern part of the county that has occupancy requirements that were initially developed to discourage brothels. The laws limit the number of unrelated people who can live in the same building. However, these laws also end up limiting group homes for persons with a disability.

Although sometimes the community does not intend to discriminate through its regulations, communities at times use building and land use regulations as a means for discriminating against a particular group. Almost all persons know at this point that it is illegal to state that a person of a particular race, group, religion, or other protected class cannot live in a community. Instead, regulation is used as justification for preventing a group from relocating to or expanding in an area. Examples include:

- Preventing or limiting the development of senior facilities or group homes by setting an artificially high square-footage-per-person requirement.

[9] "A New Measure of the Local Environment for Housing Markets: The Wharton Residential Land Use Regulatory Index." Gyourko, Joseph, Albert Saiz, and Anita Summers. University of Pennsylvania, 2007.

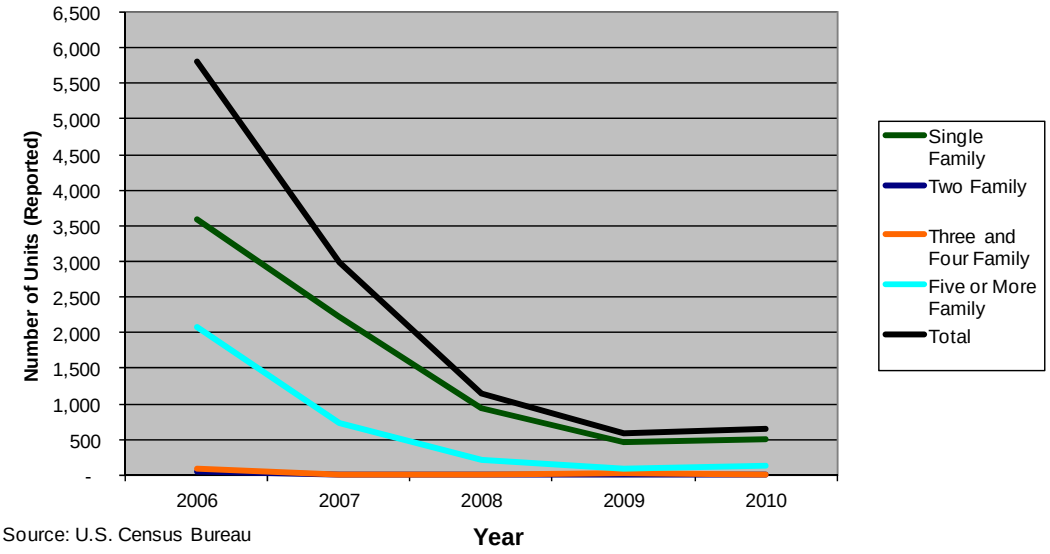
- Not including zoning for higher-density development, including multifamily housing.
- Not equally enforcing laws related to overcrowding.
- Requiring the use of more expensive materials for home construction (e.g., brick construction in lieu of frame). The more expensive materials might be proposed under the auspices of keeping up-to-date with technology, but in fact the increased cost could limit development.
- Requiring a conditional-use permit for certain types of properties and not consistently applying the conditions for approving the conditional-use permit.
- Not providing equal access to municipal services such as sewer and water. During a discussion with local fair housing advocates, the advocates noted examples of municipalities in the county that have not connected communities with members of the protected classes to the municipal sewer and water systems.
- During the building permit process, not evaluating the proposed plans to determine whether they comply with the construction provisions of the Federal Fair Housing Act.
- Extremely large lot size requirements that increase the cost of housing.
- Denial of special use permits for facilities designated for persons with a disability.
- Concentrating multifamily housing in one portion of the community in particular if the area has any of the following characteristics: high poverty rate, high concentration of members of a protected class, limited amenities, poor access to transportation, or inferior quality schools.

A recent development that is raising fair housing concern is the creation of crime-free rental properties ordinances. A local fair housing advocate brought this to the attention of researchers. The ordinance typically contains a "nuisance trigger"; that is, if there are numerous calls to any public office—not just law enforcement—regarding residents of a rental unit, the jurisdiction sends a complaint to the property owner. The property owner is then obligated to initiate eviction procedures. Because these types of ordinances can disproportionately impact minorities, who have high rental rates, and women, who are the vast majority of domestic violence victims, municipalities should review each situation carefully before requiring an eviction. In developing and enforcing these ordinances, municipalities should consider using convictions rather than arrests as evidence of criminal activity to initiate an eviction under the ordinance. Many of these ordinances require landlords and property owners to be licensed and attend training on the crime-free requirement. As part of this training, the municipalities should invite local fair housing organizations to include information on fair housing, such as the local, county, state, and national laws.

BUILDING PERMITS

From 2006 through 2010, building permits were issued for 22,342 units within Cook County. As shown in Exhibit III-29 below, the number of units for which permits were issued began dropping after 2006 and decreased significantly between 2007 and 2008 as a result of the housing crisis. In 2010 (the most recent year for which data are available), permits were issued for 650 units, which is 11 percent above 2009 but 89 percent below the high in 2006.

Exhibit III-29.
Building Permits Issued in Cook County
2006-2010



Source: U.S. Census Bureau

Although over this five-year period issued permits decreased across all building types, the largest decreases occurred in multifamily housing stock. Permits issued for three- to four-unit buildings decreased 92 percent, and permits issued for five or more unit buildings decreased 93 percent. This decrease in multifamily housing is more likely to impact minority households as they are more likely to live in multifamily structures. As shown in Exhibit III-30, 32 percent of minority households live in a structure with three or more units. Only 26 percent of Whites live in multifamily structures with three units or more.

Exhibit III-30.
Race and Ethnicity by Units in Structure

Building Type	Black/African American	American Indian	Asian	Native Hawaiian	Some Other Race	White	Hispanic
1, detached	56%	55%	50%	58%	47%	62%	50%
1, attached	6%	5%	14%	0%	6%	8%	6%
2	5%	4%	2%	0%	14%	2%	11%
3 or 4	7%	16%	5%	0%	11%	4%	9%
5 to 9	10%	8%	8%	18%	10%	6%	11%
10 to 19	8%	1%	7%	11%	6%	5%	6%
20 to 49	4%	2%	6%	0%	3%	5%	3%
50 or more	4%	7%	8%	5%	1%	5%	2%
Mobile home	0%	3%	0%	9%	3%	1%	2%
Boat, RV, van, etc.	0%	0%	0%	0%	0%	0%	0%
Total	100%	100%	100%	100%	100%	100%	100%

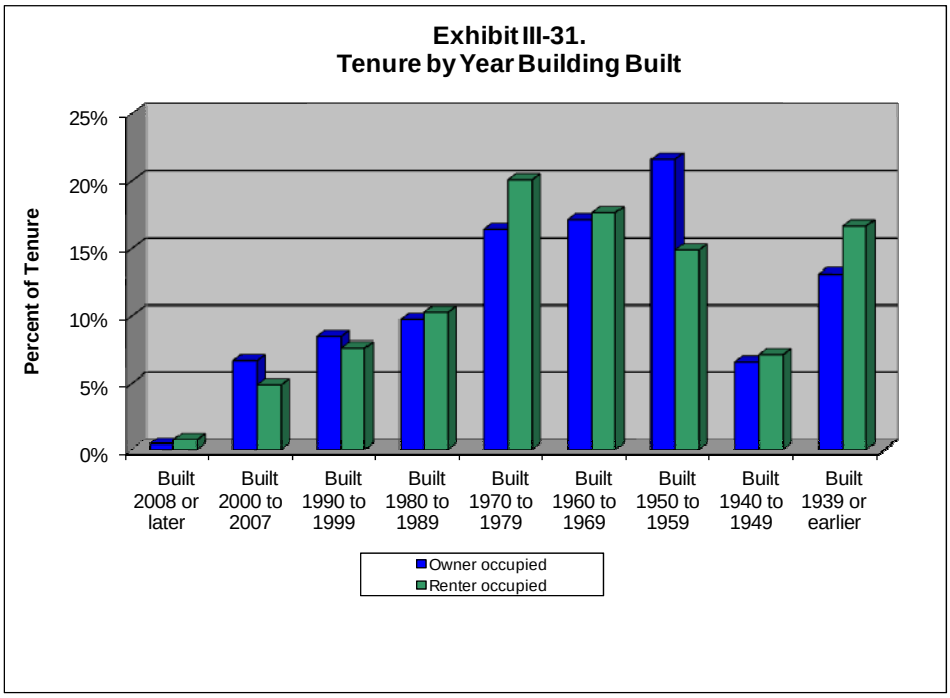
Source: 2005-2009 American Community Survey.

HOUSING

The suburban Cook County housing market varies greatly depending upon the municipality and region. Although rental and owner-occupied housing are located across the county, the affordability and availability of each type varies substantially. In addition, while the foreclosure crisis had an impact across the county, the southern suburbs were affected substantially more than any other region of the county.

As of 2010, there were 907,549 occupied housing units in Cook County. Seventy-three percent of these units were owner-occupied and 27 percent were renter occupied.[10] These numbers are essentially unchanged from 2000, when the total number of occupied units was 912,253, and the owner and rental rates were 74 and 26 percent, respectively.[11]

[10] 2010 American Community Survey one-year estimate.
[11] 2000 U.S. Census.



The housing stock in the county includes a significant percentage of older homes. As shown above in Exhibit III-31, forty percent of all occupied units were built in 1959 or earlier. The ages of the rental and owner housing stocks are essentially the same, at 39 and 41 percent, respectively.

Housing Affordability

The median household income for Cook County (including the city of Chicago) was $51,466 in 2010.[12] The data also shows that African Americans and Hispanics have median incomes that are significantly lower than the median. In fact, African-American households have the lowest median income, which is nearly half that of Whites.

We calculated the maximum monthly housing payment a household could afford without being cost burdened, based upon the median income. The standard definition of housing burden is applying more than 30 percent of household income toward housing payment (rent or mortgage). It is important to note that the following analysis does not include the cost of tenant-paid utilities or take into account the size or condition of the units.

[12] 2010 American Community Survey one-year estimates.

Exhibit III-32.
Housing Affordability

Race/Ethnicity of Household	Median Household Income*	Maximum Monthly Housing Payment
All Households	$51,466	$1,287
White	$65,079	$1,627
Black or African American	$33,906	$848
Asian	$61,230	$1,531
Hispanic or Latino	$43,696	$1,092

*Includes the city of Chicago.
Source: 2010 American Community Survey one-year estimate.

Rental Affordability. The most readily available and consistent data on rental rates are provided by the U.S. Census. However, the Census does not provide the most accurate estimate of current market rents. This is because the survey asks current renters their rent, which is not reflective of the market. Rents for households who have lived in one place for extended periods of time—often with below-market rent increases—are not distinguished from households that recently moved. However, conducting a full market assessment is outside the scope of this study; therefore, U.S. Census data were used as a proxy for market rent.

Exhibit III-33.
2010 Contract/Asking Rent

Contract/Asking Rent	Number	Percent
Less than $100	1,163	0.5%
$100 to $149	1,020	0.4%
$150 to $199	3,125	1.3%
$200 to $249	1,112	0.5%
$250 to $299	1,646	0.7%
$300 to $349	1,866	0.8%
$350 to $399	1,722	0.7%
$400 to $449	3,007	1.2%
$450 to $499	3,839	1.6%
$500 to $549	6,642	2.7%
$550 to $599	5,331	2.2%
$600 to $649	12,145	4.9%
$650 to $699	15,238	6.2%
$700 to $749	19,329	7.9%
$750 to $799	18,425	7.5%
$800 to $899	47,584	19.4%
$900 to $999	23,434	9.5%
$1,000 to $1,249	34,157	13.9%
$1,250 to $1,499	13,729	5.6%
$1,500 to $1,999	14,884	6.1%
$2,000 or more	7,613	3.1%
No Cash Rent	8,454	3.4%
Total	245,465	100.0%

Source: 2010 American Community Survey one-year estimate.

Based upon the data above, we determined that White and Asian households have the highest number of units among which to select for housing that is affordable. Based upon the median income, White and Asian households could afford 87 percent of rental units. Hispanic households could afford 68 percent of rental units, followed by African Americans, who could afford only 39 percent of the rental units. This is well below the rate of other races and ethnic groups as well as the overall affordability rate, which is 82 percent.

Owner-Occupied Housing. We also calculated the affordability of homes available for purchase. Using the local Multiple Listing Service (MLS), we identified the number of units sold within a given price range between August 2010 and August 2011. MLS provides one of the most accurate sources of information on home sales. Optimistically assuming a 4.03 percent interest (the current average rate), a 30-year fixed mortgage, and a 20 percent down

payment, we determined the percentage of units that each race/ethnic category could afford without being cost burdened.

Exhibit III-34.
Single-Family Detached and Attached Homes Sold
August 2, 2010 through July 29, 2011

Sold Price Range	Number	Percent	Estimated Monthly Mortgage Payment*
Less than $49,999	2,667	13%	$192
$50,000–$99,999	3,370	17%	$ 383
$100,000–$149,999	3,352	17%	$ 575
$150,000–$199,999	2,942	15%	$ 767
$200,000–$249,999	2,056	10%	$ 958
$250,000–$299,999	1,368	7%	$1,150
$300,000–$349,999	883	4%	$1,342
$350,000–$399,999	643	3%	$1,533
$400,000–$449,999	488	2%	$1,725
$450,000–$499,999	341	2%	$1,917
$500,000–$549,999	273	1%	$2,108
$550,000–$599,999	228	1%	$2,300
$600,000–$699,999	370	2%	$2,683
$700,000–$799,999	221	1%	$3,067
$800,000–$899,999	182	1%	$3,450
$900,000–$999,999	132	1%	$3,833
$1,000,000–$1,999,999	355	2%	$7,666
$2,000,000–$2,999,999	47	0%	$11,500
$3,000,000–$3,999,999	18	0%	$15,333
$4,000,000–$4,999,999	3	0%	$19,166
$5,000,000 and over	5	0%	$19,166
Total	19,944	100%	

*Principal and Interest Only
Source: Midwest Real Estate Data, LLC.

We find that, similar to the rental market, Whites and Asians are able to afford the largest percentage of homes, at 87 and 83 percent, respectively. Hispanic households are able to afford 72 percent of homes, and African-American households are able to afford 62 percent of homes.

However, several important caveats need to be made:

- Interest rates are historically low, with the local average at 4.03 percent. As discussed in the following section, minority households are rarely offered the average interest rate. Therefore, the monthly costs would be higher.

- Many banks have tightened their lending requirements, including increasing the down payment required for a purchase. According to Federal Housing Finance Agency data, in 2010, 82 percent of single-family home purchasers were required to provide a down payment of at least 20 percent. This is an increase from 62 percent in 2007.[13] Given the low level of asset accumulation among minorities, the number of minority households who would be able to provide a substantial down payment is extremely low.

- The estimated mortgage payment used in the analysis only includes principal and interest and does not include insurance and taxes.

- Information is not available on the condition of the units sold. Units sold at the lower end of the price range are quite likely of a substandard quality and may have been purchased for demolition.

Property Taxes. The affordability analysis does not take into account the property taxes that can have a substantial impact on housing costs. A common critique levied against the Cook County taxation system is that residential properties are assessed at a lower percentage than other properties, including commercial and industrial properties. The result is that communities with diversified tax bases do not have to rely heavily upon residential property taxes. Inversely, communities without a diversified tax base have higher residential property taxes in order to provide municipal services and support schools. The southern suburbs fall into this latter category. Because the southern suburbs do not have as much of a non-residential tax base, communities in this part of the county have some of the highest residential property taxes. In contrast, the northern suburbs, which have a large number of corporations, have some of the lowest residential property tax rates.

This is further supported by a 2012 Cook County report on the 2011 property tax rate. The Cook County Clerk found that the three communities with the highest composite tax rate—Ford Heights, Park Forest, and Chicago Heights—are in the southern suburbs. Of the five communities with the lowest composite property tax rate, three are in the northern suburbs, one is in the western suburbs, and the fifth is the city of Chicago.

[13] Federal Housing Finance Agency Market Data. Data include only conventional mortgages and do not include FHA or VA mortgages.

Exhibit III-35.
Composite Property Tax Rates

Largest Composite Rate	2011	2010	Difference
Ford Heights	27.19%	21.74%	25.07%
Park Forest	24.92%	17.86%	39.50%
Chicago Heights	20.89%	15.85%	31.84%
Smallest Composite Rate	**2011**	**2010**	**Difference**
Chicago	5.46%	4.93%	10.63%
Northfield	5.89%	5.21%	13.05%
Inverness	5.90%	5.19%	13.68%
Hinsdale	6.04%	5.01%	20.44%
Northbrook	6.13%	5.32%	15.21%

Source: 2011 Tax Rate Report Office of the Cook County Clerk.

Housing and Transportation. The above analysis on housing affordability focuses on the costs to rent or purchase the physical structure. However, it does not take into account other costs that may render a home affordable or unaffordable. These include utilities, the condition of the unit (which could increase costs by requiring extensive repairs), availability and quality of local retail, such as grocery stores (which could impact household food costs), and availability and quality of transportation.

The Center for Neighborhood Technology (CNT) conducted research in 2012 on the impact of transportation costs on housing affordability.[14] The transportation costs were found to range from 12 to 30 percent of household income. Higher percentages were found in suburban locations. The study also found that transportation costs in suburban Cook County exceeded the regional average. While the average regional transportation cost was found to be $748, the average cost for suburban Cook County was $797. CNT has advocated for a new standard of housing affordability that states that housing and transportation costs should not exceed 45 percent of household income.

[14] "Safe, Decent, and Affordable: Transportation Costs of Affordable Housing in the Chicago Region." Center for Neighborhood Technology, January 2012.

Home Purchase and Rehabilitation Financing

Home Mortgage Disclosure Act Data. The Home Mortgage Disclosure Act (HMDA) requires lending institutions to maintain records on the characteristics of mortgage borrowers, including gender, race, and ethnicity. The most recently available HMDA data is for the year 2010 and includes the entire Chicago-Joliet-Naperville, Illinois-Indiana-Wisconsin Metropolitan Statistical Area (MSA), which encompasses the City of Chicago and other counties in addition to Cook.

During 2010, 44,247 applications were submitted for a home mortgage loan for properties with one to four units. In general, White households originated more loans, representing 73 percent of all submitted applications. Among applicants for whom race information was available, African-American households had the highest denial rate (at 28 percent) and Whites the lowest (at 13 percent).

Exhibit III-36.
Disposition of Loan Applications by Race as a Percentage of All Households, 2010
Chicago-Naperville-Joliet MSA*

	Applications Received	Loans Originated	Applications Approved but Not Accepted	Applications Denied	Applications Withdrawn	Files Closed for Incompleteness
Race	**Percent**	**Percent**	**Percent**	**Percent**	**Percent**	**Percent**
White	73.7%	76.7%	70%	67.5%	64.4%	64.1%
Black or African American	3.9%	2.8%	5%	7.8%	5.3%	7.4%
Asian	9.9%	9.5%	11%	10.6%	10.3%	11.5%
Race Not Available	10.2%	9.0%	12%	11.6%	15.0%	14.6%
Ethnicity						
Hispanic or Latino	7.8%	6.3%	9%	13.8%	7.3%	13.5%
Total	100.0%	100.0%	100%	100.0%	100.0%	100.0%

*Percentages do not total 100 because not all categories are included in this chart.
Source: Aggregate Table 4-2: Disposition Of Applications for Conventional Home-Purchase Loans, 1- to 4-Family and Manufactured Home Dwellings.

Exhibit III-37.
Disposition of Loan Applications by Race, 2010
Chicago-Naperville-Joliet MSA

	Applications Received		Loans Originated		Applications Approved but Not Accepted		Applications Denied		Applications Withdrawn		Files Closed for Incompleteness	
Race	**Number**	**Percent**	**Number**	**Percent**	**Number**	**Percent**	**Number**	**Percent**	**Number**	**Percent**	**Number**	**Percent**
White	32,600	100.0%	23,635	72.5%	1,712	5%	4,248	13.0%	2,408	7.4%	597	1.8%
Black or African American	1,745	100.0%	862	49.4%	125	7%	489	28.0%	200	11.5%	69	4.0%
Asian	4,362	100.0%	2,920	66.9%	281	6%	669	15.3%	385	8.8%	107	2.5%
Race Not Available	4,500	100.0%	2,788	62.0%	284	6%	729	16.2%	563	12.5%	136	3.0%
Ethnicity												
Hispanic or Latino	3,450	100.0%	1,950	56.5%	229	7%	870	25.2%	275	8.0%	126	3.7%

Source: Aggregate Table 4-2: Disposition Of Applications For Conventional Home-Purchase Loans.

To better understand the rate of approval and denial, the researchers determined the percentage of the Chicago-Naperville-Joliet MSA population that each of the races/ethnicities represents. White households represent 62.6 percent of the population, Black/African-American households 17 percent, Asian households 5 percent, and Hispanic households 14 percent. This was then compared to the percentage that each race/ethnicity represented of each of the HMDA categories (e.g., “applications received,” “loans originated,” etc.).

In conducting this analysis, we found that White households represented a higher percentage of the "loan submitted" category than their percentage of the population. White households also represented disproportionately higher percentage of loans originated. In contrast, Black and Hispanic households' percentages in all categories were lower than their percentages of the population. This analysis has some limitations in that economic factors such as income, credit history, and funds available for down payment most likely impact the loan origination rate for minorities. Nonetheless, the analysis provides an indication that the ability to obtain financing is an impediment for minority households. In Exhibit III-38, below, a positive number indicates the percentage of households in that category is higher than the percentage of households in the larger population. A negative number indicates that the percentage of households is smaller.

Exhibit III-38.
Comparison of Disposition of Loan Applications by Race and Race as a Percentage of the Population

Race	Applications Received Percent	Loans Originated Percent	Applications Approved but Not Accepted Percent	Applications Denied Percent	Applications Withdrawn Percent	Files Closed for Incompleteness Percent
White	11.0%	14.0%	7%	4.8%	1.7%	1.5%
Black or African American	–13.1%	–14.2%	–12%	–9.3%	–11.7%	–9.6%
Asian	4.9%	4.5%	6%	5.7%	5.3%	6.5%
Ethnicity						
Hispanic or Latino	–6.4%	–7.8%	–5%	–0.3%	–6.8%	–0.6%

Sources: Aggregate Table 4-2: Disposition Of Applications for Conventional Home-Purchase Loans; 2010 American Community Survey one-year estimate.

Researchers have found that not only is there a correlation between the race of the applicant and purchase-loan originations but also between the percentage of minorities in a neighborhood and refinancing-loan originations. The researchers found that in the Chicago metropolitan area, communities with a high percentage of minorities had a

decrease in the number of conventional refinancing loans while those with a lower percentage of minorities saw an increase in refinancing during the same time period.[15]

What is not reflected in the HMDA data is the number of prime versus subprime loans by race. Again, minority households are more likely to receive a subprime loan than a prime loan. In addition to minorities, elderly homeowners are believed to be at a higher risk for subprime lending. This is due in part to the higher level of equity in their homes, a strong need for cash due to limited income, and a higher likelihood of cognitive disabilities, among other factors.[16]

In recent years, research has shown an increase in the number of government-backed loans obtained by minority households. Although these loans have increased across all races and ethnicities in recent years, the report "Paying More for the American Dream VI" found that the increase is substantially higher for African-American and Hispanic households. The study found that government-backed loans (defined as FHA-insured loans and Department of Veteran Affairs–backed loans) accounted for 74.5 percent of home purchase loans made by African-American borrowers and 66.3 percent of loans made by Hispanic borrowers. For White households, these loans were only 35.9 percent of all loans. Both African Americans and Hispanics were twice as likely as Whites to be offered a government-backed loan.[17]

Foreclosure Activity

During the first half of 2011, 11,802 households had foreclosure filings. This is a nearly five percent decrease from the same period in 2010. All regions saw a decrease, with the largest decrease occurring in Northwest Cook and the smallest in Southwest Cook.

Exhibit III-39.
Foreclosure Activity for the First Six Months of 2011

	First Half 2011		First Half 2010		
Region	**Number**	**Percent**	**Number**	**Percent**	**Change**
All of Suburban Cook County	11,802	100.0%	12,398	100.0%	–4.8%
South	3,069	26.0%	3,121	25.2%	–1.7%
Northwest	2,896	24.5%	3,158	25.5%	–8.3%
West	2,659	22.5%	2,872	23.2%	–7.4%
Southwest	1,823	15.4%	1,839	14.8%	–0.9%
North	1,355	11.5%	1,408	11.4%	–3.8%

Source: Woodstock Institute, "Chicago and City Regional Foreclosure Activity, First Half 2011."

[15] "Paying More for the American Dream V: The Persistence and Evolution of the Dual Mortgage Market." A Joint Report of California Reinvestment Coalition, et al. April 2011.
[16] "Consumer Protection: Federal and State Agencies Face Challenges in Combating Predatory Lending," GAO-04-280. United States General Accounting Office. January 2004.
[17] "Paying More for the American Dream VI: Racial Disparities in FHA/VA Lending," a joint report of the California Reinvestment Coalition, Empire Justice Center, Massachusetts Affordable Housing Alliance, Neighborhood Economic Development Advocacy Project, Ohio Fair Lending Coalition, Reinvestment Partners, and the Woodstock Institute.

Although foreclosures have occurred across the county during the foreclosure crisis, majority-minority communities have experienced higher rates of foreclosure. For example, southern Cook County, which is predominantly African American, had the highest number of foreclosures, with 3,069, or 26 percent of the county's total foreclosures.

There are two primary causes for majority-minority communities having a higher rate of foreclosure. First, minorities and individuals who lived in majority-minority communities were more likely to receive predatory loans. These loans with unfavorable terms and conditions place borrowers at greater risk for foreclosure. Second, the unemployment rate among minorities is significantly higher than non-minorities. Absent substantial savings, lack of employment makes continued homeownership extremely difficult if not impossible.

The high number of foreclosures creates a large inventory of real estate owned by banks (REO). The consequence is that primarily minority communities have seen a substantial increase in REOs, which are not always maintained. This large number of REOs and vacant properties, especially if they are not well maintained, decreases the curb appeal of a neighborhood, creating or exacerbating any negative perceptions it may have.

In addition, the foreclosure crisis has decreased property values. To some extent, the decrease in value is a result of the decreased curb appeal of a community if REOs and unoccupied units in the process of being foreclosed upon are not properly maintained. Market factors are also at play, though. Decreased demand for units decreases prices. Further downward pressure is applied when a community has a large number of foreclosures or "short sales", a process which allows homes to be sold at amounts less than the amount owed on the mortgage.

Lending Institutions

We were unable to obtain participation from lenders prior to the submission of this report. Several representatives of lending institutions pointed to HMDA data as proof of their support of fair housing. Others stated that the Community Reinvestment Act requires lending institutions to practice fair housing principles.[18] One indicated that all bank employees were required to attend training upon the start of their employment, during which fair housing was discussed. However, the discussions were brief and no additional training was provided.

Research has shown that minority and lower-income households have less access to retail banking institutions than non-minority and higher-income households. One study found that nationally, 52 percent of African Americans and 35 percent of Hispanics had limited access to retail banking branches.[19] Locally, the Woodstock Institute found that

[18] The Community Reinvestment Act (CRA) of 1977 was designed to increase the amount of lending by financial institutions in predominantly low- and moderate-income areas.

[19] Berry,C., *"To Bank or Not to Bank? A Survey of Low-Income Households".* Harvard University Joint Center for Housing Studies 2004.

households in low-income areas has less than one bank branch per 10,000 people. In contrast, households in higher-income areas had more than four offices per 10,000 people. [20] This limited access to retail banking results in minority households having limited access to traditional financing for the purchase or rehabilitation of a home.

Real Estate Roundtable

As part of the research for this report, a discussion was held with realtors who work across Cook County and have worked with a diverse range of clients. Most of the realtors had a basic understanding of the concept of fair housing, although one equated it to "housing that is affordable to all."

When asked about fair housing training and education, all indicated that they had received instruction on the topic as part of coursework when studying for the realtors' license. None were required to take additional fair housing–focused training subsequent to obtaining their licenses. However, one had attended a full-day training, which they found to be extremely helpful and recommended to others.

When the discussion turned to fair housing laws specific to the Chicago region, none of the participants were aware that Cook County had its own fair housing ordinance. They were all familiar with the national fair housing law but did not know that counties and municipalities could have additional fair housing ordinances or laws that differed from the national law. Although a few were aware of the City of Chicago's ordinance that includes Housing Choice Voucher holders as a protected class, they did not associate the ordinance with fair housing per se. All were alarmed when told by the moderator of the various protected classes contained in the Cook County Human Rights Ordinance. Most were concerned that given that the majority of real estate agents in the Chicago region work across multiple municipalities and in some cases counties, the lack of information on the multiple fair housing ordinances puts real estate professionals at risk.

When asked for any anecdotal evidence of discrimination in housing, all mentioned many landlords' lack of enthusiasm for or interest in renting to households who used Housing Choice Vouchers. They noted that landlords perceive that working with the Housing Authority of the County of Cook (HACC) was difficult, the unit inspection requirements were too onerous, households did not properly maintain units, and that families were often too large. One noted that landlords who did not want to rent to families with children or a minority renter simply used the HCV as an excuse for not renting to the household.

One realtor recounted an experience during which she sold an African-American family a home in an exclusively White neighborhood in Cook County. After the sale, she received calls from a community resident who accused her of blockbusting. The caller also contacted the broker for her firm, repeating the assertions. The broker "advised" the agent to shift away from working in the neighborhood for a while to appease the complaining resident (which is a violation of county, state, and national fair housing

[20] Smith, G.*, "Increase in Bank Branches Shortchanges Lower-Income and Minority Communities".* Woodstock Institute, 2005.

laws). The agent chose to ignore the broker and continued showing homes in the community to a variety of races.

