

Minutes of the
Cook County Commission on Human Rights
July 16, 2019

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Attendance:

Present: Chairperson K. Gunn; Commissioners A. Hamada, C. Eatherton, G. Orr, H. Ratner, A. Smock.

Absent: Vice-Chairperson K. Ayala-Bermejo, J. Block, Commissioners E. Clarke-Bey T. Connor and C. E Harris II

Staff: Director N. Keith Chambers, Deputy Director G. Smith, Legal Counsel E. Stewart, Investigator A. Cahn and J. Jones

Members of the public: Two Chicago Commission on Human Relations interns and two members of the public.

Chairperson Gunn called the meeting to order at 11:37 a.m.

I. Adoption of the Agenda

The agenda was approved and adopted by unanimous voice vote. Chairperson Gunn invited members of the public to make comments, but there were none.

II. Review and Discussion of the Draft Rules

The meeting was primarily limited to completing draft interpretative rules for the Just Housing amendments to the Human Rights Ordinance. ("Ordinance"). The interpretive rules will be presented to the Cook County Board of Commissioners for review, public comment and final adoption. Deputy G. Smith referenced the 43+ public comments the Commission received that were available for the Commissioners' review. She also noted that housing advocates submitted most of the comments on the Just Housing amendments. The advocacy community was generally supportive of the amendments. Deputy G. Smith also informed the Board that staff referenced draft rules provided by the Shriver Center on Poverty Law, the Housing Authority of Cook County and HUD guidance when drafting the rules for the Commission's consideration.

Director N. Keith Chambers noted that the intention behind the draft rules was to reflect a balance between both the property owners and tenants. Staff also drafted the rules so that they would be clear and understandable for the general public. Director N. Keith Chambers also opined that it is also the Commission's responsibility to help support the changes to the ordinance through public outreach and education. Chairperson Gunn suggested talking to the President's Office as to how they might wish to roll out such a campaign.

The particular sections that were the subject of discussion and edits were 700.100 (Prohibition of Discrimination), 720.120 (Definition of Demonstrable Risk), 720.140 (Definition of Tenant Screening Criteria), 720.150 (Definition of Relevance), 740.110 (Opportunity to Dispute the Accuracy and Relevance of Convictions), 740.120 (Dispute Procedures and Other Applicants), 740.110 (Opportunity to Dispute the Accuracy and Relevance of Convictions) and 750.100 (Review process).

Specific topics of discussion included the following:

- the definition of “likelihood” under Section 720.150;
- concerns about curbing subjectivity in administering the rules;
- the look back period for considering criminal history;
- crafting language to reflect changes in law in policy and law regarding marijuana and other controlled substances (Section 120.120 (A));
- providing guidance on demonstrable risk (Section 720.120);
- adding disability, reasonable accommodation and other mitigating factors to be considered in the individualized assessment (Section 750.100);
- the time allotted to both parties in the dispute period;
- adding a specific clause prohibiting discrimination based on other protected classes,

The Staff and Commissioners also discussed topics to be addressed in a Frequently Asked Questions (FAQ) document, including a discussion of Section 750.100 (G) Evidence of Rehabilitation and the possibility of a requirement for landlords to distribute a copy of the Ordinance to applications.

III. Adoption of Approved Draft Rules

A consensus was reached and edits to the final draft rules were approved by unanimous voice vote. The attached interpretative rules were uploaded to Legistar and are under consideration by the County Board of Commissioners.

IV. Adjourn

By a unanimous voice vote, the meeting was adjourned at 1:29p.m.