Others mentioned using the source of financing to discriminate against members of the protected classes. Some had experienced sellers not wanting to sell because the purchaser was using Federal Housing Administration (FHA) financing. One broker recounted a situation where despite the fact that the purchaser had 20 percent down, the buyer and its agent requested additional documentation of financial stability. The requests reached the level where the purchaser's agent felt that the real motivation behind them was that the seller did not want to sell to the Hispanic purchaser. One respondent also stated that if a seller did not want a buyer to purchase their home, the seller could simply elect not to accept the offer. When asked about barriers to equal access, answers varied. One noted that there is a "stigma" of certain people in certain areas, and that there is a perception that their "kids are crazy" and that the tenants "won't take care of their homes."

When asked if those in protected classes are shown fewer homes than others, all replied that they did not believe this was a fair housing issue. Buyers in general normally provide their real estate agents with a list of areas where they would like to live. Given the expansion of listings on the Internet, many buyers also provide addresses of homes to their agents. They noted that African-American buyers, for example, have a smaller list of neighborhoods where they wish to look for homes. Generally, the list of areas is developed using criteria such as location of family, recommendations from family or friends, and historical perceptions of a community.

When asked by the moderator about recommending additional neighborhoods to their clients, the respondents immediately replied that doing so would be considered "steering" even if it was to an area that was not predominantly minority or lower income. The realtors also indicated that they could not provide clients with information on the quality of schools, the demographic characteristics of a neighborhood, or its crime rate, as providing this information would also be viewed as steering. The consequence is that all households and in particular minority households will have a smaller number of homes among which to select. It is a common misconception in the real estate industry that providing information on additional neighborhoods to a client is steering. As a local fair housing organization pointed out, recommending additional communities may or may not be considered steering depending upon the circumstances of the interaction. A real estate agent/broker can assist residents in removing "blind spots" regarding their housing options.[21]

When real estate professionals at the roundtable were asked about how the real estate industry performs in advancing fair housing, two issues emerged One was the need for ongoing awareness and consistency of information over time—in other words, that fair housing should remain on a front burner in realtors' minds. Second, most indicated that the perception among many realtors is that fair housing was an issue of the past, that it

21 Maria Krysan. "Racial Blind Spots: A Barrier to Integrated Communities in Chicago." Institute of Government and Public Affairs, June 2008.

centered around African Americans and Hispanics—represented by a "burning cross on the lawn"—and that it was no longer particularly relevant.

When the realtors were asked what their options are when faced with a fair housing violation either by their client, a fellow real estate professional, or a seller/landlord, the first response was to contact a lawyer or their firm's broker, who would in turn contact a lawyer. As one realtor noted, when confronted with potential fair housing problems, the automatic response for realtors is "to run to the lawyers," as the idea of possible violations of fair housing laws immediately raised fear and concerns of civil lawsuits. If the violation was committed by a real estate professional, the respondents indicated that they would report it to the State of Illinois Department of Professional and Financial Regulation or their realtor association. None were aware of the existence of municipal, county, state, and federal agencies where fair housing complaints can be taken.

ASSISTED HOUSING

In suburban Cook County, the assisted housing stock includes units subsidized with project-based vouchers, Section 202–designated properties, Low-Income Housing Tax Credit (LIHTC) units, public housing units, and the HCV program of suburban Cook County. The latter two programs—public housing and HCVs—are managed by the Housing Authority of Cook County.

Public Housing and Housing Choice Vouchers

The Housing Authority of the County of Cook (HACC) manages the suburban HCV and public housing programs in Cook County. HACC owns 2,066 public housing units and has issued 12,344 HCVs.[22] The 2,066 public housing units are further subdivided into three categories: family, elderly, and scattered sites. The units are located primarily in the southern and northern portions of the county; there is only one development in the western portion of the county. It should also be noted that the six family developments are located exclusively in the southern portion of the county in three communities: Chicago Heights (three developments), Robbins (two developments), and Ford Heights (one development). The scattered-site properties, which generally blend into the community more than traditional public housing, are located in the northern portion of the county.

HACC also maintains a waiting list for households who would like to occupy public housing units and another for those interested in an HCV. As of 2010, HACC had 790 households on the public housing waiting list and 15,249 households on the HCV waiting list.

[22] HACC PHA Annual Plan for the Fiscal Year Beginning April 2012.

Exhibit III-40.
Housing Authority of Cook County
Waiting Lists Characteristics

	Public Housing	HCV
Waiting List Total	790	15,249
Income Relative to the Area Median Income (AMI)		
Extremely Low Income (30 percent AMI or less)	688	2,788
Very Low Income (30 percent to 50 percent of AMI)	70	181
Low Income (50 percent to 80 percent of AMI)	32	121
Households with Children	292	1,473
Household Characteristics		
Elderly Households	211	333
Households with Persons with a Disability	335	250
African-American Households	502	247
White Households	244	1,768
Hispanic Households	35	46
Other Race/Ethnicity Household	9	1,029
Requested Unit Size		
One Bedroom	355	1797
Two Bedroom	267	509
Three Bedroom	152	500
Four Bedroom	15	116
Five Bedroom	1	165
Six Bedroom and Larger	0	3

Source: HACC 5-Year Annual Plan for the Fiscal Year Beginning April 2010.

The concentration of assisted and affordable housing in the state was formally recognized with the passage of the Affordable Housing Planning and Appeal Act in 2003. The act is intended to encourage municipalities to expand the supply of affordable housing. Communities that have a supply of affordable housing that represents 10 percent or more of their housing stock are exempt from the act; communities with less than 10 percent are non-exempt.

As of 2011, there are 49 non-exempt communities. Sixteen of these communities are located in Cook County. The non-exempt communities are required to submit an affordable housing plan passed by the local elected body that indicates how the community will expand its supply of affordable housing.

Exhibit III-41.
Affordable Housing Planning and Appeal Act
2011 Non-Exempt Cook County Communities

Barrington Hills*
Glencoe
Inverness*
Kenilworth
Lincolnwood*
Morton Grove
Northbrook
Northfield
Olympia Fields
Palos Heights
Palos Park
Park Ridge*
South Barrington*
Western Springs
Wilmette
Winnetka

* Communities that have not submitted an affordable housing plan.
Source: Illinois Housing Development Authority.

COOK COUNTY EMPLOYMENT

General Employment Trends

Cook County continues to suffer from the economic downtown of the late 2000s. Between March 2009 and March 2010, the county lost 64,370 jobs, or 3.1 percent of total employment. Approximately 52 percent of the lost jobs were located in the county outside the city of Chicago. Employment categories with the greatest losses were manufacturing (with a loss of 14,814 jobs, or 7.2 percent) and construction (a loss of 13,149 jobs, or 18.4 percent). Other job categories that experienced declines each lost less than 10,000 jobs and suffered less than 10 percent decreases. In addition, few industries gained employment, and their growth was small. The largest increase occurred in the educational services category, which added 2,710 jobs—a 3.3 percent increase.

According to the Center for Neighborhood Technology (CNT), 12 of the 15 largest employment centers in the seven-county region are located in Cook County. This includes the two largest employment centers: the Chicago central business district and I-90 near O'Hare International Airport. CNT also found that access to employment was highest in northern and western Cook County and lowest in southern Cook County.

Exhibit III-42.
Cook County Employment Clusters

Principal Community	Employment	Specialization
Chicago: Urban Core	778,397	Finance/Insurance/Real Estate and Professional Services
O'Hare and Northwest Suburbs	172,416	Transportation
Evanston	31,513	Information, Education, and Health Care
Chicago: Hyde Park	24,971	Real Estate, Education, and Health Care
Niles	24,883	Manufacturing
Chicago: Back of the Yards	15,465	Manufacturing, Retail, Wholesale, and Transportation

Source: Center for Neighborhood Technology.

Exhibit III-43.
Employment Trends*
Chicago Metropolitan Area, 2009 to 2010

	Total Employment 2010	Change 2009 to 2010 Number**	Percent
City of Chicago	1,011,151	(30,862)	–3.0%
Cook County	2,004,132	(64,370)	–3.1%
DuPage County	484,910	(16,968)	–3.4%
Kane County	155,665	(7,339)	–4.5%
Lake County	257,955	(11,500)	–4.3%
McHenry County	74,895	(4,516)	–5.7%
Will County	155,494	(1,187)	–0.8%
Total Chicago Metropolitan Area	3,133,051	(103,506)	–3.2%

* Unemployment Insurance–covered employment.
** Errors due to rounding.
Source: Illinois Department of Employment Security, "Where Workers Work, 2010 Highlights".

Cook County, with 3,133,051 total jobs in 2010, had the largest number of jobs of any of the counties in the six-county metropolitan area. Cook County also experienced the greatest loss in the absolute number of jobs. Although McHenry County lost only 4,516 of its 74,895 jobs, it had the greatest percentage employment decline, at 5.7 percent.

In 2005, the average annual seasonally adjusted unemployment rate for Cook County was only 6.4 percent. By 2009 the rate had risen to 10.3 percent. The average unemployment rate for Cook County was 10.5 percent in 2010—the most recent year for which a seasonally adjusted annual average unemployment rate is available. That 2010 unemployment rate compared with 10.3 percent for the state of Illinois and 10.2 percent for the entire Chicago-Joliet-Naperville, Illinois-Indiana-Wisconsin Metropolitan Statistical Area. Within Cook County, much of the area's unemployment was located in the city of Chicago, where the unemployment rate was 11 percent. In the remainder of Cook County, the rate was 9.9 percent.

Racial and Ethnic Composition of Labor Force Compared to Residents

Racial and ethnic characteristics of the Cook County total labor force do not vary greatly from the characteristics of the total persons employed in the county. In 2000, the county's labor force was 2,618,770 persons (this includes the city of Chicago). Approximately 54 percent of the civilian labor force was White, 22 percent was Black or African American, and 17 percent was Hispanic. A slightly higher percentage of the 2,552,837 persons employed in the county were White (60 percent) than were represented in the labor force, and slightly lower percentages of African-American and Hispanic persons were employed than were in the labor force—18 percent and 15 percent, respectively. Other racial groups were employed in the county in roughly the same percentages that they contributed to the civilian labor force.

Within specific employment categories, the representation of various racial and ethnic groups does not vary substantially in the labor force versus the number of persons employed. In most categories, the percentage of White workers who are employed is higher than the percentage of White workers in the labor force category. In contrast, the percentages of African-American and Hispanic workers employed in most categories are slightly lower than the percentages of these workers in each labor force category. For instance, about 72 percent of the labor force that includes management, business, and financial workers is White, compared to 76 percent of the persons employed in this category who are White. Similarly, 38 percent of the labor force that includes service workers is White, compared to 43 percent of the persons employed in this category who are White.

Of the unemployed persons in the 2000 labor force, 57 percent were Black or African American, but only 17 percent were White. For other racial groups, the percentage of persons unemployed was close to the percentage they comprised of the labor force. Approximately 21 percent of the unemployed were Hispanic—a percentage that was only slightly higher than their percentage of the labor force (17 percent).

By 2010, 63 percent of the labor force was White and only 19 percent was Black and African American. The percentage of the labor force that was Hispanic had risen from 17 percent in 2000 to 22 percent in 2010.

According to the U.S. Census American Communities Survey, in 2010, 63 percent of the county's labor force was White, 19 percent was Black and African American, 7 percent was Asian, and 11 percent was some other race or two or more races. Approximately 22 percent of the labor force was Hispanic.

SECTION IV.
FAIR HOUSING POLICIES AND PROCEDURES

COOK COUNTY HUMAN RIGHTS ORDINANCE

As introduced in Section II, Cook County's Human Rights Ordinance (HRO) provides protection from discrimination and sexual harassment in employment, public accommodations, housing, credit transactions, and county services and contracting. The ordinance prohibits discrimination based upon 14 groups (known as "protected classes")—more protected classes than are found in either the state or federal housing laws.[23] These groups are based upon:

- Race
- Color
- Sex
- Age
- Religion
- Disability
- National Origin
- Ancestry
- Sexual Orientation
- Marital Status
- Parental Status
- Military Discharge Status
- Source of Income
- Gender Identity
- Housing Status

Specifically, the ordinance prohibits:

- **Discrimination in the sale, rental, or lease of residential property.** Sales, rentals, and leases include the "sale, exchange, rental, occupancy, lease, sublease, or lease renewal of real property" located in Cook County, or the "provisions of services or utilities" in connection with real estate transactions. This also includes the price, terms, and conditions of the sale or rental as well as the decision to engage in or renew a sale, rental, or lease.

- **Discrimination in the brokering or appraising of residential property.**

[23] The above narrative is a summary of the HRO (Ordinance 93-0-13 as amended) and is intended for informational purposes only. It is not meant to serve as legal counsel. The full ordinance is available at Department of Human Rights, Ethics, and Women's Issues and can be found online at http://www.cookcountygov.com/taxonomy/Human%20Rights,%20Commission%20On/Legal%20Documents/cc_human_rights_ord.pdf.

- **Discrimination in the financing of residential property.** Financing includes "the making, purchasing, or guaranteeing of loans or mortgages" as well as any other financial assistance to purchase, construct, improve, repair, or maintain a residential unit and financial assistance secured by residential property.

- **Communications that are discriminatory.** This includes publishing, circulating, issuing, or displaying any communication that indicates discrimination against one of the protected classes.

- **Not showing a listing of a residential unit because an individual is a member of a protected class.** This includes indicating that the residential property is not available for "inspection, sale, rental, or lease in Cook County when in fact it is available," not bringing the listing to the attention of the individual, and refusing to allow someone to inspect a listing based upon their status as a member of a protected class.

- **Blockbusting activity.** "Blockbusting" is defined as soliciting the sale, lease, or listing of a property because of a belief that the property will lose value as a result of the actual or prospective entrance of a member (or members) of a protected class into a neighborhood. Prohibited activity also includes encouraging members of a neighborhood to blockbust.

- **Creating alarm.** This is defined as oral or written communication that is intended to encourage someone to sell or lease residential property because of the actual or prospective entrance of a member (or members) of a protected class into a neighborhood.

There are exceptions allowed to the discriminatory acts to allow for senior-restricted housing; property owned, operated, or supervised by a religious organization that limits occupants to members of the same religion or provides preferences to members; rooms to be rented to a single sex; and owners of private rooms that are rented in a private home if the owner or owner's family lives in the home.

When the HRO was originally passed, it was considered progressive because of the inclusion of sexual orientation. The ordinance was not without critics, however. Initially, Housing Choicer Vouchers (HCVs, formerly known Section 8) were included in the "source of income" protected class. A last-minute decision was made to exclude HCVs from the source of income–protected class because some elected officials and members of the real estate industry launched a strong media campaign against its inclusion. In the summer of 2012, proposals to amend the HRO by removing the HCV exclusion from the source of income protected class were raised. The amendment was approved by a subcommittee of the Board of Commissioners but has not been voted upon by the full Board.

COOK COUNTY ADMINISTRATIVE POLICIES AND PROCEDURES

Cook County Commission on Human Rights

The Human Rights Ordinance indicates that the Cook County Commission on Human Rights (CCCHR; the Commission) is responsible for its enforcement. The Commission includes 11 members who are appointed by the Cook County President and approved by the Cook County Board of Commissioners. Members are appointed for three-year terms and must be residents of Cook County and not employees of the County during their term. Members are not compensated for their services outside of expenses.

Day-to-day operations of the CCCHR are allocated to the Department of Human Rights, Ethics, and Women's Issues, which is under the Office of the President of Cook County. It is important to note that while the enforcement of the County's fair housing laws are the responsibility of the Department of Human Rights, Ethics, and Women's Issues (as indicated by its name), this is not the department's sole responsibility. The department also enforces the Cook County Ethics Ordinance and provides staffing for the Women's Issues Advisory Board. The President of Cook County appoints the director of the department. The department has a budget for 10.2 full-time staff persons, 4 of which currently include investigators.

The enforcement responsibilities of the CCCHR are to initiate, receive, and investigate violations of the HRO.[24] Non-enforcement responsibilities include education, outreach, and conducting research and advocacy work to enhance the protection of human rights.

COMPLAINT PROCESS

Complainants (those who are alleging violations of the HRO) are required to file their complaint with the Commission within 180 days after the violation is alleged to have occurred. If the violation is ongoing, the complainant has 180 days from the last day the violation occurred. Complaint forms are available at the Department of Human Rights, Ethics, and Women's Issues. There is a link to the complaint form on the County's website; however, the link is not currently active. Complainants may also elect to seek civil action in court.

On the complaint form, the complainant is required to provide sufficient detail for the Commission to determine a prima facie violation. If the complainant does not provide this level of detail, the complaint may be rejected without investigation. Per the HRO, the Commission is to provide a copy of the complaint to the alleged violator (respondent) within 10 days. If the Commission does not deliver the copy on time, it is not held against the complainant.

[24] X. (7), Ordinance 93-0-13 as amended.

Investigations and Hearings

The Commission is to conduct an investigation within 180 days to determine whether there is "substantial evidence" that the violation occurred. If the Commission finds that there is not substantial evidence, the complainant shall have 30 days from receipt of notice to request that the Commission reconsider their decision.

If the Commission finds that there is substantial evidence of a violation, a hearing is held with a hearing officer. The Ordinance indicates that the hearing will commence within 90 days after the determination that substantial evidence of a violation exists. The hearing officer makes a finding of fact and provides recommendations for relief. The complainant and the respondent have the opportunity to review the findings and submit a brief to the hearing officer.

The CCCHR then adopts the findings of the hearing officer, assuming that the findings are not contrary to against the evidence presented at the hearing. The Commission also has the authority to modify the hearing officer's recommendations and/or remand the complaint for additional hearings. All decisions of the CCCHR must be approved by the majority of commissioners, who can only vote at meetings with a quorum.

MUNICIPALITIES

Beginning in 2007, Cook County's Department of Planning and Development within the Bureau of Economic Development began requiring municipalities to adopt fair housing ordinances that are essentially similar to the County's ordinance. Some of the municipalities already had ordinances but did not include all 14 of the County's protected classes. Others did not have ordinances at all. While most of the municipalities have complied with this requirement, in many instances the resulting ordinances have been superficial acts without procedures or policies in place to ensure enforcement. As a municipal employee stated: the only people who have read their fair housing ordinance are the lawyer who crafted it and perhaps the council members on the night it was passed.

A 2005 study by the Leadership Council for Metropolitan Open Communities, "Empty Promises," highlights the lack of fair housing enforcement and education activity at the municipal level. The study authors found that while suburban municipalities had fair housing ordinances that established administrative or adjudicative bodies, only 37 percent of the entities met on at least a quarterly basis.[25] Further, several municipalities reported that their enforcement entity had not met in several years or at all. The study also found that none of the municipalities contacted had formal procedures for addressing complaints. The justification provided for the lack of activity was often that the community had no minorities, therefore there was no need to focus on fair housing.

[25] "Empty Promises: Fair Housing Ordinances in Metropolitan Chicago Suburbs," Rob Breymaier and Brian White. Leadership Council for Metropolitan Open Communities. January 2005.

Although the “Empty Promises” study focused on the six-county region, it is in line with the findings of this study. In our efforts to reach out to fair housing administrators across the county as well as to those responsible for fair housing issues in their jurisdictions, several patterns emerged.

We began by calling the general municipality number and asked whom to contact with a housing discrimination complaint. The vast majority of persons answering did not know. Many stated that no one had ever previously asked or complained. Some, while unsure, were helpful and wished to steer the caller in the right direction, while others made referrals to the police. Often calls were routed to the building or public works departments, where respondents were friendly yet unsure how to proceed. More than a few suggested contacting a private lawyer. One respondent stated, “that has nothing to do with the Village.”

Several administrators suggested that the caller contact the CDBG administrators. In several cases these were grant writers who were employees of the municipality; the rest were private engineering firms that had written the funding requests and were then in charge of municipal improvements using the funds. The responses and comments of many of the private contractors were made with hesitance and left the impression that their understanding and knowledge of fair housing was limited, if at all existent. They did suggest other municipal employees to whom the caller should speak. They often seemed uncomfortable with the line of questions.

Several administrators indicated that they wished for more information on fair housing but did not know where to go for it, and that, often performing several jobs, they were pulled in too many directions to have the time to actively seek out and further their knowledge. One said, “We haven’t had the time, effort, or manpower to do outreach.” This is supported by comments from Department of Planning and Development officials who indicated that prior to the economic downturn, some municipalities had community relations staff persons who assisted with outreach activities. With decreased revenue, however, these staff members had been cut or had additional responsibilities assigned to them, limiting the time for fair housing.

Several noted that they had complied with CDBG requirements by enacting fair housing ordinances, but they did not know quite what to do beyond that. As one administrator said, “I do not know all the rules and regulations. How do I find all that out?”

Many administrators AREA staff spoke with noted that no one had ever complained about being discriminated against in housing in their municipalities—in fact, that was the consistent response among administrators. One administrator noted, “We’re a predominantly African-American community that doesn’t have problems with fair housing”; this reflects the opinion of many that fair housing is a race-specific issue.

In conclusion, “fair housing” efforts seem to be seen by many municipal administrators as a requirement for federal funds with little real impact or relevance to their communities. Because CDBG funds are often focused on infrastructure improvements, very often a private contractor has responsibility for overseeing the program. These are

often people and organizations with little or no training or professional interest in fair housing issues.

MUNICIPAL ROUNDTABLE

AREA invited municipalities from across the county to participate in a roundtable to discuss fair housing. Representatives from the western and southern portion of the county attended. No municipalities from the northern region of the county attended. The top reasons provided for not participating in the roundtable were that representatives were not available during the date or time of the roundtable and that fair housing was not a problem in their community.

Most roundtable participants understood the general goals of fair housing and all agreed with the intent of fair housing laws. During the roundtable, most municipalities indicated that they do not have an established process for receiving and investigating housing discrimination complaints. A few indicated that they have a municipal complaint form used for taking discrimination complaints. None has an investigative body for investigating complaints received.

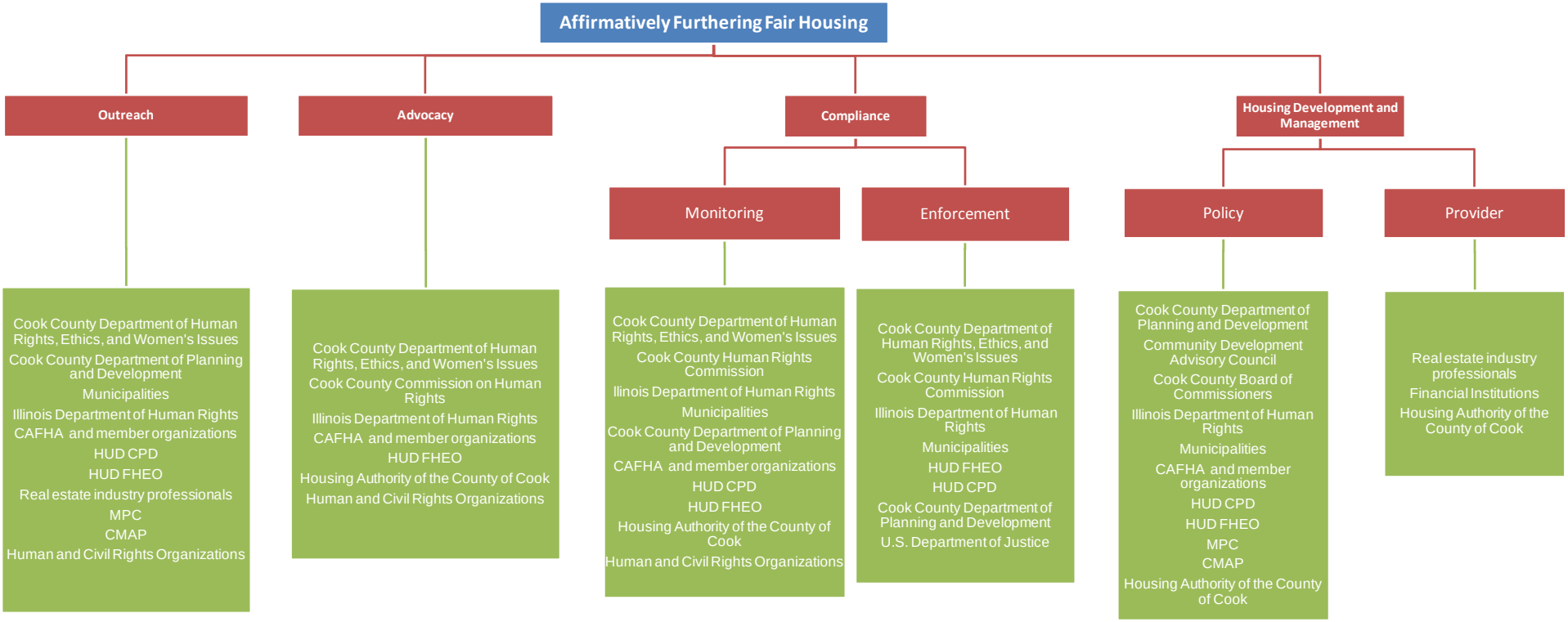
When asked if they had heard of complaints about housing discrimination from residents, participants stated that complaints would usually come up in the context of complaints about housing quality. For example, one community had a rental development where the landlord had not maintained the property or paid bills, resulting in residents being without water. The residents complained to the City about the lack of water, and in passing referenced that the landlord had also made comments about the race, national origin, familial status, and parental status of residents.

Another topic raised during the roundtable was that simply using the term “fair housing” raises suspicion at the local level. Municipal officials associate the term with affordable or public housing exclusively and something negative—in particular lawsuits. Further, it is seen by some as a way for officials at the federal and county levels to try to increase control over municipalities. Because heretofore there have been no consequences to not being actively involved in fair housing, the municipalities have had no incentive to prioritize affirmatively furthering fair housing.

An interesting comment made during the roundtable was “fair housing is an issue, but not an issue.” The commenter elaborated that because the price point on purchasing housing has decreased dramatically, households have more options based purely on income. However, fair housing becomes more of an issue in communities with homes at a higher price point. Again, there is a common misconception that fair housing is related to income, although this view focuses on the upper end of the income range as opposed to the lower end that focuses on affordable housing.

FAIR HOUSING STAKEHOLDERS

In addition to the Cook County Human Rights Commission, municipalities, and real estate professionals discussed in the preceding section, several other key stakeholders are involved in affirmatively furthering fair housing. There are four key elements for affirmatively furthering fair housing: outreach, advocacy, compliance, and housing development and management. Exhibits IV-1 and IV-2 on the following pages list the key fair housing stakeholders in Cook County along with their respective roles and responsibilities as they relate to fair housing.


Affirmatively Furthering Fair Housing
Outreach
Cook County Department of Human Rights, Ethics, and Women's Issues
Cook County Department of Planning and Development
Municipalities
Illinois Department of Human Rights
CAFHA and member organizations
HUD CPD
HUD FHEO
Real estate industry professionals
MPC
CMAP
Human and Civil Rights Organizations
Advocacy
Cook County Department of Human Rights, Ethics, and Women's Issues
Cook County Commission on Human Rights
Illinois Department of Human Rights
CAFHA and member organizations
HUD FHEO
Housing Authority of the County of Cook
Human and Civil Rights Organizations
Compliance
Monitoring
Cook County Department of Human Rights, Ethics, and Women's Issues
Cook County Human Rights Commission
Ilinois Department of Human Rights
Municipalities
Cook County Department of Planning and Development
CAFHA and member organizations
HUD CPD
HUD FHEO
Housing Authority of the County of Cook
Human and Civil Rights Organizations
Enforcement
Cook County Department of Human Rights, Ethics, and Women's Issues
Cook County Human Rights Commission
Illinois Department of Human Rights
Municipalities
HUD FHEO
HUD CPD
Cook County Department of Planning and Development
U.S. Department of Justice
Housing Development and Management
Policy
Cook County Department of Planning and Development
Community Development Advisory Council
Cook County Board of Commissioners
Illinois Department of Human Rights
Municipalities
CAFHA and member organizations
HUD CPD
HUD FHEO
MPC
CMAP
Housing Authority of the County of Cook
Provider
Real estate industry professionals
Financial Institutions
Housing Authority of the County of Cook

Entity Name	Fair Housing Roles and Responsibilities
Federal Government	
HUD Office of Fair Housing and Equal Opportunity (FHEO)	▪ Administers and enforces federal laws related to fair housing, including the Fair Housing Act, Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and Executive Orders, among others. ▪ Administers the Fair Housing Assistance Program and Fair Housing Initiatives Program (FHIP), which includes the Private Enforcement Initiative Grant (PEI), Fair Housing Organization Initiative Grant (FHOI), and the Education and Outreach Initiative Grant (EOI). ▪ Reviews and provides comments on the AIFHC to HUD CPD.
HUD Office of Community Planning and Development (CPD)	▪ Allocates CDBG grants to entitlement states, counties, and cities, including Cook County and select municipalities within the county. ▪ Reviews Consolidated Plan. ▪ Reviews and approves AIFHC.
U.S. Department of Justice (DOJ) Civil Rights Division–Housing and Civil Rights Section	▪ Responsible for the enforcement of federal laws related to housing.
State Government	
Illinois Department of Human Rights	▪ Administers the Illinois Human Rights Act. ▪ Provides outreach and training on the Human Rights Act.
Cook County Government	
Cook County Board of Commissioners	▪ County legislative body responsible for approving amendments to the County Human Rights Ordinance, establishing laws and policies related to housing and development in unincorporated Cook County.
Cook County Community Development Advisory Council	▪ Reviews HUD formula grant allocations. ▪ Also reviews the performance of the grant program
Cook County Human Rights Commission	▪ Responsible for enforcing the Human Rights Ordinance, including initiating, receiving, and investigating violations of the ordinance. ▪ Responsible for enhancing human rights by providing education and outreach and conducting research and advocacy work.

Cook County Department of Human Rights, Ethics, and Women's Issues	▪ Responsible for the enforcement of the County Human Rights Ordinance, which includes initiating, receiving, and investigating violations of the ordinance. ▪ Additional responsibilities include education, outreach, and conducting research and advocacy work to enhance the protection of human rights.
Cook County Department of Planning and Development within the Bureau of Economic Development	▪ Supports economic development within the county, including encouraging and supporting regional planning; the development of affordable housing; workforce development; and business growth, attraction, and retention. ▪ Allocates CDBG, HOME, and ESG dollars to funding recipients. ▪ Responsible for monitoring the activities of funding recipients to ensure they are affirmatively furthering fair housing. ▪ Leads the development of the AIFHC as well as its submission to HUD.
Municipalities	
Municipal Funding Recipients and those with separate funding allocations	▪ Responsible for complying with all fair housing laws as well as certifying that they are affirmatively furthering fair housing. ▪ Maintain fair housing ordinances that are substantially similar to the County ordinance (funding recipients only).
Chicago Area Fair Housing Alliance (CAFHA)[26]	
Access Living	▪ Advocacy organization that focuses on increasing housing options for people with disabilities and their families by ensuring “compliance with disability rights laws in the design and construction of housing” and encouraging the development of more housing suitable for people with disabilities.
Community and Economic Development Association of Cook County (CEDA)	▪ Community action agency that focuses on suburban Cook County. ▪ Administers a Comprehensive Housing Counseling program that assists families in obtaining and retaining affordable housing. Services are designed for homeowners, renters, and the homeless.

[26] Sources: Organizations’ respective websites.

Chicago Lawyers' Committee for Civil Rights Under Law, Inc.	▪ Consortium of Chicago-area law firms that focuses on promoting and protecting the civil rights of the "poor, minority, and disadvantaged people." ▪ Under the "Fair Housing Project," provides education and outreach on rights related to fair housing, including investigating fair housing complaints and providing pro bono legal services.
Diversity, Inc.	▪ Intergovernmental organization of 20 municipalities in south suburban Cook County whose mission is to "create and maintain the social, economic, political, and commercial conditions which foster racially, ethnically and culturally diverse residential environments." ▪ Activities include education and outreach, including assistance with fair housing ordinances and training on fair housing for municipalities and members of the real estate industry.
HOPE Fair Housing Center	▪ Advocacy organization that focuses on eliminating housing discrimination and segregation. Education and outreach activities include counseling for households as well as investigating fair housing complaints. ▪ Provides consulting, training, and compliance services to municipalities and those in the real estate industry.
Housing Choice Partners of Chicago	▪ Housing advocacy organization that focuses on expanding housing options for low-income households including those with housing subsidies. Activities also include promotion of diversity and the value of neighborhood inclusion.
Interfaith Housing Center of the Northern Suburbs	▪ Advocacy organization that promotes the advancement of "open, inclusive, and diverse" communities in north suburban Cook County. ▪ Provides a variety of programs that include fair housing enforcement, foreclosure and predatory lending prevention, home sharing, rental complaint investigations, affordable and fair housing advocacy, and community education and organizing.
John Marshall Fair Housing Legal Clinic	▪ Provides fair housing enforcement by providing legal services to those who have experienced housing discrimination and who are not able to otherwise have legal representation. ▪ Provides fair housing law education to the public.

Lawyers' Committee for Better Housing	▪ Advocacy organization that supports housing for low- and moderate-income households. ▪ Activities include legal representation, support for tenants in poorly maintained housing, social services, and education.
Oak Park Regional Housing Center	▪ Nonprofit organization with a primary service area of west suburban Cook County that promotes diversity and expanded housing options. ▪ Services include apartment referrals, technical assistance, homeownership and credit counseling, and fair housing training, education, research, and advocacy.
Sargent Shriver National Center on Poverty Law	▪ Advocacy organization that advances laws to improve the "lives and opportunities of people living in poverty." ▪ Activities focus on protecting the rights of low-income individuals, including those in subsidized housing, as well as providing litigation support and initiation and advancing innovative state and local housing policies.
South Suburban Housing Center	▪ Promotes diversity in housing and the elimination of discrimination in the rental and for-sale markets. ▪ Primary service area in Cook County includes the southern and southwestern region. Activities including fair housing testing, training, and litigation support.
Woodstock Institute	▪ Research and policy organization that focuses on creating an equitable financial system.
Planning Organizations	
Metropolitan Planning Council (MPC)	▪ Regional organization that focuses on making the Chicago region more sustainable, competitive, and equitable.
Chicago Metropolitan Agency for Planning (CMAP)	▪ Official regional planning organization for northeastern Illinois. ▪ Develops the comprehensive regional plan, which provides strategies to address a variety of topics, including housing and quality-of-life issues.
Housing Providers	
Housing Authority of the County of Cook	▪ Local public housing agency responsible for managing public housing and the Housing Choice Voucher program in suburban Cook County.

SECTION V.
FAIR HOUSING PROGRAMS, ACTIVITIES, AND OUTREACH

COOK COUNTY ACTIVITIES

The Human Rights Ordinance calls for the CCCHR to conduct education and outreach. CCCHR has not been able to conduct extensive outreach and fair housing education, in part due to limited budget and staffing. Fair housing issues have been discussed at other events and presentations conducted by the County. At one point, CCCHR staff conducted "roadshows" across the county during which staff provided information on the HRO and the work of the Commission. CCCHR staff indicated that there is a desire to reinitiate the roadshows and expand outreach. Staff commented that when they were able to do more outreach, there were more complaints, suggesting that residents became more aware of their rights as a result of the outreach efforts.

Fair Housing Forum for Municipalities

In April 2011, the Department of Planning and Development held a fair housing forum for municipalities. During the training, representatives from the CCCHR, the County's Bureau of Economic Development, HUD, and CAFHA discussed with 42 municipal representatives the ordinance, fair housing discrimination issues, and affirmatively furthering fair housing.

During the roundtable and calls to municipalities, we spoke with individuals who attended the training session or sent staff representatives. Some found the training helpful. One individual commented that a mid-level staff person had attended and provided a wealth of information, which was then distributed to higher-level staff members. Another stated that the municipality sent an intern, who was enthusiastic about the session. Still another municipal official who attended commented that he noticed several individuals during the training, some of whom were contractors, who did not appear to have any interest in the session.

Other attendees were administrative assistants, grant writers, and in one case a general maintenance worker. The impression provided during the calls and roundtable was that municipalities in many cases simply sent along warm bodies with little interest in or responsibility for fair housing issues in order to comply with CDBG requirements. It seems then that in a number of cases, this forum was not effective in reaching the intended audience.

CCCHR Website

The CCCHR website has a good amount of basic information on the County's Human Rights Ordinance. The site provides links to the full ordinance, contact information for CCCHR staff, a narrative description of the complaint process, and an online database of decisions of the Commission. There are some links on the site that are broken, including the form for submitting a complaint. This is most likely due to the fact that the County is in the process of reorganizing its website to provide better transparency and clarity.

FUNDING RECIPIENT ACTIVITIES

Municipalities

Research has shown that while a municipality's fair housing ordinance may require education and outreach, few conduct extensive activities.[27] Resident-focused activities cited included:

- Making the ordinance available online
- Providing brochures on fair housing in municipal facilities
- Placing information on fair housing in resident newsletters[28]

The majority of the municipalities contacted in this same study indicated that information was provided to members of the housing industry only when the ordinance was originally passed, which in most cases was 14 years earlier.[29] More than 60 percent indicated that there was not "any form of educational outreach to members of the housing industry, community organizations, local leaders, or the general public."[30]

During the roundtables and discussions with municipalities, we developed similar conclusions. Respondents had not distributed any information to their residents on fair housing.

Fair Housing Grants

The County recently provided approximately $65,000 in funds to two local fair housing organizations for fair housing activities: the Interfaith Housing Center of the Northern Suburbs ($43,000) and the South Suburban Housing Center ($22,900). The organizations will use the funds to conduct fair housing testing, assist in enforcing fair housing laws, and provide education and outreach. Funds were also awarded to Diversity, Inc., to conduct a study on retail redlining in the southern suburbs. The results

[27] "Empty Promises." Rob Breymaier and Brian White. Leadership Council for Open Communities. January 2005.
[28] Ibid.
[29] Ibid.
[30] Ibid.

of the study are meant to change the often "negative and false perception that adversely impacts housing demands, business recruitment, retention, and commercial development."

LIMITED PUBLIC UNDERSTANDING

Because of the limited amount of education and outreach, the public at large as well as municipal officials have limited to no understanding of fair housing laws. As noted by the National Commission on Fair Housing and Equal Opportunity, "[The] approach to fair housing has relied heavily on action taken by individuals who believe they have suffered discrimination and file a fair housing complaint. How will these individuals know to file a complaint if they don't know their rights? How will industry know how to comply with the [Fair Housing] Act unless we work to educate them?"[31]

As evidenced in part by the small number of housing discrimination complaints, much of the public is not aware or do not understand the rights afforded by the HRO, in particular those related to housing. In a 2005 HUD-funded study, researchers found that 50 percent of respondents to a survey had low (15 percent) or medium (35 percent) awareness of fair housing law.[32]

[31] "The Future of Fair Housing." The National Commission on Fair Housing and Equal Opportunity." December 2008.
[32] "Do We Know More Now?: Trends in Public Knowledge, Support and Use of Fair Housing Law." Martin D. Abravanel. February 2006. Prepared for the U.S. Department of Housing and Urban Development Office of Policy Development and Research.

SECTION VI.
FAIR HOUSING COMPLAINTS

REVIEW OF FAIR HOUSING DATABASES

Within Cook County, individuals have multiple options for filing complaints if they believe their fair housing rights have been violated. Complaints can be filed with either a public sector entity or nonprofit fair housing organizations:

- Cook County Commission on Human Rights
- U.S. Department of Housing and Urban Development (HUD)
- Illinois Department of Human Rights
- Local Municipality
- Nonprofit Fair Housing Enforcement Agencies

The Cook County Commission on Human Rights, HUD, and the State of Illinois provided complaint information from late 2005 through 2011.[33] Based upon the available data, AREA determined that the total number of complaints filed with government entities (excluding the City of Chicago) is 527 from late 2005 through 2011. The most frequent bases were race (41 percent) and disability (23 percent). This frequency is seen again when data from each of the three sources is examined individually.

In some cases, a complaint may have been originally filed with HUD, which in turn assigned it to the State to investigate. To prevent a double count, we have removed the duplicative complaints to provide an accurate overall picture in the following exhibits. The duplicates are maintained in the individual charts for HUD, Illinois, and Cook County to provide an understanding of activity at each level. In addition, some of the complaints may include acts that occurred in the city of Chicago, which is not included in the majority of this analysis.

[33] Although each of these entities also accepts complaints for violations in the city of Chicago, the Chicago locations were removed when possible.

Exhibit VI-1.
Complaints Filed with HUD, State of Illinois, and Cook County

Basis*	Number	Percent
Age	9	2%
Color	2	0%
Disability	121	23%
Familial/Parental Status	35	7%
Housing Status	2	0%
Marital Status	5	1%
National Origin	67	13%
Other	4	1%
Race	214	41%
Religion	4	1%
Retaliation	21	4%
Sex	22	4%
Sexual Orientation	16	3%
Source Of Income	1	0%
Gender Identity/Transgender	4	1%
Total	527	100%

*HUD and Cook County allow complainants to list as many as three bases on the complaint form. This exhibit identifies only the first basis listed.

Sources: U.S. Department of Housing and Urban Development; Illinois Department of Human Rights; Cook County Commission on Human Rights.

Each entity has its own categories for basis and reason closed. In Exhibits VI-1 and VI-2, we combined the data utilizing the County's protected classes. In the remaining charts we utilized the entity's terminology. When reviewing the exhibits, it is important to remember that the protected classes for HUD, the State of Illinois, and Cook County vary. Therefore, a complaint that may have been filed on one basis with HUD might have been filed on a different basis with the County.

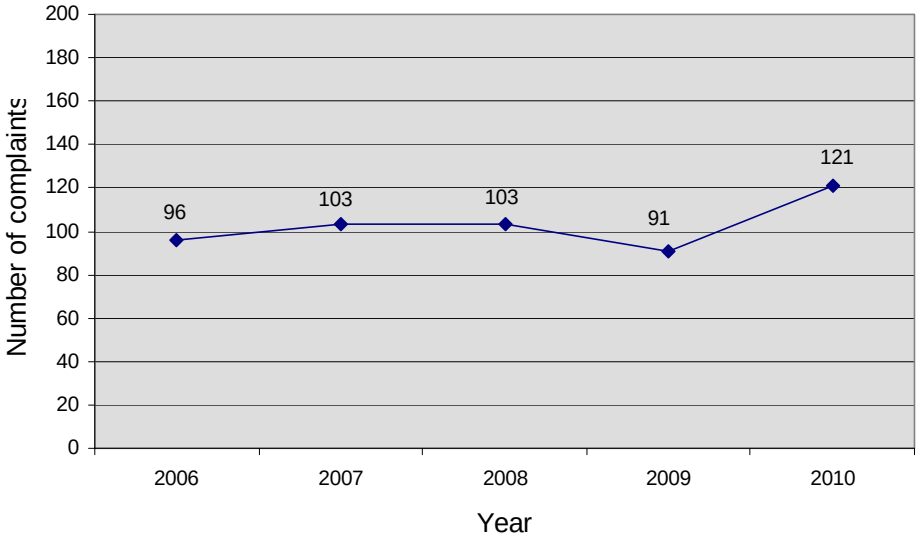
In addition to reviewing the basis of the complaints, the year in which the complaint was filed was analyzed. From 2006 through 2008, the number of complaints remained about 100 per year. There was a slight drop in 2009 to 91 complaints. During this same time period, the housing market crashed and economic conditions were uncertain. It is possible that households were focused on maintaining their existing housing and addressing other financial challenges and did not focus on filing discrimination complaints. In 2010, the number of complaints jumped to 121. This represented a 17 percent increase from 2008 and a 33 percent increase from 2009.

A few possible explanations for this increase in complaints include:

- More households began considering their housing options due to changes in their personal income.

- During the challenging economic period, respondents may have forgotten or ignored fair housing laws in favor of increasing revenue generated from the sale or rental of housing.

Exhibit VI-2.
Complaints Filed 2006 through 2010



Sources: U.S. Department of Housing and Urban Development; Illinois Department of Human Rights; Cook County Commission on Human Rights

U.S. Department of Housing and Urban Development Complaints

During the five-year period from 2006 to 2010, 411 complaints of discrimination in housing in Cook County were filed with HUD. Some of these complaints were forwarded to the State of Illinois for investigation and enforcement.

Exhibit VI-3.
Complaints Filed with HUD
January 1, 2006 through December 31, 2010

Total complaints filed	411
Basis of complaints*	
Color	3
Disability	114
Familial Status	65
National Origin	77
Race	196
Religion	12
Retaliation	43
Sex	5
Sexual Harassment	6

*Complaints filed with HUD list up to three bases; therefore, the total number of complaints filed does not equal the sum of the number for each basis.
Source: U.S. Department of Housing and Urban Development.

Of the 411 complaints, 93 percent were closed as of June 30, 2011. The most frequent reasons for closure were a "no cause" determination and the complaint being withdrawn by complainant after resolution.

Exhibit VI-4.
Status of Complaints Filed with HUD
January 1, 2006 through December 31, 2010

Open	26
Closed	385
Reason closed:	
Closed because trial has begun	1
Complainant failed to cooperate	62
Complaint withdrawn by complainant after resolution	102
Complaint withdrawn by complainant without resolution	26
Conciliation/settlement successful	28
Dismissed for lack of jurisdiction	10
Department of Justice dismissal	2
No cause determination	152
Unable to locate complainant	2

Source: U.S. Department of Housing and Urban Development.

STATE OF ILLINOIS COMPLAINTS

Between July 1, 2006 and June 30, 2011, 1,033 complaints were filed with or referred to the State of Illinois Department of Human Rights. Nearly 50 percent of the complaints filed were based upon race (27 percent) or physical disability (20 percent).

Exhibit VI-5.
Complaints Filed with the Illinois Department of Human Rights
July 1, 2006 and June 30, 2011

Basis	Number	Percent	Number Closed	Percent Closed
Race	283	27%	267	94%
Physical Disability	211	20%	201	95%
Familial Status	158	15%	152	96%
National Origin	119	12%	112	94%
Mental Disability	103	10%	100	97%
Sex	53	5%	50	94%
Retaliation	33	3%	32	97%
Religion	17	2%	16	94%
Homosexual	16	2%	12	75%
Age	13	1%	12	92%
Marital Status	9	1%	7	78%
Other	7	1%	6	86%
Transgender	4	0.4%	4	100%
Color	3	0.3%	3	100%
Coercion	2	0.2%	2	100%
Heterosexual	2	0.2%	2	100%
Total	1,033	100%	978	95%

Source: Illinois Department of Human Rights.

Exhibit VI-6.
Status of Complaints Filed with the Illinois Department of Human Rights
July 1, 2006 and June 30, 2011

Open	55
Closed	978
Reason closed:	
Administrative closure	30
Adjusted with terms (of settlement and agreement)	47
Adjusted and withdrawn	218
Default of the respondent due to failure to provide a verified response	16
Failure to proceed (i.e., complainant's failure to cooperate with the investigation)	139
Lack of substantial evidence	416
Substantial evidence	30
Withdrawn by complainant	60
Lack of jurisdiction	22

Source: Illinois Department of Human Rights.

COOK COUNTY COMPLAINTS

Complaints filed with Cook County are submitted to the Cook County Commission on Human Rights. Complaints must be filed with the Commission within 180 days of the alleged violation. The Commission then investigates the complaint, including obtaining a response to the complaint from the alleged violator (respondent). At the conclusion of the investigation, the Commission determines whether there is substantial evidence of discrimination. Should the Commission find that there is substantial evidence, the alleged complainant and respondent meet with a mediator to reach a mutually agreeable settlement. Should an agreement not be reached, an administrative hearing is held on the matter.

Those who are found to have violated the Human Rights Ordinance can be ordered by the Commission to do any of the following:

- Stop the discrimination
- Pay damages for loss or injury suffered
- Lease a house to a complainant
- Extend to a complainant the full and equal enjoyment of services or facilities
- Pay complainant's costs, including attorney's fees
- Pay a fine of $100 to $500 for each offense

From December 1, 2005 through July 30, 2011, the Commission received 22 complaints of discrimination in housing (Exhibit VI-7). The Commission allows complainants to identify up to three bases for the complaint: 13 complaints listed 1 basis, 5 listed 2

bases, and 4 listed 3 bases. Similar to complaints filed with HUD and the State, the most frequent bases of complaints were disability and race.

Exhibit VI-7.
Complaints Filed with the Cook County Commission on Human Rights
December 1, 2005 through July 30, 2011

Total complaints filed	22
Basis of complaints:*	
Age	2
Ancestry	1
Color	1
Disability	8
Housing Status	2
Parental Status	3
National Origin	2
Parental Status	2
Race	6
Religion	1
Retaliation	1
Sexual Orientation	3
Source Of Income	3

*Complaints filed with Cook County list up to three bases; therefore, the total number of complaints filed does not equal the sum of the number for each basis.
Source: Cook County Commission on Human Rights.

Of the 22 cases, all but two are closed. The most frequent reasons for closure include "failure to cooperate" and "voluntary withdrawal."

Exhibit VI-8.
Status of Complaints Filed with the Cook County Commission on Human Rights
December 1, 2005 through July 30, 2011

Open	2
Closed	20
Reason closed:	
Failure to cooperate	4
Lack of jurisdiction	1
Lack of substantial evidence	3
Private settlement agreement	3
Settlement agreement	1
Substantial evidence determination-Commission-approved conciliation agreement	3
Substantial evidence/Lack of substantial evidence	1
Voluntary withdrawal	4

Source: Cook County Commission on Human Rights.

SECTION VII.
FAIR HOUSING SURVEYS

As part of the analysis, AREA developed a web survey to ascertain the perspective of residents, municipalities, nonprofit organizations, and real estate professionals on the subject of fair housing. The survey was distributed to Cook County municipalities, placed on the County website and blog, and e-mailed to various real estate industry professionals. Similar to other fair housing surveys conducted in the Chicago region, the response rate was low. There were 13 respondents to the resident survey, 12 respondents to the municipality survey, and 5 respondents to the real estate industry professionals survey. As result, the findings are not statistically representative. Nonetheless, the responses can provide additional guidance to the County as it furthers fair housing. Survey questions and responses can be found in Appendix II.

RESIDENT SURVEY FINDINGS

Of the 13 respondents, 7 provided their demographic information. One lived in southern Cook County, four in western Cook County, and two in northern Cook County. Six participants owned their place of residence, and one rented their home. Three were male and four were female. All seven were between the ages of 40 and 69 and identified themselves as White.

Fifty-four percent of the respondents indicated that their understanding of fair housing was strong or very strong. Five (42 percent) indicated that they needed additional information on their fair housing rights. In terms of identifying sources for this additional information, less than half (five) identified their local government as a resource for information on fair housing or housing discrimination. Six indicated that the County was a resource.

Most of the respondents were not familiar with the work of the Cook County Commission on Human Rights. Six indicated that they were familiar with the Commission but did not know much about its activities, while four indicated that they had not heard of the Commission. Not surprisingly, none of the respondents had ever contacted the Commission.

One respondent reported experiencing housing discrimination while looking for housing in suburban Cook County. The respondent did not take any action to address the discrimination (such as contacting a lawyer or submitting a complaint to the County or State) and indicated that the lack of action was because they did not think reporting the discrimination would make a difference.

Ten respondents indicated that housing discrimination in suburban Cook County is common. Of these 10, two indicated that it is extremely common. Respondents were asked if they believe there have been changes in the amount of discrimination since the housing crisis in 2008. Two indicated that it has become more common, three that it is less common, three that it has not changed, and five had no opinion or did not know.

Respondents were also asked to rate whether several impediments to fair housing existed in Cook County. Their responses were as follows.

Exhibit VII-1.
Identification of Impediments by Suburban Cook County Residents

	Very Strong Barrier/ Impediment		Strong Barrier/ Impediment		Somewhat of a Barrier/ Impediment		Minor Barrier/ Impediment		Not a Barrier/ Impediment		N/A		No Response	
	#	%	#	%	#	%	#	%	#	%	#	%	#	%
Members of the protected classes are denied mortgages at a higher rate	2	15%	5	38%	0	0%	1	8%	0	0%	3	23%	2	15%
Jobs, housing, and transit are not located near each other	2	15%	4	31%	3	23%	0	0%	1	8%	2	15%	1	8%
The housing crisis and recession have impacted minorities more than others	4	31%	2	15%	2	15%	0	0%	1	8%	2	15%	2	15%
The housing crisis and recession have impacted renters more than owners	2	15%	0	0%	2	15%	4	31%	1	8%	2	15%	2	15%
The housing crisis and recession have impacted lower-income households more than higher-income households	3	23%	3	23%	2	15%	0	0%	1	8%	2	15%	2	15%
Certain Cook County policies and procedures do not encourage fair housing	2	15%	1	8%	4	31%	2	15%	1	8%	2	15%	1	8%
Lack of a regional or countywide approach to fair housing planning	1	8%	3	23%	3	23%	0	0%	2	15%	2	15%	2	15%
An insufficient supply of affordable housing in suburban Cook County	4	31%	2	15%	2	15%	0	0%	1	8%	2	15%	2	15%
There are highly segregated communities in suburban Cook County	5	38%	1	8%	3	23%	0	0%	1	8%	2	15%	1	8%

Exhibit VII-1.
Identification of Impediments by Suburban Cook County Residents (Continued)

	Very Strong Barrier/ Impediment		Strong Barrier/ Impediment		Somewhat of a Barrier/ Impediment		Minor Barrier/ Impediment		Not a Barrier/ Impediment		N/A		No Response	
	#	%	#	%	#	%	#	%	#	%	#	%	#	%
Lack of awareness of fair housing rights by residents	1	8%	1	8%	6	46%	1	8%	1	8%	1	8%	2	15%
Lack of awareness of fair housing rights by real estate agents	1	8%	1	8%	5	38%	2	15%	1	8%	1	8%	2	15%
Lack of awareness of fair housing rights by landlords and property managers	2	15%	2	15%	5	38%	0	0%	0	0%	2	15%	2	15%
Lack of awareness of fair housing rights by banks and mortgage companies	4	31%	0	0%	4	31%	2	15%	1	8%	1	8%	1	8%
Lack of awareness of fair housing rights by property insurance companies	2	15%	0	0%	5	38%	3	23%	1	8%	1	8%	1	8%
Lack of awareness of fair housing rights by appraisers	2	15%	0	0%	4	31%	3	23%	1	8%	2	15%	1	8%
Lack of awareness of fair housing rights by local government staff	2	15%	1	8%	3	23%	2	15%	2	15%	1	8%	2	15%
Land use, zoning laws, and building codes that make developing housing difficult and/or expensive	6	46%	1	8%	2	15%	2	15%	0	0%	1	8%	1	8%
Prevalent “fear of others” among suburban Cook County residents, including NIMBYism	7	54%	1	8%	2	15%	1	8%	0	0%	1	8%	1	8%

Source: Applied Real Estate Analysis, Inc.

REAL ESTATE PROFESSIONALS SURVEY FINDINGS

Of the five respondents to the real estate professionals survey, one was a residential developer, two worked for nonprofit housing agencies, one worked in property maintenance, and one did not provide their area of specialty. All five had 11 years or more of experience in the real estate industry. Two respondents identified west suburban Cook County as their primary business area, two identified northwestern suburban Cook County, and one identified northern suburban Cook County. No respondents identified southern Cook County as their primary geographic area.

In terms of their knowledge of fair housing, four were familiar with the term "protected classes" and understood that the Cook County Human Rights Ordinance is distinct from the national Fair Housing Act. Sixty percent of respondents indicated that their understanding of fair housing laws and best practices is strong or very strong. One indicated their understanding was very poor. Four respondents were familiar with the CCCHR, and two have contacted the commission.

In general, the respondents did not think that members of the real estate industry and those involved in real estate transactions are focused on the issue of fair housing. In particular:

- Four indicated that developers in their area are not focused on fair housing
- Three indicated that realtors in their area are not focused on fair housing
- Three indicated that property managers and leasing agents are not focused on fair housing
- Three indicated the banks and financial institutions are not focused on fair housing

When asked about area residents' understanding of their fair housing rights, two rated residents' understanding as somewhat strong and two rated their understanding as poor. Four of the respondents indicated that they had clients who raised a housing discrimination complaint. This is not surprising given that two of the respondents represented housing agencies. Two of the clients took actions to report/address the act of discrimination. The actions taken included contacting a lawyer, housing rights advocate, and HUD. None of the respondents indicated that their clients contacted a local municipality or the County.

Four of the respondents indicated that housing discrimination is extremely common (one) or somewhat common (three). None of the respondents indicated that there have been changes in the level of housing discrimination since 2008.

Real estate professionals survey respondents were also asked to rate whether several impediments to fair housing existed in Cook County. Their responses were as follows.

Exhibit VII-2.
Identification of Impediments by Suburban Cook County Real Estate Professionals

	Very Strong Barrier/ Impediment		Strong Barrier/ Impediment		Somewhat of a Barrier/ Impediment		Minor Barrier/ Impediment		Not a Barrier/ Impediment		N/A		No Response	
	#	%	#	%	#	%	#	%	#	%	#	%	#	%
Members of the protected classes are denied mortgages at a higher rate	0	0%	1	20%	0	0%	2	40%	2	40%	0	0%	0	0%
Jobs, housing, and transit are not located near each other	0	0%	2	40%	0	0%	1	20%	2	40%	0	0%	0	0%
The housing crisis and recession have impacted minorities more than others	0	0%	1	20%	1	20%	2	40%	1	20%	0	0%	0	0%
The housing crisis and recession have impacted renters more than owners	0	0%	0	0%	2	40%	0	0%	3	60%	0	0%	0	0%
The housing crisis and recession have impacted lower-income households more than higher-income households	0	0%	3	60%	1	20%	1	20%	0	0%	0	0%	0	0%
Certain Cook County policies and procedures do not encourage fair housing	0	0%	1	20%	0	0%	2	40%	2	40%	0	0%	0	0%
Lack of a regional or countywide approach to fair housing planning	0	0%	2	40%	0	0%	1	20%	2	40%	0	0%	0	0%
An insufficient supply of affordable housing in suburban Cook County	0	0%	1	20%	1	20%	2	40%	1	20%	0	0%	0	0%
There are highly segregated communities in suburban Cook County	0	0%	0	0%	2	40%	0	0%	3	60%	0	0%	0	0%

Exhibit VII-2.
Identification of Impediments by Suburban Cook County Real Estate Professionals (Continued)

	Very Strong Barrier/ Impediment		Strong Barrier/ Impediment		Somewhat of a Barrier/ Impediment		Minor Barrier/ Impediment		Not a Barrier/ Impediment		N/A		No Response	
	#	%	#	%	#	%	#	%	#	%	#	%	#	%
Lack of awareness of fair housing rights by residents	1	20%	4	80%	0	0%	0	0%	0	0%	0	0%	0	0%
Lack of awareness of fair housing rights by real estate agents	1	20%	1	20%	0	0%	2	40%	1	20%	0	0%	0	0%
Lack of awareness of fair housing rights by landlords and property managers	1	20%	1	20%	1	20%	1	20%	1	20%	0	0%	0	0%
Lack of awareness of fair housing rights by banks and mortgage companies	0	0%	2	40%	1	20%	0	0%	2	40%	0	0%	0	0%
Lack of awareness of fair housing rights by property insurance companies	0	0%	1	20%	0	0%	2	40%	1	20%	1	20%	0	0%
Lack of awareness of fair housing rights by appraisers	0	0%	1	20%	0	0%	2	40%	1	20%	1	20%	0	0%
Lack of awareness of fair housing rights by local government staff	2	40%	1	20%	0	0%	1	20%	1	20%	0	0%	0	0%
Land use, zoning laws, and building codes that make developing housing difficult and/or expensive	2	40%	2	40%	1	20%	0	0%	0	0%	0	0%	0	0%
Prevalent “fear of others” among suburban Cook County residents, including NIMBYism	2	40%	2	40%	1	20%	0	0%	0	0%	0	0%	0	0%

Source: Applied Real Estate Analysis, Inc.

MUNICIPAL SURVEY FINDINGS

Twelve municipalities responded to the fair housing survey. All 12 indicated that their community has a fair housing ordinance. The majority—seven—of the ordinances were originally adopted more than 15 years ago. Six of the ordinances were amended or reaffirmed within the past five years. When asked why the municipality adopted a fair housing ordinance, the responses were as follows (respondents were allowed to identify multiple responses):

- Decided it was the "right" thing to do: 6
- Cook County requirement for receiving CDBG and HOME funds: 8
- Encouraged by community residents to adopt an ordinance: 2
- Encouraged by elected officials to adopt an ordinance: 4
- Encouraged by fair housing organizations to adopt an ordinance: 4
- Don't know: 1
- Prefer not to answer: 1

When asked for the primary reason the municipality adopted a fair housing ordinance, five indicated it was the Cook County funding requirement and four indicated it was the "right" thing to do.

Regarding protected classes, 10 respondents provided the protected class identified in their ordinance, one respondent indicated that they did not know the protected classes, and one refused to answer. Noteworthy is the fact that of the 10 who provided their protected classes, none included all the protected classes identified in the Cook County Human Rights Ordinance. One municipality did indicate that Section 8/HCV is a protected class, a group that is excluded from the Cook County Human Rights ordinance. In addition, while all 10 included most of the protected classes identified at the Federal level (race, color, national origin, religion, sex, disability, familial status), only nine of the 10 included parental status (comparable to the federal definition of familial status). Although the respondents are not a representative sample of municipalities, the Department of Planning and Development should take note of the fact that not all municipalities have fair housing ordinances that are substantially equivalent to the County Human Rights Ordinance.

Exhibit VII-3.
Protected Classes In Municipal Fair Housing Ordinances

Total number of respondents	12
Protected Class	**Number of respondents**
Race	10
Color	10
Sex	10
Age	10
Religion	10
Disability	10
National origin	10
Ancestry	10
Sexual orientation	7
Marital status	10
Parental status	9
Military discharge status	8
Source of income	7
Gender identity	7
Housing status	7
Section 8/HCV*	1
Don't know	1
Prefer not to answer	1

*Currently excluded as a protected class in the Cook County Human Rights Ordinance
Source: Applied Real Estate Analysis, Inc.

Four of the 12 respondents indicated that their fair housing ordinance contains penalties for those who violate the ordinance. The identified penalties include sending copies of decisions and reports to the Illinois Department of Professional Registration with recommended disciplinary actions, cease and desist letters, lawsuits, and fines of $100 or more.

Seven of the respondents indicated that they market the ordinance to the community at large, despite the fact that only four indicated that their fair housing ordinance required marketing of and training on the ordinance. The most commonly identified forms of marketing were providing copies of the ordinance in public buildings (seven respondents), providing information on the ordinance when requested by residents (seven respondents), providing information in newsletters (six respondents), and placing the ordinance on the municipality's website (five respondents). Only three respondents indicated that they marketed the ordinance by having a presence at local events such as fairs, festivals, and community days. Respondents provided fair housing materials

primarily in English. Three also provided information in Spanish, and one in Polish. Despite this limited education and outreach activity, eight respondents stated that they believe residents in their municipality have a strong or somewhat strong understanding of their fair housing rights.

Only two respondents market the ordinance to industry organizations and members. These organizations include financial institutions/banks, realtors, property/apartment managers, property owners, and investors. The methods for marketing the ordinance to industry organizations were similar to the methods used to market it to the public. One additional method identified was to provide information to industry members locating or relocating to the municipality.

Only two of the respondents provide fair housing training. The training is geared toward municipal employees, property managers, and leasing agents. Nine respondents indicated that municipal employees attend fair housing training conducted by others; this is primarily on a yearly basis. The training referenced is most likely the annual fair housing training conducted by the Department of Planning and Development within the Bureau of Economic Development in April (National Fair Housing Month). Nine respondents indicated that a representative attended the training in 2012. Of the 9, 56 percent found the training extremely useful, 33 percent found the training somewhat useful, and 11 percent found it mildly useful.

Nine of the respondents stated that they view Cook County as a fair housing resource. On the subject of the Cook County Human Rights Commission, most—10—had heard of the Commission but only three were very familiar with its activities and responsibilities. None of the respondents indicated that they had ever contacted the Commission.

Only one respondent has conducted an analysis of impediments to fair housing. Six have an action plan for furthering fair housing. The four that indicated that they do not have an action plan stated that they would need additional staff and training on fair housing to create an action plan. Three also indicated that they would need additional funding to create an action plan.

Seven of the 12 respondents stated that they have a municipal employee responsible for addressing fair housing–related issues. The employee was normally located in the same department responsible for submitting applications for funding as well as implementing the funded activities.

Ten of the respondents indicated that they had an established process for registering a fair housing discrimination complaint. Seven indicated that the process requires the complainant to complete a form and submit it to a designated department. Three indicated that the process requires the complainant to submit the complaint to a board/commission that is responsible for reviewing fair housing violations. Respondents provided little information regarding the frequency of the meetings of the fair housing boards/commissions. Half the respondents indicated that their community would be

open to interjurisdictional agreements (with other municipalities or the County) for receiving fair housing complaints and conducting investigations. The other half indicated that they were not sure of their community's willingness to participate in such an agreement.

Despite the established process, the respondents have received few housing discrimination complaints. Seven stated that on average they have zero complaints in a year. Three indicated that they have 1 to 10 complaints in a year. Two respondents did not know/refused to answer.

The reason behind the limited outreach, education, and enforcement activity by the respondents may be a result of the municipality's perception of the rate of discrimination:

- One indicated that housing discrimination is somewhat common
- Five indicated that housing discrimination is not at all common
- Six had no opinion or did not know

Further, four respondents indicated that housing discrimination has become less common in suburban Cook County since 2008.

Half the respondents indicated the decision of whether or not to apply for funding would not change should the Department of Planning and Development increase the burden of proof for demonstrating that the municipality is affirmatively furthering fair housing. Seventeen percent indicated that it would impact the decision of whether to apply for funding. Seventeen percent also stated that the decision would depend upon the level of effort required by the municipality.

Exhibit VII-4.
Identification of Impediments by Suburban Cook County Municipalities

	Very Strong Barrier/ Impediment		Strong Barrier/ Impediment		Somewhat of a Barrier/ Impediment		Minor Barrier/ Impediment		Not a Barrier/ Impediment		N/A		No Response	
	#	%	#	%	#	%	#	%	#	%	#	%	#	%
Members of the protected classes are denied mortgages at a higher rate	0	0%	2	17%	0	0%	2	17%	2	17%	5	42%	1	8%
Jobs, housing, and transit are not located near each other	1	8%	1	8%	3	25%	2	17%	1	8%	3	25%	1	8%
The housing crisis and recession have impacted minorities more than others	2	17%	0	0%	2	17%	2	17%	3	25%	2	17%	1	8%
The housing crisis and recession have impacted renters more than owners	1	8%	0	0%	2	17%	4	33%	1	8%	3	25%	1	8%
The housing crisis and recession have impacted lower-income households more than higher-income households	1	8%	3	25%	1	8%	4	33%	0	0%	2	17%	1	8%
Certain Cook County policies and procedures do not encourage fair housing	1	8%	0	0%	0	0%	2	17%	2	17%	6	50%	1	8%
Lack of a regional or countywide approach to fair housing planning	0	0%	1	8%	2	17%	1	8%	3	25%	3	25%	2	17%
An insufficient supply of affordable housing in suburban Cook County	0	0%	1	8%	2	17%	2	17%	3	25%	3	25%	1	8%
There are highly segregated communities in suburban Cook County	3	25%	0	0%	1	8%	2	17%	2	17%	2	17%	2	17%

Exhibit VII-4.
Identification of Impediments by Suburban Cook County Municipalities (Continued)

	Very Strong Barrier/ Impediment		Strong Barrier/ Impediment		Somewhat of a Barrier/ Impediment		Minor Barrier/ Impediment		Not a Barrier/ Impediment		N/A		No Response	
	#	%	#	%	#	%	#	%	#	%	#	%	#	%
Lack of awareness of fair housing rights by residents	0	0%	1	8%	3	25%	2	17%	3	25%	2	17%	1	8%
Lack of awareness of fair housing rights by real estate agents	0	0%	0	0%	3	25%	2	17%	4	33%	2	17%	1	8%
Lack of awareness of fair housing rights by landlords and property managers	0	0%	1	8%	3	25%	1	8%	4	33%	2	17%	1	8%
Lack of awareness of fair housing rights by banks and mortgage companies	0	0%	0	0%	3	25%	1	8%	5	42%	2	17%	1	8%
Lack of awareness of fair housing rights by property insurance companies	0	0%	1	8%	1	8%	1	8%	6	50%	2	17%	1	8%
Lack of awareness of fair housing rights by appraisers	0	0%	0	0%	2	17%	2	17%	5	42%	2	17%	1	8%
Lack of awareness of fair housing rights by local government staff	0	0%	1	8%	1	8%	1	8%	5	42%	2	17%	2	17%
Land use, zoning laws, and building codes that make developing housing difficult and/or expensive	0	0%	1	8%	0	0%	3	25%	5	42%	2	17%	1	8%
Prevalent “fear of others” among suburban Cook County residents, including NIMBYism	0	0%	3	25%	3	25%	2	17%	1	8%	2	17%	1	8%

Source: Applied Real Estate Analysis, Inc.

SECTION VIII.
FINDINGS/IDENTIFIED IMPEDIMENTS AND RECOMMENDED ACTIONS

The purpose of this section is to provide an initial list of the impediments identified during the course of this analysis. The impediments were developed after thorough analysis of the various data sources highlighted in the preceding chapters, discussions with stakeholders, and reviews of previously conducted studies on fair housing. This list of impediments is not intended to be all-inclusive: there are possibly other impediments that exist that were not revealed in our discussions or in the review of data.

The impediments identified through the analysis have been divided into 14 primary groupings. Within these groupings, some impediments were further subdivided:

Impediment 1: Lack of Awareness of Fair Housing Laws

Impediment 2: Limited Monitoring of Funding Recipients

Impediment 3: Limited Activity and Enforcement by Funding Recipients, in Particular Municipalities

Impediment 4: Land Use, Zoning Laws, and Building Codes That Do Not Affirmatively Further Fair Housing

Impediment 5: Home Rule and Entitlement Status Used to Self-Exclude Communities from County Fair Housing Obligations

Impediment 6: Certain County Policies and Procedures Do Not Encourage Fair Housing

Impediment 7: Lack of a Regional or Countywide Approach to Fair Housing Planning

Impediment 8: A Prevalent “Fear of Others” Exists Among Residents, Including NIMBYism

Impediment 9: Members of the Protected Classes Are Denied Mortgages at a Higher Rate

Impediment 10: There Is a Strong Jobs-Housing-Transit Mismatch

Impediment 11: Housing Choice Vouchers Are Explicitly Excluded from the Sources of Income Protected Class

Impediment 12: The Housing Crisis and Recession Have Disproportionately Impacted Members of the Protected Classes

Impediment 13: Real Estate Professionals Have Little to No Training in Fair Housing

Impediment 14: There Is an Insufficient Supply of Affordable Housing in the County

Impediment 15: There Are Highly Segregated Communities in the County

Following each impediment is a set of recommended actions. The majority of these actions were developed through discussions with Cook County staff from the Department of Planning and Development within the Bureau of Economic Development as well as the Department of Human Rights, Ethics, and Women's Issues and local fair housing organizations, including CAFHA.[34] Some of the recommended actions may require additional staff and funding support. Although the County, similar to other communities, is facing a severe budget shortfall, proposed cuts should not be made at the expense of the protected classes.

IMPEDIMENT 1: LACK OF AWARENESS OF FAIR HOUSING LAWS (PUBLIC-PRIVATE)

What is arguably the primary impediment to fair housing in Cook County is a lack of awareness and understanding of local, County, state, and federal housing laws by residents, government officials, and real estate industry members. Our research found that because there is limited understanding of fair housing laws, additional impediments are generated.

1.1 Affected individuals and families are frequently unaware that their fair housing rights have been violated and are unaware of options for redress. The general public does not have a strong understanding of fair housing. As a result, if their rights have been violated, they may recognize that they have been treated unfairly but they do not equate it with a violation of a law. In some cases, residents only become aware of a fair housing violation after informing municipal officials of a problem with the physical condition of a housing unit. When reporting problems, residents have mentioned comments or other disparaging remarks related to race, source of income, marital status, or familial status.

1. 2 Public sector individuals are often unaware that they are violating fair housing rights and preventing the furthering of fair housing. Municipal officials, including some County staff, do not have a clear understanding of fair housing, including policies and procedures for addressing claims of discrimination. In some cases, municipal officials acknowledged that the only people in their jurisdiction who had ever read the local fair housing ordinance were the lawyers who wrote the ordinance and possibly the local council members on the day it was passed.

This limited understanding then has a ripple effect. Because municipal staff members do not understand fair housing, they cannot serve as a resource for local residents who are victims of discrimination. They also do not then investigate complaints or establish policies and procedures to prevent housing discrimination within their jurisdiction.

[34] Although CAFHA representatives participated in the discussions on recommended actions and provided the narrative for multiple actions, this does not indicate an explicit endorsement of all recommended actions by CAFHA and its member organizations.

1.3 Private sector individuals are frequently unaware that they are violating fair housing laws. With the recent changes in the housing market, the types of individuals who become landlords have shifted. There are more investor-landlords who do not live in the same community (or sometimes even the same state) as their rental properties, individuals entering the rental market (often referred to as “mom-and-pop landlords”), and condominium unit owners or condominium associations that have obtained control of units that are then rented. Many of these groups are not knowledgeable of fair housing laws, and as a result, renters are more likely to have their fair housing rights violated. In some cases, condominium associations have stated that they are not subject to fair housing laws.

1.4 Widespread confusion between affordable housing and fair housing. Many individuals and organizations with whom we spoke associated providing affordable housing with affirmatively furthering fair housing. A consequence of this is that the solutions proposed for fair housing then end up focused on the lower-income populations within the protected classes instead of the larger protected class. Organizations also then assume that they are affirmatively furthering fair housing simply by providing affordable housing independent of the housing’s location or services offered.

1.5 Widespread assumptions that fair housing laws only apply to lower-income individuals, African Americans, and persons with a disability. As previously discussed, there is an assumption that "affordable housing" and "fair housing" are synonymous. As a result, many discussions regarding fair housing focus on lower-income individuals. This may in part be because entities wish to provide assistance to those most in need and lower-income individuals and households have limited available resources or because lower-income individuals have fewer housing options independent of discrimination. What is important is for all in Cook County to understand that fair housing is a right independent of a household’s income.

Perhaps because fair housing laws were initially passed during the African-American civil rights movement and because African Americans are the second-largest minority group in suburban Cook County, there is a focus on the African-American population when methods for addressing fair housing are discussed. The danger this presents is that fair housing issues faced by other protected classes may not receive as much attention.

RECOMMENDED ACTIONS 1

The County needs to increase the amount of education and outreach related to fair housing to municipalities that includes County staff, the public at large, and housing professionals. To do this, there are several proposed actions.

- **Conduct regional fair housing trainings for municipal officials.** In April 2011, the Department of Planning and Development held fair housing trainings for municipal funding recipients. Although there were a number of attendees, several were private contractors; municipal funding recipient staff members who were not in a department that focused on housing, planning, or economic development; or lower-level staff persons who attended simply because the municipality thought they had to send a staff member. A subsequent training in April 2012 yielded an increased number of municipal employees. To increase understanding of fair housing, the Department of Planning and Development in coordination with the Department of Human Rights, Ethics, and Women's Issues should conduct trainings at least once a year at a minimum, with one training in each region (north, south, and west) and a countywide training in a central location. Other County agencies and offices whose work involves housing should be encouraged to participate in the fair housing trainings, as well.

  To ensure that municipalities participate and that they send staff who can act as local champions of fair housing, the Department of Planning and Development within the Bureau of Economic Development should require participation in the yearly training as a condition of funding. The department may want to also consider conducting a brief test at the end of the training to ensure that attention and attendance are maintained throughout the sessions. While the CCCHR should continue to maintain responsibility for organizing and conducting the trainings, Department of Planning and Development staff should maintain records of municipalities that do and do not attend.

  Further, local fair housing organizations should be invited to conduct presentations at each of the fair housing trainings. Most have already conducted numerous trainings on fair housing and can provide complementary resources. The fair housing organizations can also provide additional perspectives and recommendations regarding furthering fair housing. The additional benefit would be that more local municipalities could begin to develop relationships with some local fair housing organizations and view the organizations as a resource for their community members.

  The first trainings should be held in April in coordination with National Fair Housing Month. Trainings should thereafter be held on a quarterly basis.

- **Reinstitute fair housing roadshows.** In the past, the Department of Human Rights, Ethics, and Women's Issues has conducted fair housing "roadshows" during which fair housing was discussed with the general public, and the CCCHR staff, Commission, and their work were introduced. The Department of Human Rights, Ethics, and Women's Issues should begin hosting these roadshows again. The roadshows should also be held on a quarterly basis and in each region. Municipalities within the region should be encouraged to provide information to their residents through existing communication tools such as newsletters and websites.

- **Create a County fair housing website.** Although the Commission on Human Rights already has a website that addresses a broad range of human rights issues, a website focused exclusively on fair housing should be developed, as well. The website would contain flyers and posters on fair housing (obtained from HUD) that municipalities could use. Best practice documents can be maintained on the County's website, as well, which should include examples of fair housing plans for local municipalities.

  The website should also provide the list of benchmarks used by the Department of Planning and Development when evaluating whether funding recipients are affirmatively furthering fair housing. The website should also list any fair housing events planned by the County as well as other organizations, including CAFHA and its member organizations. The website should be live within a six-month time period. Responsibility for maintaining and updating the website and its content would lie with CCCHR. The website will only have value if content is relevant and updated on a regular basis.

  Similar to other areas of the Cook County government website, the fair housing website should have options for an RSS feed as well as e-mail subscriptions. A presentation on the site and resources available on it should be made during the regional fair housing trainings.

- **Distribution of materials on fair housing to landlords.** In response to the increased number of new landlords, municipalities have begun developing rental housing ordinances. As part of these ordinances, each municipality should include their local fair housing ordinance, the County's ordinance, as well as a summary document and contact information for questions and comments.

- **Encourage municipalities to contact CAFHA.** CAFHA and its member organizations have a wealth of information on fair housing, including training sessions, promotional materials, and best practices. Municipalities should recognize CAFHA as a resource as they work to further fair housing. Many of the member organizations have been identified as resources for particular topics or regions of the county (e.g., the Oak Park Regional Housing Center for the western region, Interfaith Housing Center of the Northern Suburbs for the northern region, and the South Suburban Housing Center for the southern region).

- **Coordinate outreach activities with CAFHA and member organizations.** CAFHA and its member organizations regularly hold training sessions and outreach events throughout the region. Department of Planning and Development representatives should attend these events to provide information on the department's expectations regarding fair housing. Attendance by Department of Planning and Development staff will also facilitate the development of a consistent message regarding the County's expectations for affirmatively furthering fair housing.

Further, the County should encourage local fair housing organizations to attend County events to provide information on fair housing, including best practices. To encourage funding recipients to attend the events, the Department of Planning and Development could provide additional points in funding applications for attending fair housing events.

Local fair housing organizations, like the County, have faced increased needs for their services with decreased funding. These organizations can serve as an essential partner in the implementation of the AIFHC but may require additional funding to do so. The County should advocate on behalf of the local fair housing organizations as they seek funding from local foundations as well as other government entities. Further, the Department of Planning and Development within the Bureau of Economic Development should adjust its funding application so that it can be completed more easily by non-municipal funding applicants, including fair housing organizations.

- **Participate in MPC, CMAP, or ULI events.** The Metropolitan Planning Council (MPC), Chicago Metropolitan Agency on Planning (CMAP), and Urban Land Institute (ULI) all have regular meetings and events where housing professionals from the public and private sectors obtain industry information and learn of best practices. Attendance at these meetings is low cost and will provide a broader audience with information on fair housing.

IMPEDIMENT 2: LIMITED MONITORING OF FUNDING RECIPIENTS (PUBLIC)

The County has stated that its enforcement of fair housing among funding recipients is limited because of home-rule status. While home-rule status does limit certain actions by the County, the *United States ex rel. Anti-Discrimination Center v. Westchester County* decision and HUD have made clear that home-rule status cannot be used as a reason for not enforcing the fair housing obligation. Further, the Westchester decision affirms that entitlement communities can be held accountable for the inability of their funding recipients to affirmatively further fair housing.

The current procedures in place at the Department of Planning and Development do not provide sufficient information for determining whether or not funding recipients are meeting the obligation to affirmatively further fair housing. Funding recipients are keenly aware that the standards for proving compliance with fair housing certification are low, and as a result the majority have not undertaken activities that further fair housing beyond some superficial means, such as adopting a fair housing ordinance but not enforcing or promoting it.

In the *Cook County Community Development Block Grant Program 2011 Handbook*, the Department of Planning and Development has taken positive steps by listing some measurements that will be used to assess municipalities' fair housing activities. Further detail is required, however, and the information should be explicitly incorporated into all funding agreements.

While some funding recipients are individual municipalities, others are consortiums that then funnel the funds to other entities. Although this is allowed under the CDBG program, the provision to affirmatively further fair housing flows down to these sub-funding recipients as well. Because of the limited monitoring activity by the Department of Planning and Development, there is increased exposure to the possibility that these funding recipients are not furthering fair housing in their activities.

RECOMMENDED ACTIONS 2

- **Incorporate into the funding application data requirements proposed by the Chicago Area Fair Housing Alliance (CAFHA).** CAFHA in August 2011 provided the Department of Planning and Development with a proposed monitoring tool.[35] The tool listed 11 responsibilities for funding recipients as a required element of the action process. These responsibilities are summarized below.

    1. Certify its written review of the completed analysis of impediments conducted by the Department of Planning and Development within the Bureau of Economic Development, including identification of local actions to overcome the impediment.
    2. Review local laws and ordinances to determine if impediments are created. If so, the municipality must provide proposed revisions to the ordinances and codes.
    3. Conduct an analysis of the affordability and accessibility of both rental and owner-occupied housing. Address the need for further development of affordable and accessible housing.
    4. Adopt a fair housing ordinance that is substantially equivalent with the County's Human Rights Ordinance.
    5. Establish a procedure for receiving fair housing complaints and referring complaints to the CCCHR.
    6. Create a memorandum of understanding with the CCCHR or fair housing enforcement agencies to establish a fair housing complaint referral process.
    7. Market the community to all underrepresented minority groups.
    8. Provide information on fair housing rights to current and prospective residents.
    9. Require real estate professionals and multifamily property owners to attend fair housing training sessions on an annual basis.[36]
    10. Request that lending institutions provide affirmative lending plans.
    11. Require residential developers to provide affirmative marketing plans as part of the permitting process.

[35] Memorandum from CAFHA to Cook County, August 2011.
[36] The County should obtain legal counsel as to the legal options available for enforcing this requirement.

The Department of Planning and Development should incorporate these 11 requirements into the funding recipients' applications for funding. It is further recommended that requirement 7 be revised to indicate that municipalities should market the community to all underrepresented groups and those who may not consider the community as a place to live. Additional discussions between the Department of Planning and Development within the Bureau of Economic Development; Department of Human Rights, Ethics, and Women's Issues; CAFHA; and funding recipients should be held to determine the documentation required during the application as well as the deliverables required after receipt of funds to demonstrate that each municipality is meeting its responsibility. The CCCHR Fair Housing Specialist would then be responsible for reviewing the documentation submitted for the application and advising the Bureau of Economic Development as to whether or not the requirements were met.

- **Incorporate the responsibilities of each funding recipient into the funding agreement.** After determining the deliverables that will be required to demonstrate that the funding recipient is affirmatively furthering fair housing, the Department of Planning and Development should incorporate the responsibilities into the funding agreement. The agreement needs to also make clear that inability to meet one or all the responsibilities may result in rescission of the award and include a requirement to return any funds used to the County.

  After funds are awarded, the CCCHR Fair Housing Specialist should review the municipalities' deliverables on a quarterly basis to ensure that they continue to meet their responsibilities. The CCCHR and Department of Planning and Development should then meet on a quarterly basis to discuss which funding recipients are and are not fulfilling their responsibilities. Funding recipients who are not in compliance will be required to submit a remediation plan. If during subsequent reviews the funding recipient does not fulfill its responsibilities and follow the remediation plan, the Department of Planning and Development should rescind the funds absent a compelling, documented reason.

- **Implement a tiered approach for fair housing compliance.** This approach is detailed in Appendix I.

IMPEDIMENT 3: LIMITED ACTIVITY AND ENFORCEMENT BY FUNDING RECIPIENTS, IN PARTICULAR MUNICIPALITIES (PUBLIC)

In accepting CDBG funds from the County, municipalities are required to certify that they are affirmatively furthering fair housing. However, the certification is merely a statement without detail and does not require the municipality to provide evidence of activities conducted to further fair housing. This and the fact that the Department of Planning and Development has not done extensive follow-up with some municipalities, have led municipalities to not prioritize fair housing planning and essentially disregard the fair housing obligation. While the department took a significant step by requiring municipalities to adopt fair housing ordinances substantially similar to the County's Human Rights Ordinance, the enforcement of these ordinances by many municipalities has been lacking. Related to this are additional impediments to fair housing:

3.1 Municipalities do not have fair housing plans, and if they do, the plans are not detailed, do not provide actionable steps for furthering fair housing, and are not up-to-date.

3.2 Municipalities are not engaged in conducting outreach within their jurisdiction, including providing opportunities for fair housing education.

3.3 Fair housing materials are often only available in English.

3.4 In lieu of municipal staff, contractors are often responsible for submitting CDBG applications, thereby disconnecting the municipality from the certification that they are affirmatively furthering fair housing.

3.5 Lack of a municipal official with primary or secondary responsibility for fair housing, including accepting and investigating complaints.

3.6 Lack of a fair housing board or commission with responsibility for issuing findings related to complaints. If the entity does exist, often it has not met for a significant amount of time, if at all.

3.7 Reduced budgets have limited the enforcement and outreach activities of municipalities.

RECOMMENDED ACTIONS 3

Many of the actions recommended for other impediments will also address this impediment. Additional recommendations include:

- Require municipalities to identify a fair housing officer who is a higher-level municipal staff person and responsible for fair housing activity, including education and outreach.

- Require municipalities to review their fair housing ordinances on an annual basis. Evidence of this review will be provided by a resolution from the local council indicating that the fair housing ordinance was reviewed and reapproved.

- Investigate actions that would be required for the CCCHR to obtain substantial equivalency certification. The certification would make the CCCHR eligible for additional fair housing grants and facilitate countywide coordination of fair housing complaint intake and investigation. CAFHA has indicated a willingness to assist the County in this effort by providing a narrative on the issue of substantial equivalency.

- For those municipalities for which it may not be practicable to establish their own fair housing boards, require that complaints be sent to the CCCHR; the establishment of an interjurisdictional fair housing board with other municipalities; or a signed agreement with a local fair housing agency to take complaints and provide enforcement assistance.

- Encourage municipalities to develop promotional materials that indicate that the community welcomes diversity. At a minimum, these materials should include a diverse group of human models and the equal housing logo; it should also be available in additional languages besides English based upon data on the English proficiency of its residents as well as the English proficiency of residents of the county. Materials should be available in the city, town, or village hall; other public buildings; and on the community's website.

- Encourage municipalities to contact fair housing organizations to identify ways the municipalities and organizations can coordinate fair housing enforcement and education.

- Provide resources to the municipalities so that they can identify possible impediments in their communities. One particularly helpful resources is the "How to Analyze Impediments to Fair Housing and Develop a Plan" prepared by the Ohio Department of Development.

IMPEDIMENT 4: LAND USE, ZONING LAWS, AND BUILDING CODES THAT DO NOT AFFIRMATIVELY FURTHER FAIR HOUSING (PUBLIC)

Identifying impediments related to zoning laws and building codes is challenging because many of the laws and codes may have been developed with a legitimate goal of maintaining the physical character of a community and ensuring the health and safety of residents (e.g., not allowing schools to be built next door to factories). However, the unintended consequence of some of the regulations may be that a community limits housing choice for particular protected classes. In other cases, governments may be fully aware that existing regulations and laws limit housing choice. As most recognize that there cannot be codes, laws, and regulations that explicitly and overtly exclude a

particular group, these rules may be used as proxies to discriminate against a group or groups.

Land use, zoning laws, and building codes become impediments to fair housing if they:

4.1. **Discourage community growth.** One example might be a community that limits permits issued because it does not want any new people entering the community.

4.2. **Discourage the development of multifamily housing, in particular housing set aside for seniors or persons with a disability.** Zoning and land-use laws that restrict the development of high-density housing disproportionately affects people with a disability who need access to services and support onsite as well as seniors who may live in supportive housing communities.

4.3. **Prevent the development of affordable housing, particularly for moderate- and low-income households.** Over the past several years, many stories in the media have highlighted efforts by community residents to prevent the development of affordable housing. When affordable housing developers attempted to obtain approval for building permits, they were met with opposition, including multiple meetings in front of city/village councils. Another way that housing becomes unaffordable is through the development of zoning and land-use laws that set high minimum lot sizes for single-family homes (in some cases one acre or more).

4.4. **Prevent the development of multifamily housing.** Multifamily housing, in particular rental multifamily housing, is sometimes viewed as a factor in lowering a community's property values as it is seen to encourage "the wrong kind of people" to move to an area. As result, some communities have intentionally or otherwise discouraged the development of multifamily housing.

4.5. **Are not equally enforced.** Independent of the intended users or residents, land use, zoning laws, and building codes must be applied uniformly.

4.6. **Contain excessively expensive building code requirements.** A community may determine that in order to increase safety, residential properties should be built out of expensive materials; for example, they may require homes to be built of brick in lieu of siding. The consequence is that housing becomes more expensive and limits the range of individuals and households who can afford to build or relocate to the community.

RECOMMENDED ACTIONS 4

Given that the majority of municipalities in suburban Cook County have home-rule status, the County is limited in its ability to revise land use, zoning laws, and building

codes. However, there are some actions the Department of Planning and Development within the Bureau of Economic Development can take to address the impediments.

- **Develop guidelines for communities to consider.** The County, with assistance from a partner such as the Chicago Civic Consulting Alliance or CMAP, should develop a set of guidelines to help municipalities determine whether they may be limiting fair housing choice in their land use and building codes.

- **Request assistance from CAFHA and CMAP in educating municipalities.** CAFHA regularly conducts training on fair housing designed to reach a variety of audiences, including government officials. Though the Department of Planning and Development has invited CAFHA to conduct training sessions on fair housing each April during fair housing month, the Department of Planning and Development should work with CAFHA to identify additional training opportunities. It should be noted that CAFHA has funding and staffing constraints that impact the organization's capacity to expand its existing outreach activities. As a result, the County should work with CAFHA and municipalities to identify additional sources of funding for CAFHA.

  CMAP already has established relationships with several municipalities in the area. In addition, the organization recently received funding to provide technical assistance to municipalities related to planning. Cook County could engage CMAP to provide additional guidance on fair housing as part of the technical assistance and other interactions that CMAP has with the communities.

- **Add certification to the funding application that confirms that municipalities do not have laws or regulations that discourage fair housing choice.** On the application for funding, Cook County can add an additional form that requires the funding applicant to certify that its laws and codes encourage fair housing choice. The guidelines established would be listed on the form. Should the Department of Planning and Development within the Bureau of Economic Development determine that the awarded applicants were outside the guidelines, the department would be able to find that the funding recipient is not affirmatively furthering fair housing and rescind funding.

- **Highlight municipalities that have diverse populations.** To dispel the misconception that diverse communities adversely impact property values, the County should highlight communities such as Oak Park that are well integrated, have relatively high property values, and are generally considered appealing locations in which to live. The County should also conduct an analysis of communities that have adopted fair housing ordinances and changes in property values since the adoption of the ordinance.

IMPEDIMENT 5: HOME RULE AND ENTITLEMENT STATUS USED TO SELF-EXCLUDE COMMUNITIES FROM COUNTY FAIR HOUSING OBLIGATIONS

Many municipalities in the county have used their home rule or entitlement status as an excuse to not support or take part in the County's obligation to further fair housing. As a result, there are several communities—particularly those that are opportunity areas—that do not perceive themselves as subject to the County's fair housing goals.

RECOMMENDED ACTIONS 5

- **Remind municipalities that receive or apply for funding from the County that they are responsible for furthering fair housing, which includes furthering the County's identified fair housing goals.** This should be achieved through the funding agreements, training sessions, and implementation of the tiered compliance approach.

- **Encourage entitlement communities and other communities that do not receive County funding to review this AIFHC to identify impediments that may exist in their area as well as to identify potential actions they can take to further fair housing.**

- **In communities that do not receive funding from the County, the County should support local housing organizations.** This would ensure that there is an advocate for the County's fair housing goals in the area even if the municipality is not responsive to the County's requests.

IMPEDIMENT 6: CERTAIN COUNTY POLICIES AND PROCEDURES DO NOT ENCOURAGE FAIR HOUSING (PUBLIC)

Cook County, encouraged by its new administration, is increasing its focus on fair housing. Through the development of this Analysis of Impediments to Fair Housing Choice, several impediments have been identified that exist as a result of the County's implementation of certain policies and procedures.

6.1. The County has a large budget deficit. The County has estimated that its budget deficit is currently $315 million. As a result, each agency and department has been forced to reduce its individual budget as well as overall staffing. This endangers efforts to enhance fair housing enforcement because some of the proposed actions as well as mandated activities require additional staff and funding. Although the Commission on Human Rights now has four investigators (previously there were only two), additional staff is needed to focus on fair housing. The Director of the Commission would like to bring on a Fair Housing Specialist, but absent additional funding, this is not possible.

6.2. The Commission on Human Rights membership is not full or active. The Commission on Human Rights is authorized to have 11 members, but currently there are only 8. Of the eight members, only one has an active term, whereas the rest have expired terms.

6.3. The Commission on Human Rights section of the County website is not up-to-date. The website provides a number of relevant items, including contact information for the Commission as well as the process for filing complaints. However, sections of the website have missing or broken links, including the links for the Human Rights Ordinance procedural rules and the complaint form. Although the Commission will provide this information to anyone requesting it, placing it on the website provides another avenue for distribution. In addition, a user who comes to the County website to find out how to file a complaint and discovers the link broken may become frustrated and choose not to go forward. Further, the annual report for the Commission (required per the ordinance) is not included on the website. The County is in the process of updating its website, so some of the links may have been lost during this process.

6.4 The 2011 County budget does not list affirmatively furthering fair housing in the budget for the Commission on Human Rights. The County budget provides not only the funding that will be allocated to each department or agency but also the goals for each year. While affirmatively furthering fair housing is listed as a goal for the Bureau of Economic Development, it is not listed in the goals for the Commission on Human Rights, which is troubling considering the Commission on Human Rights is charged with enforcing the Human Rights Ordinance, which includes the fair housing laws.

6.5 The responsibility for affirmatively furthering fair housing is divided between the CCCHR and the Bureau of Economic Development. The CCCHR has clear responsibility for enforcing the Human Rights Ordinance. However given that Economic Development is responsible for managing the CDBG, HOME, and ESG programs, it also has a role in fair housing enforcement. The lines of responsibility and activities for each department are not clearly established, however, and there may be some duplicative efforts. It should be noted that under the new administration, CCCHR and Economic Development have begun discussions to coordinate activities related to fair housing.

6.6 The County does not have a full understanding of complaints filed. As a percentage of all fair housing complaints filed, those filed with the County are relatively small. More were filed with the State of Illinois and HUD. If the County focuses on reviewing only those complaints filed with the CCCHR, they may have a skewed image of trends in the bases and location of complaints.

RECOMMENDED ACTIONS 6

- **Increase staff dedicated to fair housing.** Recognizing that funding is limited, the County should nevertheless add a full-time staff person within the CCCHR who is focused exclusively on fair housing. In addition, the Department of Planning and Development within the Bureau of Economic Development should identify a staff person who is responsible for fair housing. This person should coordinate and work closely with the CCCHR Fair Housing Specialist to ensure continued coordination of activities between the two departments.

- **Obtain data on complaints from other fair housing organizations.** On an annual basis, the Department of Human Rights, Ethics, and Women's Issues should obtain detailed reports from the State of Illinois, HUD, and local fair housing enforcement agencies that detail complaints filed, including the basis, status (open and closed), and location.

- **Update the Commission on Human Rights website.** Prior to the development of the Fair Housing website, the County should fix broken links on the Commission on Human Rights site and add additional ones. The links that should be addressed include:

    - Complaint form: http://www.cookcountygov.com/Agencies/ccchr_complaint_form.pdf

    - Procedural Rules Governing the Human Rights Ordinance: http://www.cookcountygov.com/Agencies/ccchr_proc_rules.pdf

    - The "Find It Fast" option on the County's home page provides quick links to sites. There is a link for submitting an employment discrimination claim but not a housing discrimination claim. While the current link leads to information on housing discrimination, the "Find It Fast" option should explicitly state "Housing and Employment Discrimination."

  Additionally, links to the websites of HUD's FHEO, CAFHA, and fair housing enforcement agencies should also be added to the site.

- **Fill the vacancies on the CCCHR and reactivate expired terms.** Although the Commission is active and meets on a regular basis, its value and legitimacy could be enhanced if the three remaining memberships were filled and the existing members renominated and provided with active terms.

- **Leverage existing relationships and other funding sources.** There are several organizations in and around the county that undertake activities that expressly or inherently support fair housing. As the official regional planning organization for northeastern Illinois, CMAP could assist in planning and zoning issues and help spread understanding of fair housing. As stated, CMAP was

recently awarded a grant that will provide as-yet-to-be determined data on fair housing in the region. Depending upon the level of detail contained in the data, CMAP could be a source for benchmarks related to fair housing.

Another organization that could assist the County is MPC. One of MPC's 2011 policy objectives is to make the region more equitable, which is defined as "ensuring every person has equal access to basic resources and opportunities," with housing being one of the basic resources.

Finally, the largest resource that has not been tapped consistently are local fair housing organizations, including CAFHA. CAFHA and its members have a wealth of information available on fair housing, experience conducting trainings, and organizational missions focused on supporting fair housing. Many of the entities focus on particular regions of the county (north, west, or south) or particular issues, such as rights of persons with a disability. In its February 2011 letter to the Bureau of Economic Development, CAFHA highlighted several points for consideration by the bureau. In addition, CAFHA has developed guidelines for tool monitoring that the Department of Planning and Development within the Bureau of Economic Development should consider implementing.

- **Conduct additional analyses related to fair housing.** This report is the first analysis of fair housing that the County has conducted in 15 years and provides significant insight into current fair housing activities as well as recommendations for improving activities related to fair housing. It is recommended that the Department of Planning and Development within the Bureau of Economic Development undertake additional analyses as well as additional consultation with local fair housing organizations, HUD, and the community at large. One additional recommended analysis is an assessment of impediments by region (that is, southern, western, and northern).

  HUD expects the Department of Planning and Development to submit updated AIFHCs in line with its Consolidated Plan cycle (every five years). In the interim years, the department should have an independent third party evaluate its progress in meeting benchmarks established in the active AIFHC.

IMPEDIMENT 7: LACK OF A REGIONAL OR COUNTYWIDE APPROACH TO FAIR HOUSING PLANNING (PUBLIC)

While Cook County includes multiple municipalities, certain challenges related to fair housing are similar within regions. Given that many jurisdictions are often in very close proximity and that problems extend beyond city, town, or village borders, there should be a more regional approach to addressing fair housing problems. Issues related to fair housing, such as lack of affordable housing, the jobs-transit-housing mismatch, and the foreclosure crisis, are being examined by planning agencies on a regular basis. Fair housing should be part of these discussions, as well.

RECOMMENDED ACTIONS 7

- **Foster relationships with CMAP.** As discussed in other recommended actions, as the local planning agency CMAP should be engaged in the process of developing a regional approach to addressing fair housing issues. CMAP recently completed "GO TO 2040," a comprehensive regional plan for the seven-county area. As stated in the plan:

  > The Regional Vision for GO TO 2040 describes future social systems that "foster an educated, healthy, safe, and involved populace," housing that is "safe, decent, affordable, and stable" and that follows *fair housing practices* [emphasis added], and "access to quality education, jobs, health care, cultural and social amenities, and transportation" for all residents.[37]

  As CMAP has already indicated a need to increase fair housing in the region, the County would be well advised to coordinate activities with CMAP. To facilitate coordination, a fair housing representative from the County should participate in relevant CMAP committees such as the Housing and Community Development committee.

- **Encourage interjurisdictional cooperation for fair housing planning.** Encourage the development of interjurisdictional agreements. Considering the budget and staffing challenges faced by many municipalities, combining resources, including funding and staff, will allow for more fair housing activities to be conducted. During CDBG training sessions as well as the proposed fair housing training sessions, the Department of Planning and Development should encourage the municipalities to develop interjurisdictional agreements to conduct activities related to fair housing, such as a fair housing commission or fair housing officer.

- **Consider fair housing needs based upon regional and municipal characteristics.** Cook County is very diverse in terms of the population, housing stock, and the capacity of municipalities within the county. Nonetheless, as shown in the demographic analysis, there are patterns in the location of various ethnic and racial groups as well as income levels. In general, the fair housing–related needs of communities in the northern section of the county are distinct from those in the western and southern sections of the county. In addition, the fiscal capacity of municipalities varies greatly, which also impacts their ability to affirmatively further fair housing.

  To respond to these regional patterns, the Department of Planning and Development within the Bureau of Economic Development should develop a typology for each of the regions to determine the appropriate amount and type of assistance based upon the characteristics of the region. For example, the

[37] GO TO 2040, Long Plan, Page 48. Available at http://www.cmap.illinois.gov/documents/20583/3e105082-4a78-48a7-b81b-eec5f0eae9ce%20

northern portion of the county is generally less diverse than the other regions. The region also has higher housing costs. As a result, fair housing activities in the northern region should focus on increasing diversity and enhancing housing affordability. In the southern region of the county, communities have been strongly impacted by the foreclosure crisis, which is impacting the quality of the housing stock. Access to transportation, poor infrastructure, and few employment centers are also challenges in the southern region. Therefore the approaches for fair housing in the southern region need to address these challenges.

As part of this analysis, the Department of Planning and Development should also conduct an analysis of opportunity areas. Indicators of opportunity areas would include low poverty rates; multiple transportation options connecting people to jobs, services, and retail; employment centers; quality schools; and grocery stores. This analysis could then be used to guide the investment of resources by prioritizing resources in areas with limited opportunities and facilitating access to high opportunity areas by all households.

IMPEDIMENT 8: A PREVALENT "FEAR OF OTHERS" EXISTS AMONG RESIDENTS, INCLUDING NIMBYISM (PRIVATE)

Housing choice is limited for protected classes in part because racism and prejudice still exist, individuals are stereotyped based upon various socioeconomic characteristics, and there is a fear of people who are dissimilar in some way living in areas which have been largely homogenous. The consequence is that individuals and households self-segregate by locating in communities with others who are of the same racial or ethnic background. Upon seeing communities with concentrations of a particular race, ethnicity, or national origin, those who are not a member of the predominant racial, ethnic, or income group often develop ideas of that community that prevent them from considering living there.

Additionally, there is an incorrect belief that an increase in the number or percentage of minorities in a community will result in decreased property values, which results in some communities desiring to minimize or prevent diversification. These beliefs and fears then perpetuate historical patterns of segregation throughout the county.

RECOMMENDED ACTION 8

Falsely held beliefs and fears are rarely directly mitigated. Through implementation of the other recommended actions, the hope is that increased understanding of fair housing and interaction with diverse groups of individuals will decrease this impediment.

IMPEDIMENT 9: MEMBERS OF THE PROTECTED CLASSES ARE DENIED MORTGAGES AT A HIGHER RATE (PRIVATE)

In addition to being denied mortgages at a higher rate, members of the protected classes tend to be offered subprime loans more often than others. These limited financing options reduce the chance of homeownership, and when homeownership is achieved, it may be unaffordable.

RECOMMENDED ACTION 9

The Department of Planning and Development should continue funding housing counseling agencies with a focus on not only those at risk for foreclosure but on those who are interested in obtaining a mortgage.

IMPEDIMENT 10: THERE IS A STRONG JOBS-HOUSING-TRANSIT MISMATCH (PUBLIC-PRIVATE)

The majority of major employment centers for the region are located in the north and west. However, the majority-minority communities are located in the southern portion of Cook County. As a result, residents in these communities do not have equal access to jobs because of longer commute times. Further, employment centers are located near highways but not public transportation. Because minorities have a higher dependence upon public transportation, the lack of easy access to employment centers from their homes becomes an impediment.

RECOMMENDED ACTIONS 10

- Continue to provide incentives in funding allocations to develop affordable housing near public transportation centers or employment centers. The CDBG funding application provides bonus points for applicants that propose projects near transit lines.

- Award funding to infrastructure or mass transit service projects that support increased transit options.

- Support employment growth and economic development in regions of the county that have experienced slow or negative job growth.

IMPEDIMENT 11: HOUSING CHOICE VOUCHERS ARE EXPLICITLY EXCLUDED FROM THE SOURCES OF INCOME PROTECTED CLASS (PUBLIC)

Pressure from local real estate professionals and landlords resulted in the removal of Housing Choice Vouchers (HCVs) from the County Human Rights Ordinance when it was originally passed. Although HCV holders are not included as a protected class, a large percentage of voucher holders are members of protected classes. There are indications that area landlords are using the HCV as a proxy for discriminating against minorities, women, and families.

RECOMMENDED ACTION 11

- **Include HCVs as a protected class.** Although there are indications that there would be lobbying efforts against including HCVs, the County should include HCVs as a protected class. The City of Chicago as well as other funding recipients across the country have added HCVs as a protected class despite the lack of support among some industries.

IMPEDIMENT 12: THE HOUSING CRISIS AND RECESSION HAVE DISPROPORTIONATELY IMPACTED MEMBERS OF THE PROTECTED CLASSES (PUBLIC-PRIVATE)

The slow economy and accompanying housing market crash have impacted every group in the U.S. However, research has shown that members of the protected classes as well as lower-income households have been impacted more by these crises. Specifically:

- The foreclosure crisis has impacted minority and immigrant communities at a disproportionate rate.

- "Mom and pop" one- to five-unit buildings had a higher foreclosure rate. These units were a substantial supply of affordable housing in the county.

- Areas with concentrations of minorities have had higher foreclosure rates. The large number of foreclosures has made it difficult for banks to properly maintain its owned real estate, resulting in decreased curb appeal for some communities.

RECOMMENDED ACTIONS 12

- **Allocate grant funding to communities with high foreclosure rates to improve infrastructure and encourage economic development.** Although these communities do not need additional housing, funding can be used to

improve other aspects of the community to maintain or increase the appeal of the neighborhoods.

- **Encourage municipalities to purchase foreclosed properties.** The municipality could then sell the properties at affordable prices, increasing affordable homeownership opportunities. Alternatively, where for-sale housing markets are weak, the municipalities could use funding to rehabilitate the properties and rent them at levels that are affordable based upon the area median income.

IMPEDIMENT 13: REAL ESTATE PROFESSIONALS HAVE LITTLE TO NO TRAINING IN FAIR HOUSING (PRIVATE)

Although this impediment could be considered a subset of Impediment 1, the role of the real estate industry is such that it warrants separate treatment. Changes in real estate professional standards in the last few years have resulted in real estate agents and brokers refraining from making any comments or assessment of a neighborhood's quality, socioeconomic characteristics, schools, and crime rates, among other factors. As a result, many are "scared" to consider issues related to fair housing. While some local associations discuss fair housing as a topic in training sessions, others do not.

RECOMMENDED ACTIONS 13

- **Offer fair housing training to local real estate professionals.** The County can provide fair housing training on an annual or semiannual basis to real estate professionals. While the agenda will most likely be similar to the ones offered to funding recipients, limiting the class to real estate industry professionals will allow for a focus on issues particular to their field.

- **Participate in training sessions of professional realtor organizations.** The County should also contact professional realtor organizations, including the Chicago Association of Realtors and the Main Street Association of Realtors, to offer training sessions and provide dates of County training sessions. The training sessions should include those that focus exclusively on fair housing as well as providing fair housing as a topic during a larger training session.

IMPEDIMENT 14: THERE IS AN INSUFFICIENT SUPPLY OF AFFORDABLE HOUSING IN THE COUNTY (PUBLIC-PRIVATE)

The supply of affordable housing in the county is insufficient: this includes both rental and for-sale housing. During the housing market bubble, many units were lost through conversion to homeownership and demolition to accommodate redevelopment. Since the housing market crash, the challenge has increased.

14.1. There is a higher demand for affordable housing with the decrease in incomes resulting from job loss.

14.2 Affordable housing is often located in communities with limited services and far from job centers.

14.3. Affordable housing is often located in communities that have higher concentrations of minorities. Affordable housing is seen as synonymous with poverty concentrations, thereby stigmatizing the community in which it is located.

14.4. Housing affordability is impacted by property taxes, which are higher in particular regions of the county to offset the lack of a commercial or industrial tax base.

RECOMMENDED ACTIONS 14

- Any municipalities that are subject to the Affordable Housing Planning and Appeal Act should be required to submit their affordable housing plan with their funding application requests.

- The County should work with the State of Illinois to fully implement the Affordable Housing Planning and Appeal Act.

- The County should review the zoning and land-use plan to identify any amendments needed to support the preservation and expansion of affordable housing in high-opportunity areas.

- The County should work with the State and municipalities to identify ways to reduce the reliance on property taxes to support municipal services and school districts.

IMPEDIMENT 15: THERE ARE HIGHLY SEGREGATED COMMUNITIES IN THE COUNTY (PUBLIC-PRIVATE)

There are several communities in the county that have high concentrations of minorities, and some also include high concentrations of lower-income populations. Many of these communities have not been provided equal access to municipal services, and some of the services are of an inferior quality. Although fair housing laws are designed to prevent illegal discrimination, they are not meeting the larger goal of creating integrated communities with equal access to services.

RECOMMEND ACTIONS 15

- **Conduct trainings on the value of diversity.** In the HRO, the County indicates that the goal of outreach efforts should include enhancing relationships among various community members. The training should address some commonly held myths and also point to some communities that have diverse populations as well as mass-market appeal.

- **Engage community groups.** There are a number of community groups and nonprofit organizations that focus on ending discrimination and addressing stereotypes. The Department of Planning and Development within the Bureau of Economic Development and the Department of Human Rights, Ethics, and Women's Issues should contact these organizations for additional recommendations on steps that can be taken.

- **Encourage municipalities to engage in more affirmative marketing strategies.** Affirmative marketing strategies can yield two important results. First, they can assist in expanding the housing options available to current and potential residents of Cook County. Second, the strategies can combat NIMBYism and the "fear of others" by promoting the value of diversity in communities. Potential affirmative marketing actions include:

    - Ensure that municipal websites have human models that represent a variety of ethnic and racial groups as well as persons with a disability, the equal housing logo, and language that indicates the community welcomes and encourages diversity.

    - Reach out to the real estate industry to develop training on fair housing in coordination with fair housing organizations.

    - Provide public documents in multiple languages including but not limited to Spanish.

    - Market housing to representatives from community, religious, and other organizations that have members from groups that are the least likely to seek housing in the municipality.

SECTION IX.
IMPLEMENTATION

The development of this Analysis of Impediments to Fair Housing Choice (AIFHC) is the first major step in a larger process to ensure that fair housing is being affirmatively furthered in Cook County. To bring the AIFHC from an analysis and plan to actual actions, it is imperative that the Department of Planning and Development within the Bureau of Economic Development and the Department of Human Rights, Ethics, and Women's Issues implement the recommendations proposed as well as continue to work with local fair housing organizations, real estate industry professionals, the public, and HUD among others.

Developing a realistic timeline for all the recommended actions is not advisable at this time given the existing County resources. Instead, the Department of Planning and Development has identified several key recommendations that will help establish an infrastructure for full implementation. These recommendations include:

- Create a County fair housing website
- Implement a tiered approach for fair housing compliance
- Increase staff dedicated to fair housing
- Investigate actions that would be required for the CCCHR to obtain substantial equivalency certification
- Develop a timeline for additional recommended actions

The timeline for implementation of the above recommendations is provided in Exhibit IX-1 on the following pages. All timelines reflect the funding cycle year, which runs from October 1 through September 30. These timelines are subject to change at the County's discretion based upon evolving funding availability, administrative capacity and resources, and local needs/priorities.

EXHIBIT IX-1.
IMPLEMENTATION OF PRIORITY RECOMMENDATIONS

Recommendation	Activities and Timeline
Create a County fair housing website	▪ The County is currently in the process of revising its website. As part of this process, blogs have been developed to ensure that up-to-date content is provided to the public at large. ▪ By the **1st Quarter 2012–2013**, the Department of Planning and Development will develop a blog for fair housing that will provide information on fair housing resources to the public, municipalities, and funding recipients. ▪ Information that will be placed on the website will include the HRO; contact information for the CCCHR, Illinois Department of Human Rights, HUD, and local fair housing organizations; complaint forms for Cook County, the State, and HUD; and HUD fair housing publications such as the predatory lending poster, fair housing logo, and the submitted AIFHC.
Implement a tiered approach for fair housing compliance	▪ The tiered approach will be implemented as part of the consolidated plan process. This will provide sufficient time to introduce the new process to funding recipients and further refine the process. ▪ The approach will be introduced to the public during consolidated plan presentations in **2013**. ▪ Applications for the **2013–2014 funding cycle** will include the requirements for each of the tiers. ▪ The approach will be finalized by the **3rd Quarter of 2013–2014**, during which time funding recipients will be evaluated to determine their tier.
Increase staff dedicated to fair housing	▪ Initial responsibility for managing the implementation of the AIFHC will be with the Bureau of Economic Development. The Bureau has already identified a program analyst who will coordinate activities with the Department of Human Rights, Ethics, and Women's Issues. ▪ As part of the **2012–2013** budget cycle, the Bureau has also identified funds to allocate to the Department of Human Rights, Ethics, and Women's Issues for a staff person who will be responsible for implementing the AIFHC and monitoring compliance. This person will be identified by **4th Quarter of 2013–2014.**
Investigate actions that would be required for the CCCHR to obtain substantial equivalency certification	▪ The Bureau will meet with the Department of Human Rights, Ethics, and Women's Issues and CAFHA in the **1st Quarter of 2013–2014** to assess the steps required for the County to obtain substantial equivalency certification. ▪ Prior to this meeting, the County will request that CAFHA provide the brief assessment of the certification.
Develop a timeline for additional recommended actions	▪ After the AIFHC staff person has been identified in the **4th Quarter of 2013–2014**, the individual's first responsibility will be to develop a timeline for implementation of the remaining recommendations.

APPENDIX I.
TIERED APPROACH FOR COMPLIANCE BY FUNDING RECIPIENTS

Applied Real Estate Analysis (AREA) has developed an initial framework for a tiered approach to fair housing compliance for funding recipients of CDBG, HOME, and, ESG funds. The goal of the tiered approach is to provide a framework to assist funding recipients in continuing or expanding existing activities related to affirmatively furthering fair housing.

To develop these initial recommendations, AREA a) reviewed best practices as well as approaches developed for funding recipients in other locations; b) met with Cook County Planning and Development and Bureau of Economic Development staff to brainstorm the tiers and criteria; and c) reviewed the "Minimum Standards for a Fair Housing Action Plan" proposed by the Chicago Area Fair Housing Alliance (CAFHA).

A key issue that must be considered is that while funding recipients may have a higher burden of proof, the Department of Planning and Development within the Bureau of Economic Development must invest the resources for monitoring and compliance reviews. Ideally, the annual plans and progress reports would be input into a database and Department of Planning and Development staff would then be able to review the information in a more effective manner. The Department of Planning and Development is currently in the process of reviewing its existing data systems used in the CDBG, ESG, and HOME programs.

TIERS FOR MUNICIPAL FUNDING RECIPIENTS

For municipal funding recipients, the proposed approach includes four tiers:

- Tier I. Excelling
- Tier II. Emerging
- Tier III. Challenged
- Tier IV. Non-Compliant

The criteria for each of the tiers are presented in the following sections. Although a municipality may not possess all the criteria within a given tier, these criteria are intended to serve as a guide for assessing compliance with the HUD requirement to affirmatively further fair housing.

Tier I. Excelling Funding Recipients

1. Existence of a fair housing ordinance that has:
    a. The protected classes (at a minimum) included in the County's Human Rights Ordinance (HRO).
    b. Recently been updated or reaffirmed through a vote by its legislative body ("recently" would potentially be defined as within the past five years).
2. Identifies a fair housing enforcement body that is responsible for reviewing and addressing fair housing complaints.
3. An individual identified as the fair housing compliance officer who:
    a. Is responsible for receiving fair housing complaints and maintaining a complaint log that has details on the complaint and its status.
    b. Receives training at least annually on fair housing laws and compliance methods.
    c. Has a detailed job description with responsibilities.
4. Existence of an action plan for affirmatively furthering fair housing that:
    a. Is signed by an executive-level municipality official.
    b. Contains goals with benchmarks (including dates).
    c. Is updated annually.
    d. Includes quarterly reports that provide status relative to the goals and benchmarks identified in the action plan.
5. Outreach to the public that is documented and lists outcomes. Outreach activities should include:
    a. Workshops and information sessions. These may be conducted by the municipality or a fair housing organization. Sessions should address issues particular to homeowners and renters.
    b. Educational materials available in municipal buildings and on the website. If there is a large concentration of non-English speakers, the materials should be presented in alternative languages.
    c. Activities to encourage diversity within their community such as printing materials in multiple languages and advertising showing multiple ethnicities.
6. Regular outreach to housing-related industries including the real estate, financial, and property management industries (among others). All outreach activities will need to be documented and outcomes identified.
7. Annual training for all municipal staff, in particular those responsible for answering phone calls from the public.
8. Annual reviews of all land use and zoning ordinances and building codes to ensure they are not impediments to fair housing.

Tier II. Emerging Funding Recipients

1. Existence of a fair housing ordinance that has the protected classes included in the County's HRO.

2. An individual identified as the fair housing compliance officer who is responsible for receiving fair housing complaints and maintaining a complaint intake log.
3. Existence of an action plan for affirmatively furthering fair housing that has been updated within the past five years.
4. Fair housing outreach, including workshops and information sessions.
5. Regular outreach to housing-related industries, including the real estate, financial, and property management industries (among others). All outreach activities will need to be documented and outcomes identified.

Tier III. Challenged Funding Recipients

1. Existence of a fair housing ordinance that has the protected classes included in the County's HRO.
2. Lack of an identified individual who is responsible for receiving fair housing complaints.
3. Non-responsive to Department of Planning and Development communications regarding fair housing activities. For example, if the Department requests an updated action plan and the municipality does not provide one by the stated timeline, the municipality would fall within Tier III.

Tier IV. Non-Compliant Funding Recipients

To be considered non-compliant, a funding recipient must not only lack certain criteria but must also show no effort toward meeting the criteria. For example, if a municipality does not have a fair housing ordinance but it has a staff person drafting one, a lawyer reviewing it, and it is scheduled to be voted on at the next village board meeting, the municipality would fall into the Challenged category. If, after a substantial amount of time, the fair housing ordinance still does not exist, the municipality would most likely be moved to the Non-Compliant category.

1. Lack of a fair housing ordinance or an ordinance that:
    a. Has not been updated or reaffirmed within the past 10 years.
    b. Does not contain all the protected classes identified in the County's HRO.
2. Lack of a fair housing enforcement body with identified members. Or, a body that has not met within the past 10 years.
3. Lack of a fair housing compliance officer or individual responsible for receiving fair housing complaints and maintaining a complaint log.
4. Land use and zoning ordinances and building codes that have been shown to be impediments to fair housing.
5. A substantial number of fair housing complaints.
6. If the municipality has an individual responsible for logging complaints, a substantial number of unresolved fair housing complaints.
7. Failure to submit quarterly reports or respond to non-compliance notices in a timely manner.
8. No outreach activities (or documentation of outreach activities) within the past year.

TIERS FOR PRIVATE AND NONPROFIT HOME FUNDING RECIPIENTS

For private and nonprofit funding recipients under HOME, the proposed approach includes two tiers:

- Tier I. Compliant
- Tier II. Non-Compliant

Tier I. Compliant

1. Have an affirmative marketing plan that includes the following elements:
   a. Identification of the protected classes least likely to apply for housing at the development.
   b. Plans for targeted marketing to inform those identified as least likely to apply for the new housing opportunity. The plans must identify the media outlet, frequency, and intended audience.
   c. Plans for targeted outreach, such as notification to civil rights organizations and advocates for persons with a disability. The plans must identify the organization name, contact person, method of communication, and the intended audience.
   d. Indicators that will be used to determine whether or not the affirmative marketing plan is successful.
   e. An action plan that was developed or updated within the previous two years.

   One option would be to utilize HUD form 935.2A, which requires detailed documentation.
2. Conduct annual fair housing training for all employees and contractors.

3. Provide reports to the Department of Planning and Development that contain updates to the affirmative marketing plan and progress in meeting indicators.

Tier II. Non-Compliant

1. Lack of an affirmative marketing plan or one that is:
   a. Substantially incomplete.
   b. Does not contain targets, outreach, and indicators.
   c. Is not reflective of current conditions (for example, the developer recycles the plan developed five years previous, and the target group as well as indicators have changed yet the outreach efforts have not).
2. Failure to submit progress reports or respond to non-compliance notices in a timely manner.

Municipal, private, and nonprofit funding recipients that are found to be non-compliant will be subject to fund revocation and disqualification from applying for future rounds of funding from the Department of Planning and Development within the Bureau of Economic Development.

IMPLEMENTATION OF TIERED APPROACH

Prior to implementation of the tiered approach, it is recommended that the Department of Planning and Development hold meetings with funding recipients to introduce the tiered approach and answer questions. During the first phase of implementation, funding recipients will be evaluated to determine their initial tier. Thereafter, the Department of Planning and Development will review the progress reports submitted by the funding recipients to determine whether the funding recipient should remain in the initial tier or shift to a higher or lower tier.

In addition to the information provided by the funding recipients, the Department of Planning and Development may incorporate other information, such as fair housing complaints submitted to the CCHR, State of Illinois, and HUD to determine whether the funding recipient is affirmatively furthering fair housing.

The Department of Planning and Development will provide updates to HUD via required publicly available reports to identify the tier of each funding recipient. Publication of this information is intended to serve several goals, including keeping the public, HUD, and other stakeholders aware of the department's monitoring activities; providing recognition to those funding recipients who are actively affirming fair housing; and providing greater awareness of funding recipients who may be challenged.

1. When you see the phrase "fair housing," what are the first thoughts that come to your mind?
9 Responses
Rules. misunderstood.
equal opportunity for access to housing, free of bias regarding sex, race, religion, ethnicity, income, sexual orientation, or disability.
equal opportunity to buy or rent a home.
all people are entitled to be treated the same and live where they choose to live
The owner/manager will fairly accept all people who wish to purchase or rent property.
Availability of properties to everyone regardless of protected class.
affirmative action, non-descrimination
To protect the rights of those living within our community. That protected classes are not discrimnated against and to have the capacity to resolve those issues when they occur.
Equality for everyone.

2. Does your community have a fair housing ordinance?		
Yes	12	100%
No	0	0%
Don't know	0	0%
Prefer not to answer	0	0%
Total	12	100%

3. When was your fair housing ordinance ORIGINALLY adopted?			
Less than 1 year ago		0	0%
2–5 years ago		1	8%
6–10 years ago		0	0%
11–15 years ago		2	17%
16 or more years ago		7	58%
Don't know		1	8%
Prefer not to answer		1	8%
Total		12	100%

4. When was the fair housing ordinance last amended or reaffirmed by your local legislative body?			
Less than 1 year ago		2	17%
2–5 years ago		4	33%
6–10 years ago		1	8%
11–15 years ago		0	0%
16 or more years ago		0	0%
Don't know		4	33%
Prefer not to answer		1	8%
Total		12	100%

5. Why did your municipality adopt a fair housing ordinance? (Select all that apply)			
Decided it was the "right" thing to do		6	50%
Cook County requirement for receiving CDBG and HOME funds		8	67%
Encouraged by community residents to adopt an ordinance		2	17%
Encouraged by elected officials to adopt an ordinance		4	33%
Encouraged by fair housing organizations to adopt an ordinance		4	33%
Don't know		1	8%
Prefer not to answer		1	8%
Other, please specify		0	0%

6. Of the reasons selected above, which was the primary reason?		
Decided it was the "right" thing to do	4	33%
Cook County requirement for receiving CDBG and HOME funds	5	42%
Encouraged by community residents to adopt an ordinance	0	0%
Encouraged by elected officials to adopt an ordinance	0	0%
Encouraged by fair housing organizations to adopt an ordinance	1	8%
Don't know	1	8%
Prefer not to answer	1	8%
Other, please specify	0	0%
Total	12	100%

7. Please select all of the protected class listed in your fair housing ordinance as it currently stands. (Select all that apply)		
Race	10	83%
Color	10	83%
Sex	10	83%
Age	10	83%
Religion	10	83%
Disability	10	83%
National origin	10	83%
Ancestry	10	83%
Sexual orientation	7	58%
Marital status	10	83%
Parental status	9	75%
Military discharge status	8	67%
Source of income	7	58%
Gender identity	7	58%
Housing status	7	58%
Section 8/Housing Choice Voucher	1	8%
Don't know	1	8%
Prefer not to answer	1	8%
Other, please specify	2	17%
Responses for "Other, please specify" Aiding/Abetting, Willful Interference, Retaliation		
retaliation, aiding abetting or willful interference		

8. How did you select the protected classes? (Select all that apply)		
Followed the Cook County Human Rights Ordinance	8	67%
Followed the Fair Housing Act	7	58%
Followed another jurisdiction in Illinois	2	17%
Followed another jurisdiction outside of Illinois	0	0%
Don't know	2	17%
Prefer not to answer	1	8%
Other, please specify	1	8%
Responses for "Other, please specify"		
Followed prevailing laws per our attorney		

9. Does your fair housing ordinance have fines for those who violate the ordinance?		
Yes; the fine is 0–$99	0	0%
Yes; the fine is $100 or more	6	50%
No	1	8%
Don't know	4	33%
Prefer not to answer	1	8%
Total	12	100%

10. Does your fair housing ordinance have other penalties for those who violate the ordinance?		
Yes, please explain below	4	33%
No	2	17%
Don't know	5	42%
Prefer not to answer	1	8%
Total	12	100%
4 Responses		
Responses for "Yes, please explain below"		
Demand cease and desist; send copies of the decision/report to the Department of Professional Registration of the State and recommend appropriate disciplinary action, including, where appropriate, the suspension or revocation of the license of the respondent		
Judicial relief		
Cease and Desist from any violation of this ordinance.		
Possible law suit.		

11. Does your fair housing ordinance require marketing of and training on the ordinance?		
Yes	4	33%
No	5	42%
Don't know	2	17%
Prefer not to answer	1	8%
Total	12	100%
2 Responses		
village staff. commissioners.		
Our Fair Housing Action plan is posted in City Hall and on our website		

12. Do you market the fair housing ordinance to the community at large?		
Yes	7	58%
No	1	8%
Don't know	3	25%
Prefer not to answer	1	8%
Total	12	100%

13. What methods do you use to market the fair housing ordinance? (Select all that apply)		
Ordinance is on our website	5	71%
Copies of ordinance are available in public building(s)	7	100%
Attending local events to provide information on fair housing (for example, fairs, festivals, community days)	3	43%
Providing information when requested by residents	7	100%
Providing training geared toward residents	0	0%
Providing information in newsletters to residents	6	86%
Don't know	0	0%
Prefer not to answer	0	0%
Other, please specify	1	14%
Responses for "Other, please specify"		
Fair Housing Action Plan in City Hall and on our website.		

14. Do you market the fair housing ordinance to industry organizations?		
Yes	2	17%
No	6	50%
Don't know	3	25%
Prefer not to answer	1	8%
Total	12	100%

15. If you do market the ordinance, please identify the organizations to which the marketing is geared.		
Financial institutions/banks	2	100%
Realtors	2	100%
Property/apartment managers	2	100%
Property owners and investors	2	100%
Residential developers	1	50%
Elected officials	1	50%
Municipal officials	1	50%
Housing organizations	0	0%
Don't know	0	0%
Prefer not to answer	0	0%

16. How do you market the ordinance to industry organizations? (Select all that apply)		
Ordinance is on our website	2	100%
Copies of ordinance are available in public building(s)	2	100%
Attend industry events to provide information on fair housing	1	50%
Provide information when requested by industry members	2	100%
Provide training geared toward industry(ies)	0	0%
Provide information to industry members locating or relocating to the area	2	100%
Don't know	0	0%
Prefer not to answer	0	0%
Other, please specify	0	0%

17. If you have fair housing materials, in which language(s) are the materials available? (Select all that apply)		
English	9	82%
Spanish	3	27%
Polish	1	9%
Arabic	0	0%
Tagalog	0	0%
Korean	0	0%
Russian	0	0%
Gujarati	0	0%
Not applicable; we do not have fair housing materials	1	9%
Prefer not to answer	1	9%
Other, please specify	0	0%

18. Has your municipality conducted an analysis of impediments to fair housing?		
Yes	1	8%
No	8	67%
Don't know	2	17%
Prefer not to answer	1	8%
Total	12	100%

19. Does your municipality have an action plan to ensure that it is furthering fair housing?		
Yes	6	50%
No	4	33%
Don't know	1	8%
Prefer not to answer	1	8%
Total	12	100%

20. Please state the activities listed in the plan.
5 Responses
1. Identify New Fair Housing Requirements. Update Fair Housing Ordinance and Reactivation of Commission. . Strengthen Education and Outreach. • Village of Maywood Brochures posted. • Oak Park Regional Housing Center Brochures posted. • Free Realtor Information Breakfast flyer posted. Event held in Berwyn with Harris Bank. 3. Develop Resources through Planning and Advocacy. • Oak Park Regional Housing Center provides counseling for the West Cook Collaborative Neighborhood Stabilization Program activities. • Village Tracks Foreclosures and has a Vacant Building Registration Program. • Village has Landlord Registration Program. • Inter-Jurisdictional Housing Coordinator – IFF on 8/4/2009 • Inter-Governmental Agreement with Bellwood, Berwyn, Forest Park, and Oak Park on 8/4/2009 forming the West Cook County Housing Collaborative (WCCHC).
Promoting benefits of living in a diverse community; promote the Village's Fair Housing Ordinance; Promote multi-lingual outreach; Conduct Fair Housing complaint processing.
outreach programs flyers public notice
• Promote fair housing choice for all persons; • Reduce and eliminate housing discrimination in the City; • Educate and raise awareness among the public, public officials, advocate groups, and housing providers through hosting educational and outreach seminars and workshops for current and prospective residents; • Provide residents and realtors with written information about property maintenance codes and standard procedures for inspections; • Offer residents a first time homebuyers program for City owned property; • Partner with community organizations that can offer homeownership counseling, first time homebuyers programs and other resources; • Create brochures and other written information in English and Spanish; • Promote housing that is structurally accessible to and usable by all persons, particularly person with disabilities, and • Conduct periodic review, evaluation, and revision of the Plan
1. Annual rental inspection compliance 2. Tenant/Landord conflict resolution 3. Remain active with Diversity Inc., South Suburban Housing Center and Housing Coalition afirmatively furthering fair housing.

21. If your community does not have an action plan, what would you need to create an action plan? (Select all that apply)		
Funding	3	43%
Additional staff	4	57%
Additional training on fair housing	4	57%
I am not familiar with the requirements of an action plan	1	14%
Don't know	0	0%
Prefer not to answer	0	0%
Other, please specify	2	29%
Responses for "Other, please specify"		
Presently working on action plan.		
Although we have been aggressive and carrying out our activities and goals, short staffing and lack of funding over the last several years have made it extremely difficult.		

22. If someone in your municipality feels that their fair housing rights have been violated, what is the process for registering a complaint?		
The person would submit a complaint to a board/commission that is responsible for reviewing fair housing violations	3	25%
The person would complete a form and submit it to a designated department	7	58%
We have a different process that is not listed above	1	8%
We do not have an established process at this time	0	0%
Don't know	0	0%
Prefer not to answer	1	8%
Total	12	100%

23. Is the established process for registering a housing discrimination complaint publicized anywhere? (Select all that apply)		
Website	5	45%
Posters in municipal buildings	4	36%
It is not publicized anywhere at this time	2	18%
Don't know	1	9%
Prefer not to answer	0	0%
Other, please specify	3	27%
Responses for "Other, please specify"		
Cable network and newsletters		
Brochures available in township		
In the process of improving our publicized information		

24. Does your municipality have an entity, such as a board, individual employee, department, or commission, that is responsible for receiving fair housing complaints?		
Yes	11	92%
No	0	0%
Don't know	0	0%
Prefer not to answer	1	8%
Total	12	100%

25. How many housing discrimination complaints does the entity typically receive in a year?		
0	7	64%
1–10	3	27%
11–20	0	0%
21–30	0	0%
31–40	0	0%
41–50	0	0%
51 or more	0	0%
Don't know	1	9%
Prefer not to answer	0	0%
Total	11	100%

26. If there are multiple individuals, how often does the entity meet?		
Weekly	0	0%
Monthly	0	0%
Quarterly	1	9%
Yearly	2	18%
Ad hoc	2	18%
Don't know	2	18%
Not applicable; there are not multiple individuals	3	27%
Prefer not to answer	1	9%
Total	11	100%

27. When was the last meeting?		
Within the last week	0	0%
Within the last month	1	9%
Within the last quarter	0	0%
Within the last year	2	18%
Within the last 5 years	1	9%
Within the last 10 years	1	9%
More than 10 years ago	0	0%
The entity has not met, that I am aware of	2	18%
Not applicable; there are not multiple individuals	2	18%
Don't know	2	18%
Prefer not to answer	0	0%
Total	11	100%

28. Who is responsible for investigating complaints of discrimination received by the complaint entity?		
The same entity that receives the complaints investigates the complaints	3	25%
We have municipal officials who are responsible for investigating the complaints	4	33%
We have hired contractors to investigate the complaints	0	0%
We have an agreement with a housing agency to investigate the complaints	1	8%
Don't know	2	17%
Prefer not to answer	1	8%
Other, please specify	1	8%
Total	12	100%
Responses for "Other, please specify"		
Human Resources Director		

29. Are there one or more employees assigned to address fair housing–related issues and compliance in your municipality?		
Yes	10	83%
No	1	8%
Don't know	0	0%
Prefer not to answer	1	8%
Total	12	100%

30. Please identify the department of the employee assigned to address fair housing–related issues and compliance in your municipality.		
Planning/Community Development	2	20%
Housing	0	0%
Public Works	0	0%
City/Village/Town Manager's Office	3	30%
Mayor's Office	1	10%
Don't know	0	0%
Prefer not to answer	0	0%
Other, please specify	4	40%
Total	10	100%
Responses for "Other, please specify"		
building commissioner		
Township Supervisor's Office		
Municipal Services and Village Clerk		
Building Dept. Director and Economic Devel. Chr.		

31. Is the department identified above the same department that submits the CDBG and HOME applications for funding?		
Yes	7	70%
No	3	30%
Don't know	0	0%
Prefer not to answer	0	0%
Total	10	100%

32. Is the department identified above the same department that has primary responsibility in implementing the CDBG and HOME programs?		
Yes	6	60%
No	4	40%
Don't know	0	0%
Prefer not to answer	0	0%
Total	10	100%

33. Do you use an outside contractor to submit CDBG and HOME applications for funding?		
Yes; we use a housing/real estate firm	0	0%
Yes; we use a local nonprofit agency	0	0%
Yes; we use an engineering/architectural firm	4	36%
Yes; we use another type of firm	0	0%
No	6	55%
Don't know	0	0%
Prefer not to answer	1	9%
Total	11	100%

34. Is fair housing discussed outside of the context of the CDBG and HOME programs in your municipality?		
Yes	7	64%
No	2	18%
Don't know	1	9%
Prefer not to answer	1	9%
Total	11	100%

35. Has your municipality done any fair housing testing or have there been any fair housing tests conducted by organizations in your area?		
Yes	4	33%
No	6	50%
Don't know	1	8%
Prefer not to answer	1	8%
Total	12	100%

36. Does your community offer fair housing training?		
Yes	2	17%
No	8	67%
Don't know	0	0%
Prefer not to answer	2	17%
Total	12	100%

37. For whom is training available? (Select all that apply)		
Banks/financial institutions	0	0%
Realtors	0	0%
Property managers and leasing agents	1	50%
Municipal employees	1	50%
Public at large	0	0%
Don't know	0	0%
Prefer not to answer	0	0%
Other, please specify	1	50%

38. Do any municipal employees attend fair housing trainings sponsored by others?		
Yes	9	75%
No	1	8%
Don't know	0	0%
Prefer not to answer	2	17%
Total	12	100%

39. How often do employees attend fair housing training (whether offered by the municipality or someone else)?		
Monthly	0	0%
Quarterly	1	11%
Yearly	4	44%
Ad hoc	3	33%
Don't know	1	11%
Prefer not to answer	0	0%
Total	9	100%

40. In your opinion, are there any zoning laws that you think impact the ability of developers to build a variety of home types (single-family, multifamily, duplex, accessible, affordable housing, senior-designated housing, or for other special needs populations) in your municipality?		
Yes	1	8%
No	9	75%
No opinion	2	17%
Total	12	100%

41. In your opinion, are developers in your area focused on the issue of fair housing, in particular when it comes to advertising their product?		
Yes	5	42%
No	4	33%
No opinion	3	25%
Total	12	100%

42. In your opinion, are realtors in your area focused on the issue of fair housing, in particular when it comes to showing units available for sale in your area?		
Yes	5	42%
No	5	42%
No opinion	2	17%
Total	12	100%

43. In your opinion, are property managers/leasing agents in your area focused on the issue of fair housing, in particular when it comes to showing units available for sale in your area?		
Yes	7	58%
No	2	17%
No opinion	3	25%
Total	12	100%

44. In your opinion, are banks and other financial institutions focused on the issue of fair housing, in particular when it comes to financing the sale or development of homes in your area?		
Yes	7	58%
No	3	25%
No opinion	2	17%
Total	12	100%

45. Do you see Cook County as a resource when it comes to fair housing/housing discrimination?		
Yes	9	75%
No	2	17%
Prefer not to answer	1	8%
Total	12	100%

46. Have you heard of the Cook County Commission on Human Rights?		
Yes, I know it quite well	3	25%
Yes, I've heard of it but I don't know that much about it	7	58%
No, I've never heard of it before	1	8%
Prefer not to answer	1	8%
Total	12	100%

47. Have you ever contacted the Cook County Commission on Human Rights?		
Yes	0	0%
No	11	92%
Prefer not to answer	1	8%
Total	12	100%

48. If the County offered to have all fair housing complaints in your municipality sent to the County's Human Rights Commission (responsible for fair housing), would your community support that?		
Yes	6	50%
No	0	0%
Don't know	5	42%
Prefer not to answer	1	8%
Total	12	100%

49. If the County offered to have all fair housing complaints in your municipality investigated by the County's Human Rights Commission, would your community support that?		
Yes	6	55%
No	0	0%
Don't know	4	36%
Prefer not to answer	1	9%
Total	11	100%

50. If available, do you believe your community would be interested in participating in a regional cooperative that would be responsible for receiving fair housing complaints and conducting investigations into the complaints?		
Yes	6	50%
No	1	8%
Don't know	4	33%
Prefer not to answer	1	8%
Total	12	100%

51. Did you or someone from your municipality attend the fair housing training session held by the County in April 2012?		
Yes	9	75%
No	2	17%
Don't know	0	0%
Prefer not to answer	1	8%
Total	12	100%

52. How would you rate the usefulness of the fair housing training held in April 2012?					
Top number is the count of respondents selecting the option. Bottom % is percent of the total respondents selecting the option.	**Extremely useful**	**Somewhat useful**	**Mildly useful**	**Not useful**	**N/A**
	4	**3**	**2**	**1**	**N/A**
	5	3	1	0	0
	56%	33%	11%	0%	0%

53. If the County increased the burden of proof for demonstrating that the municipality is affirmatively furthering fair housing as a requirement to receive CDBG and HOME funds, would that impact your municipality's decision to apply for funds?		
Yes	2	17%
No	6	50%
Maybe; it depends on the level of effort that would be required	2	17%
Maybe; it depends on how much funding is available	0	0%
Maybe; other reason (Please explain below)	0	0%
Don't know	0	0%
Prefer not to answer	2	17%
Total	12	100%
0 Responses		

54. How has your municipality been affected by the current economic conditions? (Please select all that apply)		
There has been a dramatic increase in foreclosures	10	83%
There has been a dramatic increase in the number of absentee landlords	7	58%
There have been more complaints of discrimination	0	0%
The appearance of our residential areas has dwindled	5	42%
The municipality has had to significantly reduce the number of personnel (not including police and fire)	5	42%
The municipality has had to significantly reduce its budget	8	67%
The downturn in the economy has had only a mild affect on our community	1	8%
The downturn in the economy has not affected our community	0	0%
Don't know	0	0%
Prefer not to answer	1	8%

55. In general, how would you rate your community's residents' understanding of their rights related to fair housing?		
Very strong	0	0%
Strong	3	25%
Somewhat strong	5	42%
Somewhat poor	0	0%
Poor	1	8%
Very poor	2	17%
Don't know	0	0%
Prefer not to answer	1	8%
Total	12	100%

56. Has the municipality had any individuals raise a housing discrimination complaint?		
Yes	4	33%
No	5	42%
Don't know	2	17%
Prefer not to answer	1	8%
Total	12	100%

57. If yes, what was the complaint (or complaints) related to? (Select all that apply)		
Race	1	33%
Color	0	0%
Sex	1	33%
Age	1	33%
Religion	0	0%
Disability	1	33%
National origin	0	0%
Ancestry	0	0%
Sexual orientation	0	0%
Marital status	0	0%
Parental status	0	0%
Military discharge status	0	0%
Source of income	0	0%
Gender identity	0	0%
Housing status	1	33%
Section 8/Housing Choice Voucher	0	0%
Don't know	0	0%
Prefer not to answer	0	0%

The next set of questions focus on discrimination in housing in suburban Cook County. It is illegal in Cook County to discriminate against someone when providing any type of housing service, including renting, selling, or buying a home; advertising housing; providing financing or insurance for housing; or when estimating a home's value because of their race, color, sex, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, military discharge status, source of income, gender identity, or housing status. These groups are known as "protected classes."

58. In your opinion, is housing discrimination common in suburban Cook County?		
Yes, it is extremely common	0	0%
Yes, it is somewhat common	1	8%
No, it is not at all common	5	42%
No opinion/don't know	6	50%
Total	12	100%

59. Do you believe that there have been changes in the amount of housing discrimination in suburban Cook County since 2008?		
Yes, it has become more common	0	0%
Yes, it has become less common	4	33%
No, it has not changed	4	33%
No opinion/don't know	4	33%
Total	12	100%

60. Please indicate how strongly you agree or disagree with the following statements. In your response, please focus on suburban Cook County.

Top number is the count of respondents selecting the option. Bottom % is percent of the total respondents selecting the option.	Strongly agree	Agree	Neutral/Neither agree nor disagree	Disagree	Strongly disagree	No opinion
	5	4	3	2	1	0
Real estate industry professionals are undertaking more activities to encourage fair	0	4	2	1	1	3
	0%	36%	18%	9%	9%	27%
Financial industry professionals are undertaking more activities to encourage fair	0	5	1	1	1	3
	0%	45%	9%	9%	9%	27%
Local government officials are undertaking more activities to encourage fair housing	0	5	3	1	0	2
	0%	45%	27%	9%	0%	18%
State of Illinois government officials are undertaking more activities to encourage fair	0	6	3	0	0	2
	0%	55%	27%	0%	0%	18%
Federal government officials are undertaking more activities to encourage fair housing	1	7	1	0	0	2
	9%	64%	9%	0%	0%	18%

61. We would now like to ask you some questions regarding barriers to fair housing choice, also known as "impediments." For the purpose of this survey, we will define impediments to fair housing choice as any actions, lack of actions, decisions, or lack of a decision made because of a person's race, color, sex, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, military discharge status, source of income, gender identity, or housing status. Please rate whether or not you think any of the following are impediments or barriers to fair housing choice in suburban Cook County. Please do not consider the city of Chicago when providing your answer.

Top number is the count of respondents selecting the option. Bottom % is percent of the total respondents selecting the option.	Very Strong Barrier/Impediment	Strong Barrier/Impediment	Somewhat of A Barrier/Impediment	Minor Barrier/Impediment	Not A Barrier/Impediment	N/A
	1	2	3	4	5	N/A
Lack of awareness of fair housing rights by residents	0	1	3	2	3	2
	0%	9%	27%	18%	27%	18%
Lack of awareness of fair housing rights by real estate agents	0	0	3	2	4	2
	0%	0%	27%	18%	36%	18%
Lack of awareness of fair housing rights by landlords and property managers	0	1	3	1	4	2
	0%	9%	27%	9%	36%	18%
Lack of awareness of fair housing rights by banks and mortgage companies	0	0	3	1	5	2
	0%	0%	27%	9%	45%	18%
Lack of awareness of fair housing rights by property insurance companies	0	1	1	1	6	2
	0%	9%	9%	9%	55%	18%
Lack of awareness of fair housing rights by appraisers	0	0	2	2	5	2
	0%	0%	18%	18%	45%	18%
Lack of awareness of fair housing rights by local government staff	0	1	1	1	5	2
	0%	10%	10%	10%	50%	20%
Land use, zoning laws, and building codes that make developing housing difficult and/or	0	1	0	3	5	2
	0%	9%	0%	27%	45%	18%
Prevalent "fear of others" among suburban Cook County residents, including NIMBYism	0	3	3	2	1	2
	0%	27%	27%	18%	9%	18%

62. Please rate whether or not you think any of the following are impediments or barriers to fair housing choice in suburban Cook County. Please do not consider the city of Chicago when providing your answer.

Top number is the count of respondents selecting the option. Bottom % is percent of the total respondents selecting the option.	Very Strong Barrier/Impediment	Strong Barrier/Impediment	Somewhat of A Barrier/Impediment	Minor Barrier/Impediment	Not A Barrier/Impediment	N/A
	1	2	3	4	5	N/A
Members of the protected classes are denied mortgages at a higher rate	0	2	0	2	2	5
	0%	18%	0%	18%	18%	45%
Jobs, housing, and transit are not located near each other	1	1	3	2	1	3
	9%	9%	27%	18%	9%	27%
The housing crisis and recession have impacted minorities more than others	2	0	2	2	3	2
	18%	0%	18%	18%	27%	18%
The housing crisis and recession have impacted renters more than owners	1	0	2	4	1	3
	9%	0%	18%	36%	9%	27%
The housing crisis and recession have impacted lower-income households more	1	3	1	4	0	2
	9%	27%	9%	36%	0%	18%
Certain Cook County policies and procedures do not encourage fair housing	1	0	0	2	2	6
	9%	0%	0%	18%	18%	55%
Lack of a regional or countywide approach to fair housing planning	0	1	2	1	3	3
	0%	10%	20%	10%	30%	30%
An insufficient supply of affordable housing in suburban Cook County	0	1	2	2	3	3
	0%	9%	18%	18%	27%	27%
There are highly segregated communities in suburban Cook County	3	0	1	2	2	2
	30%	0%	10%	20%	20%	20%

63. Do you have any comments or suggestions of ways to reduce or eliminate these barriers to fair housing?		
Yes	0	0%
No	12	100%
Total	12	100%

64. Please provide your comments or suggestions of ways to reduce or eliminate these barriers to fair housing.
0 Responses

65. Do you have any additional comments on fair housing and housing discrimination that you would like to share?
0 Responses

Appendix II-2. Fair Housing Survey Responses: Real Estate Professionals

1. Please select your primary professional function as it relates to the residential real estate industry.		
Residential real estate agent/broker	0	0%
Appraiser	0	0%
Property manager	0	0%
Property owner/investor	0	0%
Residential developer	1	20%
Banker	0	0%
Mortgage broker	0	0%
Other profession in the financial industry	0	0%
Insurer	0	0%
Consultant	0	0%
Other, please specify	4	80%
Total	5	100%
Respones for "Other, please specify"		
Non-profit housing search agency		
Non-profit agency providing residential services to developmentally disabled adults		
Property maintenance		

2. How many years have you been involved in the residential real estate industry?		
Less than 1 year	0	0%
1–5 years	0	0%
6–10 years	0	0%
11–15 years	1	20%
16–19 years	2	40%
20 or more years	2	40%
Total	5	100%

3. What is the primary geographic area served by your business in Cook County?		
City of Chicago	0	0%
South suburban Cook County	0	0%
Southwest suburban Cook County	0	0%
West suburban Cook County	2	40%
Northwest suburban Cook County	2	40%
North suburban Cook County	1	20%
Total	5	100%

4. When you see the phrase “fair housing,” what are the first thoughts that come to your mind?
5 Responses
no discrimination against minority groups including families, gays, racial and religious minorities etc
helping create open and diverse communities
Affordable, clean, safe housing for people in need
Promoting integrated housing patterns.
fair for who

5. Are you familiar with the Cook County Human Rights/Fair Housing Ordinance?		
Yes, I know it quite well	2	40%
Yes, I’ve heard of it but I don’t know that much about it	3	60%
No, I’ve never heard of it before	0	0%
Prefer not to answer	0	0%
Total	5	100%

6. Have you heard of the term “protected classes”?		
Yes, I know it quite well	4	80%
Yes, I’ve heard of it but I don’t know that much about it	0	0%
No, I’ve never heard of it before now	1	20%
Prefer not to answer	0	0%
Total	5	100%

7. Were you aware that Cook County has a fair housing ordinance that is distinct from the National Fair Housing Act?		
Yes	4	80%
No	1	20%
Prefer not to answer	0	0%
Total	5	100%

8. Were you aware that many municipalities (cities, villages, and towns) in suburban Cook County have their own fair housing ordinance that is distinct from the Cook County ordinance and the National Fair Housing Act?		
Yes	4	80%
No	1	20%
Prefer not to answer	0	0%
Total	5	100%

9. In your opinion, are housing developers in your area focused on the issue of fair housing, in particular when it comes to advertising?		
Yes	0	0%
No	4	80%
No opinion	1	20%
Total	5	100%

10. In your opinion, are realtors in your primary business area focused on the issue of fair housing, in particular when it comes to showing units available for sale?		
Yes	2	40%
No	3	60%
No opinion	0	0%
Total	5	100%

11. In your opinion, are property managers/leasing agents in your primary business area focused on the issue of fair housing, in particular when it comes to showing units available for rent?		
Yes	1	20%
No	3	60%
No opinion	1	20%
Total	5	100%

12. In your opinion, are banks and other financial institutions focused on the issue of fair housing, in particular when it comes to financing the sale or development of homes in your area?		
Yes	2	40%
No	3	60%
No opinion	0	0%
Total	5	100%

13. Have you ever attended a training/class/information session focused exclusively or primarily on fair housing?		
Yes	4	80%
No	1	20%
Prefer not to answer	0	0%
Total	5	100%

14. When did the training/class/information session occur?		
Less than 1 year ago	1	25%
1-5 years ago	2	50%
6-10 years ago	0	0%
11-15 years ago	1	25%
16-19 years ago	0	0%
20 or more years ago	0	0%
Prefer not to answer	0	0%
Total	4	100%

15. Are you required to obtain any fair housing education in order to maintain your professional license?		
Yes	1	20%
No	2	40%
Do not have a professional license	2	40%
Prefer not to answer	0	0%
Total	5	100%

16. How often is the fair housing education required?		
Yearly	1	100%
Quarterly	0	0%
Monthly	0	0%
Ad hoc	0	0%
Prefer not to answer	0	0%
Total	1	100%

17. In general, how would you rate your understanding of fair housing laws and best practices?		
Very strong	2	40%
Strong	1	20%
Somewhat strong	1	20%
Somewhat poor	0	0%
Poor	0	0%
Very poor	1	20%
Prefer not to answer	0	0%
Total	5	100%

18. In general, how would you rate your industry's understanding of fair housing laws and best practices?		
Very strong	1	20%
Strong	1	20%
Somewhat strong	0	0%
Somewhat poor	1	20%
Poor	2	40%
Very poor	0	0%
Don't know	0	0%
Prefer not to answer	0	0%
Total	5	100%

19. Do you see Cook County as a resource when it comes to fair housing/housing discrimination?		
Yes	1	20%
No	3	60%
Prefer not to answer	1	20%
Total	5	100%

20. Have you heard of the Cook County Commission on Human Rights?		
Yes, I know it quite well	1	20%
Yes, I've heard of it but I don't know that much about it	4	80%
No, I've never heard of it before	0	0%
Prefer not to answer	0	0%
Total	5	100%

21. Have you ever contacted the Cook County Commission on Human Rights?		
Yes	2	40%
No	2	40%
Prefer not to answer	1	20%
Total	5	100%

22. In general, how would you rate your suburban Cook County clients' understanding of their rights related to fair housing?		
Very strong	0	0%
Strong	0	0%
Somewhat strong	2	40%
Somewhat poor	0	0%
Poor	2	40%
Very poor	0	0%
Don't know	1	20%
Prefer not to answer	0	0%
Total	5	100%

23. Have you had any suburban Cook County clients who have raised a housing discrimination complaint? The complaint could have been raised against anyone or any entity.		
Yes	4	80%
No	1	20%
Prefer not to answer	0	0%
Total	5	100%

24. What was your client's complaint related to? (Select all that apply)		
Race	3	75%
Color	0	0%
Sex	0	0%
Age	1	25%
Religion	0	0%
Disability	1	25%
National origin	0	0%
Ancestry	0	0%
Sexual orientation	0	0%
Marital status	0	0%
Parental status	1	25%
Military discharge status	0	0%
Source of income	1	25%
Gender identity	0	0%
Housing status	1	25%
Section 8/Housing Choice Voucher	1	25%
Prefer not to answer	1	25%

25. Did the client take any action to report or address this claim?		
Yes	2	50%
No	0	0%
Don't know	1	25%
Prefer not to answer	1	25%
Total	4	100%

26. If the client took actions, please select all the actions the client took:		
Contacted a lawyer	1	50%
Contacted a housing rights advocate	1	50%
Contacted local municipality or local government official	0	0%
Contacted Cook County	0	0%
Contacted HUD	1	50%
Prefer not to answer	0	0%
Other, please specify	0	0%

27. Did you or your company take any action to report or address this claim?		
Yes	1	25%
No	2	50%
Don't know	0	0%
Prefer not to answer	1	25%
Total	4	100%

28. If you or your company took action, please select all the actions that you or your company took:		
Contacted a lawyer	1	100%
Contacted a housing rights advocate	1	100%
Contacted local municipality or local government official	0	0%
Contacted Cook County	0	0%
Contacted HUD	0	0%
Prefer not to answer	0	0%
Other, please specify	0	0%

29. Why did you or your company elect not to take an action? (Select all that apply)		
Afraid of retaliation	0	0%
Am not sure of fair housing rights	0	0%
Would not make any difference	0	0%
Client went somewhere else	0	0%
Didn't think it would be possible to prove discrimination	0	0%
It costs too much to pursue	0	0%
Discrimination was not that serious	0	0%
Did not have time	0	0%
Didn't know where to report the information	0	0%
Do not know	0	0%
Prefer not to answer	1	50%
Other, please specify	1	50%
Response to "Other, please specify"		
Did not apply to my organization (did not have standing)		

The next set of questions focus on discrimination in housing in suburban Cook County. It is illegal in Cook County to discriminate against someone when providing any type of housing service, including renting, selling, or buying a home; advertising housing; providing financing or insurance for housing; or when estimating a home's value because of their race, color, sex, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, military discharge status, source of income, gender identity, or housing status. These groups are known as "protected classes."

30. In your opinion, is housing discrimination common in Cook County?		
Yes, it is extremely common	1	20%
Yes, it is somewhat common	3	60%
No, it is not at all common	0	0%
No opinion/don't know	1	20%
Total	5	100%

31. Do you believe that there have been changes in the amount of housing discrimination in Cook County since 2008?		
Yes, it has become more common	0	0%
Yes, it has become less common	0	0%
No, it has not changed	3	60%
No opinion/don't know	2	40%
Total	5	100%

32. Please indicate how strongly you agree or disagree with the following statements. In your response, please focus on suburban Cook County.

Top number is the count of respondents selecting the option. Bottom % is percent of the total respondents selecting the option.	Strongly agree	Agree	Neutral/Neither agree nor disagree	Disagree	Strongly disagree	No Opinion
	5	4	3	2	1	0
Real estate industry professionals are undertaking more activities to encourage fair	0 0%	1 20%	0 0%	2 40%	2 40%	0 0%
Financial industry professionals are undertaking more activities to encourage fair	0 0%	2 40%	0 0%	1 20%	2 40%	0 0%
Local government officials are undertaking more activities to encourage fair housing	0 0%	1 20%	1 20%	2 40%	1 20%	0 0%
State of Illinois government officials are undertaking more activities to encourage fair	0 0%	0 0%	2 40%	0 0%	3 60%	0 0%
Federal government officials are undertaking more activities to encourage fair housing	0 0%	3 60%	1 20%	1 20%	0 0%	0 0%

33. We would now like to ask you some questions regarding barriers to fair housing choice, also known as "impediments." For the purpose of this survey, we will define impediments to fair housing choice as any actions, lack of actions, decisions, or lack of a decision made because of a person's race, color, sex, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, military discharge status, source of income, gender identity, or housing status. Please rate whether or not you think any of the following are impediments or barriers to fair housing choice in suburban Cook County. Please do not consider the city of Chicago when providing your answer

Top number is the count of respondents selecting the option. Bottom % is percent of the total respondents selecting the option.	Very Strong Barrier/Impediment	Strong Barrier/Impediment	Somewhat of A Barrier/Impediment	Minor Barrier/Impediment	Not A Barrier/Impediment	N/A
	1	2	3	4	5	N/A
Lack of awareness of fair housing rights by residents	1 20%	4 80%	0 0%	0 0%	0 0%	0 0%
Lack of awareness of fair housing rights by real estate agents	1 20%	1 20%	0 0%	2 40%	1 20%	0 0%
Lack of awareness of fair housing rights by landlords and property managers	1 20%	1 20%	1 20%	1 20%	1 20%	0 0%
Lack of awareness of fair housing rights by banks and mortgage companies	0 0%	2 40%	1 20%	0 0%	2 40%	0 0%
Lack of awareness of fair housing rights by property insurance companies	0 0%	1 20%	0 0%	2 40%	1 20%	1 20%
Lack of awareness of fair housing rights by appraisers	0 0%	1 20%	0 0%	2 40%	1 20%	1 20%
Lack of awareness of fair housing rights by local government staff	2 40%	1 20%	0 0%	1 20%	1 20%	0 0%
Land use, zoning laws, and building codes that make developing housing difficult and/or	2 40%	2 40%	1 20%	0 0%	0 0%	0 0%
Prevalent "fear of others" among suburban Cook County residents, including NIMBYism	2 40%	2 40%	1 20%	0 0%	0 0%	0 0%

34. Please rate whether or not you think any of the following are impediments or barriers to fair housing choice in suburban Cook County. Please do not consider the city of Chicago when providing your answer

Top number is the count of respondents selecting the option. Bottom % is percent of the total respondents selecting the option.	Very Strong Barrier/Impediment	Strong Barrier/Impediment	Somewhat of A Barrier/Impediment	Minor Barrier/Impediment	Not A Barrier/Impediment	N/A
	1	2	3	4	5	N/A
Members of the protected classes are denied mortgages at a higher rate	2 40%	1 20%	1 20%	0 0%	0 0%	1 20%
Jobs, housing, and transit are not located near each other	2 40%	1 20%	1 20%	1 20%	0 0%	0 0%
The housing crisis and recession have impacted minorities more than others	2 40%	0 0%	2 40%	1 20%	0 0%	0 0%
The housing crisis and recession have impacted renters more than owners	2 40%	1 20%	0 0%	1 20%	1 20%	0 0%
The housing crisis and recession have impacted lower-income households more	3 60%	1 20%	1 20%	0 0%	0 0%	0 0%
Certain Cook County policies and procedures do not encourage fair housing	3 60%	0 0%	1 20%	0 0%	0 0%	1 20%
Lack of a regional or countywide approach to fair housing planning	4 80%	0 0%	0 0%	0 0%	0 0%	1 20%
An insufficient supply of affordable housing in suburban Cook County	2 40%	2 40%	0 0%	0 0%	1 20%	0 0%
There are highly segregated communities in suburban Cook County	3 60%	1 20%	0 0%	0 0%	0 0%	1 20%
	1 50%	0 0%	0 0%	0 0%	0 0%	1 50%

35. Do you have any comments or suggestions of ways to reduce or eliminate these barriers to fair housing?		
Yes	3	60%
No	2	40%
Total	5	100%

36. Please provide your comments or suggestions of ways to reduce or eliminate barriers to fair housing.
2 Responses
more efforts to affirmatively further fair housing amongst all County programs including the Housing Authority of Cook County.
enforce the laws already on the books, and besiege fraud and corruption.

Appendix II-2. Fair Housing Survey Responses: Real Estate Professionals

37. Do you have any additional comments on fair housing and housing discrimination that you would like to share?
2 Responses
Cook County has severe disparities in its jurisdiction with racial minorities almost totally excluded from the best schools, jobs and amenities in the region. That situation should never have been allowed to develop but since it exists, it will take focus and commitment to change housing patterns so that all residents are included in the economic mainstream
Not sure how to respond to some of the questions so I simply marked N/A if not sure

1. How would you rate your understanding of your rights related to housing?		
Very strong	3	23%
Strong	4	31%
Somewhat strong	5	38%
Somewhat poor	1	8%
Poor	0	0%
Very poor	0	0%
Prefer not to answer	0	0%
Total	13	100%

2. Have you ever received information on fair housing or your housing rights?		
Yes	8	62%
No	4	31%
Prefer not to answer	1	8%
Total	13	100%

3. Where did you receive or obtain the information on fair housing? (Select all that apply)		
City/town/village government	2	25%
County government	3	38%
Illinois government	1	12%
U.S. government	1	12%
Lawyer	0	0%
Real estate agent/broker	2	25%
Landlord	0	0%
Bank	1	12%
Insurance agent	0	0%
Broker	0	0%
Family, friend, neighbor, or coworker	2	25%
Other	3	38%

4. Do you believe that you need additional information on fair housing laws and rights?		
Yes	5	42%
No	7	58%
Prefer not to answer	0	0%
Total	12	100%

5. As far as you are aware, does the city/town/village in which you live have a fair housing ordinance or a human rights ordinance?		
Yes	7	54%
No	1	8%
I'm not sure	4	31%
Prefer not to answer	1	8%
Total	13	100%

6. Do you see the local government for the community in which you live (for example, the mayor, city manager, housing department) as a resource when it comes to fair housing/housing discrimination?		
Yes	5	42%
No	6	50%
Prefer not to answer	1	8%
Total	12	100%

7. Do you see Cook County as a resource when it comes to fair housing/housing discrimination?		
Yes	6	50%
No	5	42%
Prefer not to answer	1	8%
Total	12	100%

8. Have you heard of the Cook County Commission on Human Rights?		
Yes, I know it quite well	2	17%
Yes, I've heard of it but I don't know that much about it	6	50%
No, I've never heard of it before now	4	33%
Prefer not to answer	0	0%
Total	12	100%

9. Have you ever contacted the Cook County Commission on Human Rights?		
Yes	0	0%
No	12	100%
Prefer not to answer	0	0%
Total	12	100%

10. Would you know who to contact in your community's local government if you had a complaint about housing discrimination?		
Yes	10	77%
No	3	23%
Prefer not to answer	0	0%
Total	13	100%

11. Have you experienced housing discrimination while living in or looking for housing in suburban Cook County?		
Yes	1	8%
No	12	92%
Prefer not to answer	0	0%
Total	13	100%

12. If you have experienced housing discrimination, what kind of housing were you living in, looking for, selling, or renting? (Select all that apply)		
Looking to rent a unit to live in	1	100%
Looking to rent a unit to someone	0	0%
Looking to buy a unit	0	0%
Looking to sell a unit	0	0%
Other, please explain below	0	0%
Prefer not to answer	0	0%
0 Responses		

13. If you have experienced housing discrimination, do you believe that the discrimination was based upon (select all that apply):		
Race	1	100%
Color	0	0%
Sex	0	0%
Age	0	0%
Religion	0	0%
Disability	0	0%
National origin	0	0%
Ancestry	0	0%
Sexual orientation	0	0%
Marital status	0	0%
Parental status	0	0%
Military discharge status	0	0%
Source of income	0	0%
Gender identity	0	0%
Housing status	0	0%
Section 8/Housing Choice Voucher	0	0%
Prefer not to answer	0	0%
Other, please specify	0	0%

14. If you have experienced housing discrimination, did you take any action to report or address this act of discrimination?		
Yes	0	0%
No	1	100%
Prefer not to answer	0	0%
Total	1	100%

15. What actions did you take to report or address this act of discrimination?		
Contacted a lawyer	0	0%
Contacted a housing rights advocate, fair housing organization, or other nonprofit organization	0	0%
Contacted local municipality or local government official	0	0%
Contacted Cook County	0	0%
Contacted HUD	0	0%
Prefer not to answer	0	0%
Other, please specify	0	0%

16. Why did you elect not to take an action? (Select all that apply)		
Did not have time	0	0%
Didn't know where to report the information	0	0%
Afraid of retaliation	0	0%
Am not sure of my rights	0	0%
Would not make any difference	1	100%
Went somewhere else	0	0%
Housing easier to find/sell/rent somewhere else	0	0%
Wouldn't want to live near/rent from/purchase from the person discriminating	0	0%
Didn't think I would be able to prove discrimination	0	0%
It costs too much to pursue	0	0%
Discrimination was not that serious	0	0%
Prefer not to answer	0	0%
Other, please specify	0	0%

The next set of questions focus on discrimination in housing in suburban Cook County. It is illegal in Cook County to discriminate against someone when providing any type of housing service, including renting, selling, or buying a home; advertising housing; providing financing or insurance for housing; or when estimating a home's value because of their race, color, sex, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, military discharge status, source of income (not including Section 8), gender identity, or housing status. These groups are known as "protected classes." Please do not consider the city of Chicago when providing your answer.

17. In your opinion, is housing discrimination common in suburban Cook County?		
Yes, it is extremely common	2	15%
Yes, it is somewhat common	8	62%
No, it is not at all common	2	15%
No opinion/don't know	1	8%
Total	13	100%

18. Do you believe that there have been changes in the amount of housing discrimination in suburban Cook County since 2008?		
Yes, it has become more common	2	15%
Yes, it has become less common	3	23%
No, it has not changed	3	23%
No opinion/don't know	5	38%
Total	13	100%

19. We would now like to ask you some questions regarding barriers to fair housing choice, also known as "impediments." For the purpose of this survey, we will define impediments to fair housing choice as any actions, lack of actions, decisions, or lack of a decision made because of a person's race, color, sex, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, military discharge status, source of income (not including Section 8), gender identity, or housing status.Please rate whether or not you think any of the following are impediments or barriers to fair housing choice in suburban Cook County. Please do not consider the city of Chicago when providing your answer.

Top number is the count of respondents selecting the option. Bottom % is percent of the total respondents selecting the option.	Very Strong Barrier/Impediment	Strong Barrier/Impediment	Somewhat of A Barrier/Impediment	Minor Barrier/Impediment	Not A Barrier/Impediment	N/A
	1	2	3	4	5	N/A
Lack of awareness of fair housing rights by residents	1 9%	1 9%	6 55%	1 9%	1 9%	1 9%
Lack of awareness of fair housing rights by real estate agents	1 9%	1 9%	5 45%	2 18%	1 9%	1 9%
Lack of awareness of fair housing rights by landlords and property managers	2 18%	2 18%	5 45%	0 0%	0 0%	2 18%
Lack of awareness of fair housing rights by banks and mortgage companies	4 33%	0 0%	4 33%	2 17%	1 8%	1 8%
Lack of awareness of fair housing rights by property insurance companies	2 17%	0 0%	5 42%	3 25%	1 8%	1 8%
Lack of awareness of fair housing rights by appraisers	2 17%	0 0%	4 33%	3 25%	1 8%	2 17%
Lack of awareness of fair housing rights by local government staff	2 18%	1 9%	3 27%	2 18%	2 18%	1 9%
Land use, zoning laws, and building codes that make developing housing difficult and/or	6 50%	1 8%	2 17%	2 17%	0 0%	1 8%
Prevalent "fear of others" among suburban Cook County residents, including NIMBYism	7 58%	1 8%	2 17%	1 8%	0 0%	1 8%

20. Please rate whether or not you think any of the following are impediments or barriers to fair housing choice in suburban Cook County. Please do not consider the city of Chicago when providing your answer.

Top number is the count of respondents selecting the option. Bottom % is percent of the total respondents selecting the option.	Very Strong Barrier/Impediment	Strong Barrier/Impediment	Somewhat of A Barrier/Impediment	Minor Barrier/Impediment	Not A Barrier/Impediment	N/A
	1	2	3	4	5	N/A
Members of the protected classes are denied mortgages at a higher rate	2 18%	5 45%	0 0%	1 9%	0 0%	3 27%
Jobs, housing, and transit are not located near each other	2 17%	4 33%	3 25%	0 0%	1 8%	2 17%
The housing crisis and recession have impacted minorities more than others	4 36%	2 18%	2 18%	0 0%	1 9%	2 18%
The housing crisis and recession have impacted renters more than owners	2 18%	0 0%	2 18%	4 36%	1 9%	2 18%
The housing crisis and recession have impacted lower-income households more	3 27%	3 27%	2 18%	0 0%	1 9%	2 18%
Certain Cook County policies and procedures do not encourage fair housing	2 17%	1 8%	4 33%	2 17%	1 8%	2 17%
Lack of a regional or countywide approach to fair housing planning	1 9%	3 27%	3 27%	0 0%	2 18%	2 18%
An insufficient supply of affordable housing in suburban Cook County	4 36%	2 18%	2 18%	0 0%	1 9%	2 18%
There are highly segregated communities in suburban Cook County	5 42%	1 8%	3 25%	0 0%	1 8%	2 17%

21. Do you have any additional comments on fair housing and housing discrimination that you would like to share?
6 Responses
no
No
Properties appear to be intentionally developed AWAY from simple transit options to limit diversity (NIMBY). Multi-family developements located near least desirable locations like freeways . Have read some communities are blocking senior housing developements. Oak Park is guilty of pandering to luxury condo developments by waiving building/zoning regulations JUST for a specific property (http://oakparkcitizens.com/) at Lafe/Forest Aves. Haven't confirmed same sort of shenanigans for proposed Harlem/South blvd "redevelopement."
Response ommitted due to offensive and inflamatory language.
I just wish that everyone could live as one community...
We must ensure access to jobs. The county, state and federal agencies cannot continue their policies that support and encourage the concentration of

22. Finally, we would like to have a better understanding of the responses received to questions based upon the background of respondents. Again, all responses remain confidential. Would you be willing to provide some additional background information?

Yes	7	54%
No	6	46%
Total	13	100%

Each question is optional. If do not want to answer, please select "prefer not to answer."

23. In what region of Cook County do you live?		
South suburban	1	14%
Southwest suburban	0	0%
West suburban	4	57%
Northeast suburban	0	0%
North suburban	2	29%
City of Chicago	0	0%
Prefer not to answer	0	0%
Total	7	100%

24. Do you rent or own the place where you live?		
Rent	1	14%
Own	6	86%
Live with family (no rent or mortgage payment)	0	0%
Do not have a permanent place of residence	0	0%
Prefer not to answer	0	0%
Total	7	100%

25. Are you:		
Male	3	43%
Female	4	57%
Prefer not to answer	0	0%
Total	7	100%

26. What is your current age?		
18 years of age and younger	0	0%
18-29 years old	0	0%
30-39 years old	0	0%
40-49 years old	2	29%
50-59 years old	2	29%
60-69 years old	3	43%
70-79 years old	0	0%
80 years old and above	0	0%
Prefer not to answer	0	0%
Total	7	100%

27. What is your marital status?		
Never married	1	14%
Married	4	57%
Civil union	0	0%
Widowed	0	0%
Divorced/separated	2	29%
Prefer not to answer	0	0%
Total	7	100%

28. Do you identify yourself as a member of any of the following groups? (Select all that apply)		
White	7	100%
Black/African American	0	0%
Asian American	0	0%
Native Hawaiian or Other Pacific Islander	0	0%
American Indian/Alaskan Native	0	0%
Other racial group	0	0%
Hispanic/Latino	0	0%
Gay/Lesbian/Bisexual/Transgendered	0	0%
Born outside of the United States	0	0%
A person with a disability	0	0%
An active/retired/discharged member of the armed forces	1	14%

29. Do any of your household members identify themselves as a member of any of the following groups? (Select all that apply)		
White	6	100%
Black/African American	1	17%
Asian American	0	0%
Native Hawaiian or Other Pacific Islander	0	0%
American Indian/Alaskan Native	0	0%
Other racial group	0	0%
Hispanic/Latino	0	0%
Gay/Lesbian/Bisexual/Transgendered	0	0%
Born outside of the United States	0	0%
A person with a disability	2	33%
An active/retired/discharged member of the armed forces	0	0%

APPENDIX III.
CITIZEN PARTICIPATION AND PUBLIC COMMENTS

The Department of Planning and Development within the Bureau of Economic Development conducted a 30-day public comment period to allow the public and other stakeholders to review and comment upon the draft Analysis of Impediments to Fair Housing Choice. Notice of the public comment period was provided via local newspaper as well as posting on the County's website. An email notice was also transmitted to local stakeholders informing them of the public comment period and requesting linkage to the draft report via their websites. Copies of the public comment notice as well as formal correspondence including written comments and County responses can be found on the following pages.

Chicago Tribune

CERTIFICATE OF PUBLICATION

Chicago Tribune Company hereby certifies that it is the publisher of the Chicago Tribune; that the Chicago Tribune is an English language newspaper of general circulation, published daily in the City of Chicago, County of Cook and State of Illinois; that the Chicago Tribune has been so published continuously for more than one year prior to the date of first publication mentioned below and is further a newspaper as defined in Ill. Rev. Stat. Ch. 100, SS 5 & 10; that the undersigned is the duly authorized agent of the Chicago Tribune Company to execute this certificate on its behalf; and that a notice of which the annexed is a true copy was printed and published in said newspaper (1) times(s) and on the following dates:

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the first publication being on the earliest of said dates and the last publication being on the latest of said dates.

Executed at Chicago, Illinois this 05TH day of July, 2012.

CHICAGO TRIBUNE COMPANY

NOTARY PUBLIC OFFICIAL SEAL STATE OF ILLINOIS
BRIGHID K FURNEY
MY COMMISSION EXPIRES DECEMBER 21, 2015

By _____

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1639472

LEGAL NOTICES

NOTICE OF PUBLIC COMMENTS
(2012 Program Year)

COOK COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM
HOME INVESTMENT PARTNERSHIPS PROGRAM
EMERGENCY SOLUTIONS GRANT PROGRAM

PUBLIC COMMENTS - (2012 Annual Action Plan and Analysis of Impediments to Fair Housing Choice, Cook County, IL)

PERIOD: **July 5, 2012 - August 6, 2012**

COMMENTS DUE: **August 6, 2012 (4:00 P.M.)**

LOCATION: **Cook County Bureau of Economic Development**
69 W. Washington Street, Suite 2900
Chicago, IL 60602

Purpose:

Cook County 2010-2014 Consolidated Community Development Plan (Year 3) - 2012 Annual Action Plan Summary

The Cook County Bureau of Economic Development is hereby making available for public comment of the draft 2012 Annual Action Plan (AAP) for Year 3 of the Five-Year Consolidated Community Development Plan 2010-2014. The Annual Action Plan describes the strategies and projects that seek to address Cook County's affordable housing, homeless and social service needs, and community and economic development needs and activities and Americans with Disabilities Act (ADA) compliance activities.

Federal resources fund the bulk of the activities of the Annual Action Plan for the 2012 Program Year. Cook County will allocate $9,318,878.00 for 97 CDBG projects, $767,133.00 for the ESG projects, and $3,677,940.00 for HOME program activities. These amounts do not include matching funds and program income.

Citizen Participation Notice - Draft Analysis of Impediments to Fair Housing Choice, Cook County, IL

The Cook County Bureau of Economic Development is also accepting citizen comments regarding its Draft Analysis of Impediments to Fair Housing Choice (AIFHC).

Cook County is an entitlement jurisdiction under the U.S. Department of Housing and Urban Development's (HUD) Community Development Block Grant (CDBG), Emergency Solutions Grants (ESG), and HOME Investment Partnerships (HOME) programs. HUD requires entitlement jurisdictions to update their AIFHC, to affirmatively further fair housing. This Draft AIFHC identifies impediments to fair housing choice and proposes strategies to address related obstacles.

An important part of the process of developing this Draft AIFHC is to promote citizen participation and solicit input. All interested parties are encouraged to provide written comments.

The 2012 Annual Action Plan (AAP) and Analysis of Impediments to Fair Housing Choice (AIFHC) drafts may be reviewed at the Cook County Bureau of Economic Development offices at 69 West Washington, Suite 2900, Chicago, IL 60602, or online at the Cook County website: www.cookcountyil.gov/economicdevelopment.

Written comments for both drafts, AAP and the AIFHC, are being accepted from **July 5, 2012 - August 6, 2012** and must be received **by 4:00 p.m. on August 6, 2012** in order to receive consideration. Comments must be directed to Sylvia Parham, Grants Manager, Cook County Bureau of Economic Development, 69 West Washington, Suite 2900, Chicago, IL 60602 or online at the Cook County website: www.cookcountyil.gov/economicdevelopment.

COMMENTS RECEIVED

The County received two sets of comments that can be found below. In response to the comments received, revisions were made to the draft document.

BUREAU OF ECONOMIC DEVELOPMENT

HERMAN BREWER – BUREAU CHIEF
George W. Dunne Cook County Office Building
69 W. Washington, Suite 2900
Chicago, Illinois 60602-3171
TEL: 312-603-1000
FAX: 312-603-9970
TDD: 312-603-5255

May 22, 2012

ATTN: Rob Breymaier, Board President
Chicago Area Fair Housing Alliance (CAFHA)

VIA EMAIL

RE: Analysis of Impediments to Fair Housing Choice (AIFHC)
Phase I and II Status Update and Draft Report for Review/Comment

Dear Mr. Breymaier,

As you are aware, Cook County is currently in the process of updating its HUD-required Analysis of Impediments to Fair Housing Choice (AIFHC) with the assistance of Applied Real Estate Analysis (AREA), Inc. The AIFHC is due to HUD in September 2012.

This AIFHC update has been divided into two phases. Phase I consists of the development of the preliminary report detailing identified impediments and recommendations for addressing said obstacles. Phase II consists of the development of a framework for a tiered fair housing compliance approach specific to Cook County municipal funding recipients.

This framework will be inclusive of four compliance levels as indicated below:

- Excelling
- Emerging
- Challenged
- Non-Compliant

We value your input as it relates to both the Draft Phase I report as well as the development of the Phase II framework.

Please see the attached Draft Phase I report for your review. Please advise regarding your availability to meet within the next two weeks to provide comments on the Phase I report as well as participate in a working session on the Phase II framework.

AREA may also contact you to schedule separate discussions as they continue to work on the AIFHC project. We appreciate your continued cooperation with their requests for information or input.

In the interim, please direct any questions or concerns to Sylvia Parham, Grants Manager – CDBG, ESG & HPRP at 312-603-1030, Sylvia.parham@cookcountyil.gov or Jennifer Miller, Program Manager – HOME at 312-603-1072, Jennifer.miller@cookcountyil.gov.

Thank you for your continued input, advisement, and participation in this process.

Sincerely,

Herman Brewer, Bureau Chief
Bureau of Economic Development

CC

Jane Hornstein, Deputy Director, Cook County
Jennifer Miller, Program Manager, Cook County
Sylvia Parham, Grants Manager, Cook County
Kathleen Clark, Executive Director, Lawyer's Committee for Better Housing
John Petruszak, Executive Director, South Suburban Housing Center
Jay Readey, Executive Director, Chicago Lawyers' Committee for Civil Rights Under Law, Inc.
Betsy Shuman-Moore, Project Director - Fair Housing Project, Chicago Lawyers' Committee for Civil Rights Under Law, Inc.
Gail Schechter, Executive Director, Interfaith Housing Center of the Northern Suburbs
Kate Walz, Director – Housing Justice Project, Sargent Shriver National Center on Poverty Law
Maxine Mitchell, President, Applied Real Estate Analysis (AREA)
M. Alicia Serrano, Assistant Vice President, Applied Real Estate Analysis (AREA)

CHICAGO AREA FAIR HOUSING ALLIANCE
A VOICE FOR EQUAL ACCESS AND OPPORTUNITY

June 8, 2012

Attn: Herman Brewer, Bureau Chief
Bureau of Economic Development

VIA EMAIL

RE: Cook County Draft Analysis of Impediments to Fair Housing Choice (AI)

Upon review of the Cook County Analysis of Impediments to Fair Housing Choice, the Chicago Area Fair Housing Alliance (CAFHA) submits the following comments for consideration.

As you are aware, the completion of an AI, as mandated by HUD guidelines, provides the outline for fair housing planning within a jurisdiction and further identifies indicators against which future progress may be measured. CAFHA is pleased to see that the draft AI has for the most part fulfilled the obligatory scope of analysis. However, due to the nature of this project and the importance of its findings, CAFHA recommends incorporating the following into the final AI.

The following are specific areas in need of clarity or further explanation in order to refine the fair housing objectives of the analysis:

Overarching Recommendations:

- The AI currently lacks clarification regarding the ways in which the County could assist municipalities—each with greatly varied housing structures, fiscal capacities, and racial/ ethnic compositions—to adequately address fair housing based on the characteristics of each municipality. For instance, affirmatively furthering fair housing would look vastly different in a high-opportunity, predominantly white community than it would for a community encompassing racially concentrated areas of poverty. The AI should go beyond simply stating this difference and suggest strategies to equalize disparate opportunity within the County.
- The importance of affirmative marketing strategies to expand housing options and promote the value of diversity should be emphasized to a greater degree. Again, marketing campaigns should be suggested with respect to the varying municipal and sub-regional circumstances. An example of municipal marketing strategies would include understanding and combating NIMBYism in order to stimulate more inclusive housing patterns. Conversely, marketing strategies for housing seekers should include the expansion of housing options-- specifically options that would encourage affirmative moves in areas perhaps previously unknown to the housing seeker.
    - Strategies for affirmative marketing could include:
        - Ensure that municipal promotional materials and website welcome

diversity including human models, equal housing logos, and welcoming language—a first step could be analyzing the ways in which print and web materials implicitly discourage integration.
    - Reaching out to condo/homeowners associations, landlords, real estate agents, etc. to develop trainings, certifications, and guidance on fair housing in conjunction with private fair housing agencies.
    - Ensure that all materials for the public are in multiple languages, particularly Spanish.
    - Market housing to specific community, religious, or other organizations frequented by those least likely to seek rentals or homeownership in the area.
- The AI can provide more guidance for transcending narrow municipal goals for the benefit of sub-regional or County-wide goals that promote the expansion of housing options with the County's leadership.
- It is essential to outline the benefits of diversity and integration for both individual residents, families, municipalities, and the County as a whole. This is not simply an obligation required to receive funding, there are intrinsic values in diversity that benefit all residents. As evidenced in this AI, municipalities are unwilling to discuss or understand this issue. This reluctance is a barrier to fair housing.
- The AI should strongly advocate for the Cook County Commission on Human Relations to achieve substantial equivalency with the federal Fair Housing Act. This will improve the standing of the Commission, provide a potential source of revenue, and promote greater coordination among municipalities through referrals of fair housing complaints directly to the Commission. Currently, the process is fragmented. Most municipalities lack the capacity to assess fair housing complaints internally, and also fail to establish effective referral processes.

Targeted Recommendations:

- Land Use and Zoning (p. 37):
    - Despite the fact that many of the municipalities within Cook County are home-rule jurisdictions due to their population size or election by referendum, an analysis of the ways in which unique zoning and land use ordinances impact fair housing should not be overlooked. Instead of examining each and every municipality's zoning structure, a sampling of typical municipal land use and zoning ordinances that either create barriers to or further fair housing goals could be incorporated into the bulleted examples section.
        - For instance, specific examples of municipal codes that serve to limit housing for large families, individuals with disabilities, etc. could be provided.
        - Also, ways in which inequities in the enforcement of such ordinances and how such inequities disproportionately impact protected classes—such as occupancy standards and national origin-- should be included.
    - The AI should not restrict itself to solely reviewing zoning of land under the County's jurisdiction. In fact, the AI should identify home-rule status as an impediment in and of itself, with municipalities having "permission" to self-exclude from the overall County's obligation to further fair housing. It should also be pointed out that, in fact, the population in unincorporated areas under County control, such as surrounding Des Plaines, Glenview, and Park Ridge, are much more economically and racially diverse than those in incorporated communities because the County's zoning allows for greater density.
- Crime-Free rental properties ordinances. (p. 38): "A local fair housing advocate brought this to the attention of researchers. The ordinance typically contains a "nuisance trigger"; that is, if there are numerous calls to any public office—not just law enforcement—regarding residents of a rental unit, the jurisdiction sends a complaint to the property owner. An arrest of a resident may also be a trigger. The property owner is then obligated to initiate eviction procedures. These types of ordinances can disproportionately impact minorities, who have high rental rates, and women, who make up the vast majority of domestic violence victims." Since enforcement of these ordinances can have a disparate impact on minorities and domestic violence victims, municipalities should review each situation carefully before requiring an eviction. Additionally, arrests, in contrast to convictions, should not be considered sufficient evidence of criminal activity to trigger an eviction

under these ordinances. Also, many of these ordinances require landlords to be licensed and attend a seminar on the crime-free requirements. The seminars, through consultation with fair housing enforcement agencies, should include information about fair housing and the content of fair housing ordinances. Municipalities should also consult with fair housing enforcement agencies before enacting and/or enforcing such ordinances. Municipalities should ensure that the ordinances are being enacted to prevent crime and/or increase public safety and not to exclude residents based on race, ethnicity, or other protected class.

  - Zoning Charts (p. 39 and 40): These charts provide no analysis and need further explanation especially regarding the ways in which they demonstrate the disparate impact of zoning and land use for some protected classes, such as African Americans, Latinos, and people with disabilities.

- Housing (p. 41):
  - Assessment of Homeownership and HMDA Data (p. 45 and 46): An important component of the mortgage crisis is the availability and access to loan originating banking centers in census tracts with majority minority concentrations, since most of these areas generally lack access to banking centers. If the AI is addressing this issue, it should also provide analysis of the location of branches and loan officers in relation to minority and low- to moderate-income census tracts with the inclusion of tables and maps illustrating the findings.
  - Bullet: "Most banks now require at least 20 percent down for a mortgage" (p. 46). CAFHA finds this assertion to be questionable and suggests a survey of area banks.
  - Bullet: "The estimated mortgage payment used in the analysis only includes principal and interest and does not include insurance and taxes" (p. 46) The issue of property taxes requires a discussion of variations in tax rates and tax burdens throughout the County. For example, the south suburbs have exorbitantly high property tax rates because the tax base is not diversified and therefore requires a heightened reliance on property taxes for the provision of public school education and municipal services. These areas are in need of economic and infrastructure development in order to expand the tax base. In a separate section on sub-regional disparities, this issue should be noted, and strategies for regional equity should be proposed.
  - Disposition of Loan Applications By Race (p. 47): In order to bring greater clarity to the figures displayed in this chart, it is essential to provide a supplemental chart standardizing these numbers by population percentages.
- Lending Institutions (p. 49). This section requires further analysis regarding the historic and current barriers created by lending institution practices. Simply stating the lack of participation from lending institutions is not sufficient.
- Real Estate Roundtable: (p. 49): This section provides a great deal of insight into the fair housing knowledge of real estate agents, who are central actors in the housing arena. Real estate agents, whether they acknowledge it or not, play a pivotal role in either promoting or inhibiting the affirmative furthering of fair housing. This discussion of fair housing impediments through the roundtable process is helpful in highlighting the gaps in fair housing awareness, especially when reviewing the following excerpts:
  - (p. 50) "The broker 'advised' the agent to shift away from working in the neighborhood for a while to appease the complaining resident." It is important to clearly identified this issue as a violation of the Fair Housing Act.
  - This sentence is unintelligible (p. 50) "Some had experienced buyers not wanting to sell because the purchaser was using Federal Housing Administration (FHA) financing". Should this sentence instead read: "Some had experienced *sellers* not wanting to sell because the purchaser was using FHA financing" or "Buyers were denied the opportunity to buy due the utilization of FHA financing?"
  - (p. 51) "When asked if those in protected classes are shown fewer homes than others, all replied that they did not believe this was a fair housing issue." The lack of understanding regarding the restricted housing options of people of color and people with disabilities is a significant fair housing issue and should be expanded upon.

- (p. 51) "They noted that African-American buyers, for example, have a smaller list of neighborhoods where they wish to look for homes." Research has shown that African American households do not "wish" to live in fewer neighborhoods but that they feel as though fewer neighborhoods are open to them, based on often incorrect perceptions and outright discrimination. Reference should be made to research such as that of Forman and Krysan; "In general, it appears that Chicago blacks, Latinos, and whites report a similar commitment to living in racially and ethnically diverse neighborhoods...Yet, whites are the only group that prefers their racial group be in the majority"[i] (3).
- (p. 51) "When asked by the moderator about recommending additional neighborhoods to their clients, the respondents immediately replied that doing so would be considered 'steering' even if it was in an area not predominantly minority or low income." It is absolutely essential that this fallacy be clearly countered in the AI. The recommendation of additional neighborhoods may or may not be illegal steering, depending on the circumstances; Realtors are encouraged to recommend other neighborhoods or areas, "expands housing options" of their buyers, and as long as they do not reinforce segregated housing patterns, they are in fact affirmatively furthering fair housing. Realtors are regarded as experts and can help to remove any "blind spots" that buyers may have.
  - Research by Maria Krysan of University of Illinois has shown that expansion of housing options through the eradication of what she calls "racial blind spots" is imperative to affirmatively further fair housing: "Our results suggest that this kind of affirmative marketing—educating residents about the variety of housing options available—is a critical first step in this process: there are substantial racial 'blind spots' in community knowledge which must be overcome" (6)[ii].

- Complaint Process (p. 58): The County complaint process needs to be amended to obtain "substantial equivalency" with the federal Fair Housing Act requirements. Once the County obtains this status (currently only held by IDHR in Illinois), it would allow private fair housing agencies, IDHR and HUD to work cooperatively with the County to develop memorandums of understanding to process complaints on the same plain.
  - Municipalities would further benefit from the development of a memorandum of understanding with private fair housing enforcement agencies to conduct the initial intake and investigation of complaints for referral to the County, if warranted, for further administrative action.
  - (59 & 63) – Corrections: replace Leadership Council for Metropolitan Communities with Leadership Council for Metropolitan Open Communities and Robe Breymaier with Rob Breymaier.
- Municipalities (p. 60) "Several noted that they had complied with CDBG requirements by enacting fair housing ordinances, but they did not know quite what to do beyond that. As one administrator said, 'I don't know all the rules and regulations. How do I find all that out?" It is clear that resources must be provided to municipalities in order to effectively plan for and implement fair housing strategies. Perhaps a footnote could be added here for CAFHA and other organizations that could serve as resources for municipal leaders.
  - Municipal Roundtable (p. 61): This section must include an explanation as to why the northern part of Cook County was either excluded from or refused to engage in the roundtable sessions. If their omission was due to refused invitations, the AI should consider certain conclusions from this lack of participation. This is especially important since there is a great need for affirmative fair housing strategies in the northern suburbs due to exclusionary zoning ordinances, municipal ambivalence to fair housing issues, and the NIMBYism of north suburban residents.
  - Indicative of this general ambivalence is the conclusion drawn from the AI's roundtable sessions; "'Fair housing efforts seem to be seen by many municipal administrators as a requirement for federal funds with little real impact or relevance to their communities". It is vital to change this perception; without genuine buy-in from municipal leaders, fair housing goals are truly vapid. Another impediment witnessed at the municipal level is the lack of commitment to espousing the values of diversity and integration. Many municipalities simply

see fair housing as a trivial issue that is currently irrelevant. This implication in itself should be seen as a "red flag" that an area is both uneducated on the purposes of fair housing, and (for entitlement jurisdictions) also most likely not fulfilling obligations to further fair housing. All Cook County municipalities should be required to conduct Analyses of Impediments to Fair Housing as a matter of course, regardless of home rule status or pursuit of federal funding.
    - "Because heretofore there have been no consequences to not being actively involved in fair housing, the municipalities have had no incentive to prioritize affirmatively furthering fair housing" (p. 61). The County must actively work to remedy this situation. Consideration must be taken regarding the ways in which municipalities, even non-entitlement jurisdictions can be incentivized to fully engage in furthering fair housing efforts.
- Fair Housing Grants (p. 63): This section requires more clarity on how these funds are being utilized, which may require follow-up dialogue with private fair housing organizations.
- An additional Impediment to Fair Housing should be added: "Over-reliance on the property tax to pay for public schools." Although this is under the purview of the state, reliance on the property tax leads suburbs to:
    - Discouraging housing for families, a clear violation of the familial status provisions of the Act.
    - Discouraging the development of affordable housing, in part due to the perception that affordable housing will bring in families (familial status discrimination) and raise costs, "special needs" populations that incur costs on school districts (disability – and often race and national origin), and lower property tax revenues.
    - A solution to this impediment could be regional tax base sharing, and relaxing residency standards so that students can attend schools in communities other than where they live, perhaps through the use of enrollment limits for non-residents.
- Impediment 1: Lack of Awareness of Fair Housing Laws
    - 1.3 (p. 74): "Private Sector Individuals are frequently unaware that they are violating fair housing laws" This impediment requires a clear recommendation yet none are presented. For instance, the proposal of training programs, passing tests, and licensure requirement to ensure that housing providers understand the obligations of the Fair Housing Act and to dispel the negative connotations which may be associated with fair housing could serve as an appropriate recommendation.
- Recommended Actions 1: Create a County Fair Housing Website (p. 76).
    - The last paragraph of this section requires a more comprehensive list of fair housing agencies for inclusion in the proposed County Fair Housing Website.
    - Participation in an MPC< CMAP, or ULI event (p. 77). CAFHA should be listed as an organization facilitating regular fair housing events and meetings.
- Recommendation 2 (p.78): "Obtain written confirmation from legal counsel and HUD that the County is authorized to rescind funding." CAFHA believes that this bullet should be removed as it is unnecessary. The obligation to affirmatively further fair housing and the clear consequence of revocation of funding is already outlined by HUD and actions have been taken in other jurisdictions, including jurisdictions in HUD Region V.
    - (p.78) "Incorporate into the funding application data requirements proposed by CAFHA." CAFHA appreciates the inclusion of its recommended monitoring tool for municipalities and recommends the following revisions
        - #5: "Establish a procedure for receiving fair housing complaints *and* referring fair housing complaints to CCHR"
        - Include the following bullet: Create memorandum of understanding with fair housing enforcement agencies to establish a fair housing complaint referral process.
            - Local commissions are chronically understaffed and unable to function effectively.
- (p. 79) "Incorporate the responsibilities of each sub-recipient into the funding agreement." Under this bullet, the inclusion of issues associated with sub-contracting agencies must be identified. For example, fair housing organizations have witnessed the complications that arise when consortiums

and collaboratives conduct CDBG-funded work without having to complete the certifications that sub-recipients would have been required to complete.

- Recommended Actions 3 (p. 80). This should include a recommendation to support the fair housing enforcement and education activities provided by private fair housing agencies.
- Land Use, Zoning Laws, and Building Codes that Do Not Affirmatively Further Fair Housing (81): This section would benefit from the inclusion of an analysis of occupancy and accessibility standards and the ways in which such standards have a disparate impact based on national origin, and are often enforced unevenly and used to discriminate. It should also include a recommendation that municipalities integrate accessibility guidelines into their building permit process.
- Recommended Action 4 (p. 82) "Develop guidelines for communities to consider" This analysis should include specific guidelines to serve as a model for municipalities to follow.
    - "Request assistance from CMAP in educating municipalities." CAFHA should be included as a resource instead of or in addition to CMAP, since CAFHA is the most knowledgeable organization and has been contracted to conduct fair housing initiatives for the region.
- Recommended Action 5 (p.84)
    - "Update Commission on Human Rights website" This should include the addition of links fair housing enforcement agencies and CAFHA, similar to the way HUD provides such links.
    - The County should also consider a County-wide Residential Landlord/Tenant Ordinance. Too many fair housing complaints tread a fine line between actual discrimination and landlord neglect or abuse. The County needs to adopt a regional strategy to protect tenants.
- Recommended Action 6 (p. 86)
    - Reliance on CMAP as the region's planning body to implement regional strategies is insufficient. CMAP has no independent power. Instead, emphasis should lie in pushing Cook County's own political muscle.
- Recommended Action 7 (p. 87). This section is inadequate and requires greater detail. See the overarching recommendations outlined herein for guidance on addressing falsely held beliefs related to fair housing.
- Recommended Action 11 (p. 88) "Allocate grant funding to communities with high foreclosure rates" Thinking critically about the type of funding needed to address the unique needs of various municipalities is key to ensuring that these activities will affirmatively further fair housing. For instance, funding can be allocated for housing, economic development, infrastructure, etc. These variations in development must be tied to the unique needs of each community. Important to consider is the fact that areas hit hardest by foreclosure are least likely to need new housing, especially affordable housing—this would only further perpetuate patterns of segregation and concentrations of poverty. These areas instead require infrastructure planning and economic development, as well as resources devoted to foreclosure mediation and legal aid resources.
- Recommended Action 12- "Offer fair housing training to local real estate professionals" This section can clearly delineate affirmative marketing strategies, including strategies to combat steering, and more information on the history of steering and segregation in general. Perhaps especially impactful would be the inclusion of post-tests for certification of real estate professionals. This could be used as an incentive to boost attendance rates at such trainings. Additionally helpful could be the implementation of a county approved certification program that real estate agents who complete such training could use for self-promotion. The County should consider a certification program for agents and brokers.
- Recommendation 13 (p. 90) "Continue implementation of the Suburban Cook County Multifamily Preservation Initiative" More information on this program would be helpful since it is not well known throughout the County. Further, programmatic goals must target opportunity areas.
    - "Review the zoning and land use plan to identify any amendments needed to support the preservation and expansion of affordable housing in diverse communities" The expansion of affordable housing must be targeted for it to be efficient and further fair housing goals. Specifically, affordable housing expansion must be targeted in high opportunity, predominantly white communities, not necessarily all communities.

- The expansion of rental housing should be indicated as an explicit goal. One of the most insidious impediments to diverse communities is the disappearance of rental housing, and the ability of communities to zone against multi-family rental housing.
- Solutions to Impediment 13 do not go far enough. The County should cooperate with the state in implementing the Affordable Housing Planning & Appeal Act and make sure that every community is working to get to 10% affordable housing, not just those applying for funding from the County. Because realistically, affluent communities are not applying for CDBG funding in the first place, so to give them yet another out further exacerbates discrimination and the limitation of housing choice within the County.

Please contact me should you have any questions regarding this response, or if further guidance can be provided while the AI is finalized.

Thank you,

Rob Breymaier, President
Chicago Area Fair Housing Alliance

[i] Tyrone Forman and Krysan, Maria. *Racial Segregation in Metropolitan Chicago Housing.* Institute of Government & Public Affairs: Policy Forum. Volume 20. No. 3, Feb. 2008.
[ii] Maria Krysan. *Racial Blind Spots: A Barrier to Integrated Communities in Chicago.* Institute of Government & Public Affairs June 2008.

August 6, 2012

Sylvia Parham

Cook County

Diversity, Inc. has reviewed the Analysis of Impediments to Fair Housing and recommended actions to over come the impediments.

Our review revealed a comprehensive Analysis; we are impressed. The following are our comments and we look forward to working together with the County and all of their partners in the implementation phase.

County has been provided a Fair Housing Evaluation Criteria by Chicago Fair Housing Alliance, delivered as Memorandum from CAFHA to Cook County, August 2011, referred to as the Fair Housing Monitoring Tool.

They list 10 responsibilities for funding recipients as a required element of the action process this list is excellent. Although we applaud feel that item #3 on the Fair Housing Monitoring Tool, to require a subrecipient community to conduct an analysis of the affordability and accessibility of both rental and owner-occupied housing is a good idea for most subrecipient municipalities it would be cost prohibitive particularly if it were to be kept current. If a suitable, reliable and cost effective analysis conducted by Chicago Metropolitan Agency on Planning CMAP or another agency could be identified a suitable substitute for a locally generated analysis it would make more sense.

Also in the Fair Housing Monitoring Tool, Item Number 7. This is a requirement to Market the community to all underrepresented **minority groups.**

We disagree with the concept of limiting Affirmative outreach to minority groups.

In order to "Affirmatively Further" the Purpose of Title VIII, which is to further or encourage "Truly Open and Integrated Communities"; marketing to all groups should be done. This would include majority homeseekers not competing in the Housing Market in proportion to their presence and economic capacity in Metropolitan region.

A Majority Minority community should be looked to for Affirmative Marketing to homeseekers from the majority groups in the region.

In many communities in which CDBG Funding has been distributed, such as Markham, Calumet City, Chicago Heights existing homebuyers are minorities, much of the population is low and moderate income, and much of the housing has been affordable.

We suggest that this item be expanded to include all groups which may not consider the market but could reasonably be expected to compete for the housing, absent any

consideration of existing minority presence in the community or competing in the market.

We feel that this A.I. goes further than any other Cook County Planning Document has gone in terms of identifying impediments to Fair Housing. Diversity, Inc. supports the County's efforts to plan for Fair Housing choice,

Diversity, Inc. has been an intergovernmental agency in south Cook County for 30 years and a partner with the County for those many years.

We implore the County Board to adopt this Plan and continue to work with Diversity, Inc. and the South Suburban Housing Center in our unique sub region of the County where Affirmatively Furthering Fair Housing is often Affirmative Outreach to white or majority home seekers.

We believe it is time the County begins to be deliberate in advancing social equity in their Community Development planning, participation, and decision-making. This Analysis document goes along way in this effort.

We further believe one of the highest priorities of the County of Cook must be to infuse social equity principles into planning and development so that communities traditionally **marginalized** from such processes are positioned for maximum benefit from Community Development Block Grant and other Funding. **Cook County must understand and** demonstrate a thorough understanding of principles of social equity, fair housing, and promoting increased economic opportunity. Then the County will begin to advance principles of diversity racial, social and economic in all geographic regions; only then will the municipalities throughout Cook County weather recipients of CDBG Funds or not join to bring a unitary market for housing to the region.

Diversity, Inc. has provided resources to the South Suburban Mayors and Managers Association addresses the need for Fairness and equity in Housing, lending, retail investment, educational resources and funding for schools and more for thirty years. We stand ready to provide this service to our towns in partnership with Cook County; Thank you for this opportunity to comment.

Sincerely,

Joseph Martin, Executive Director

Diversity, Inc.

BUREAU OF ECONOMIC DEVELOPMENT

HERMAN BREWER – BUREAU CHIEF
DEPARTMENT OF PLANNING AND DEVELOPMENT
George W. Dunne Cook County Office Building
69 W. Washington, Suite 2900
Chicago, Illinois 60602-3171
TEL: 312-603-1000
FAX: 312-603-9970
TDD: 312-603-5255

September 12, 2012

Mr. Joseph Martin, Executive Director
Diversity, Inc.
1904 West 174th Street
East Hazel Crest, IL 60429

RE: Response to Comments on Draft Analysis of Impediments to Fair Housing Choice (AIFHC)

Dear Mr. Martin,

In response to your comments dated August 6, 2012 regarding the Draft Analysis of Impediments to Fair Housing Choice (AIFHC), please note the following:

- The County continues to work collaboratively with and support the efforts of the Chicago Area Fair Housing Alliance (CAFHA) and its membership agencies as it relates to outreach and education to promote municipal and public awareness of fair housing issues and related compliance requirements.

- As noted in the Draft AIFHC, the County intends to implement a tiered compliance system for municipal funding recipients. The County continues to explore methods, in cooperation with HUD as well as the Cook County Commission on Human Rights, for facilitating and maintaining fair housing compliance in all municipalities. Local capacity will be assessed as part of the implementation process.

- As a recipient of HUD funding, the County imposes affirmative marketing requirements on rental or homeownership projects consisting of five or more County-assisted units. Affirmative marketing by HUD definition specifically targets households who are least likely to apply for rent or purchase. As such, the County adheres to an affirmative marketing system that is broader than that suggested by the CAFHA Fair Housing Evaluation Criteria. Where possible, the County will also strive to promote affirmative marketing in all of its housing efforts.

- The Chicago Metropolitan Agency for Planning (CMAP), as a HUD Sustainable Communities funding recipient, is required to prepare a regional fair housing analysis. This study is currently under development in cooperation with CAFHA. Upon public release, the County will evaluate related implications for fair housing needs, resources, and compliance initiatives in suburban Cook County.

- As a HUD funding recipient, the County is required to prepare a three or five year plan also known as the Consolidated Plan which assesses local needs and resources as well as identifies goals and strategies. Cook County is currently in the initial planning stages for the next Consolidated Plan which is not due until 2015. As part of this planning process, the new leadership within the Department of Planning and Development will be looking critically at existing operations and identifying areas for improved efficiency and greater community impact. Given decreasing entitlement funding allocations, this analysis has become even more imperative. Extensive public consultation will be initiated as part of the Consolidated Plan development process in the coming years.

We thank you for your comments and positive feedback regarding the Draft AIFHC and the efforts of Department of Planning and Development within the Bureau of Economic Development to address fair housing issues.

We look forward to continued dialogue and collaboration with your agency and other fair housing stakeholders in suburban Cook County.

Sincerely,

Herman Brewer, Bureau Chief
Bureau of Economic Development

CC

María Choca Urban, Director
Dominic Tocci, Deputy Director
Jane Hornstein, Deputy Director
Sylvia Parham, Grants Manager
Jennifer Miller, Program Manager
Pamela White, Planner