

Proposed Loomis Cts, Harrison Cts & Latrhop Elderly (LHL) TSP & Lease
Public Comment Period: September 30 - October 30, 2020
Public Comment Hearings: Live Stream October 14, 15 & 19

Comment #	Individual/ Organization	Comment	CHA Response
1	Loomis Resident	How do you plan to address and solve drug sales, and non- residents entering building to purchase drugs at Loomis Courts?	Management cooperates with the Chicago Police Department to address criminal activity at the property. Property Manager has created a reporting system with the local beat officer report. A roll call has been requested for Loomis Court so that residents and visitors can see a police presence. We encourage our residents to report any criminal activities to the police department. We will continue to engage the Police Department. Additionally, Management is working diligently to have the key fob system repaired.
2	Loomis Resident	Lack of security guards performing their duties.	The security personal was recently changed and management has met with the new officers to review safety and security expectations. Also, security hours have been changed to better serve the needs of the property and residents.
3	Loomis Resident	Trash is left at garbage shoots, which attracts rodents.	Garbage chutes have been repaired. Trash chutes are cleaned daily and pest extermination occurs weekly.
4	Loomis Resident	When will the elevator and cameras be operational? The elevator hasn't worked since I've been here. I've lived here since April 1, 2020.	We will continue assess and address elevator repair needs at this property.
5	Deloris	I have 2 assault charges filed against a chac tenant. She's married and operates home business. None of these things are wrong but it is wrong for her to pick on me. Even her friends and family have said abusive things to make living here unpleasant. The police have done absolutely nothing and the court system is in turmoil because of covid-19. Three court appearances have been cancelled since May.	This inquiry has been submitted to the appropriate HCV department for review.
6	Deloris	This is the case of senior abuse which goes on outside of the nursing homes and outside of senior citizen buildings. I am a grandparent raising a grandchild. I also work for CPS as a volunteer Foster grandparent, and I am a valuable member of the community, and I serve as a judge of election and work for the census I do not break the law or pick on those weaker than I. The landlord has a number of buildings and all he's interested in is collecting rent	
7	Arturo	1. Will our rents be raised? If so, how much?	Monthly rent is dependent upon income.
8	Arturo	2. If for whatever reason due to cha changes, that is not a direct result of us breaking a lease, you ask a tenant to move, will you provide a section 8 voucher to relocate?	Changes within CHA's organizational structure will not impact the policies referenced in the TSP.
9	Jaclyn Zarack Koriath <jkoriath@legalaidchicago.org>	1. The TSPs contain policies that unfairly affect poor and homeless individuals (pages 1, 17, 24). a. The TSPs provide that "[i]f an applicant or any member of the applicant's family demonstrates unprofessional behavior in the presence of the management team or other residents/applicants, the applicant, the applicant's family and other members of the applicant's entourage (if applicable) will be required to leave the property and the applicant will be removed from the waitlist." "Unprofessional behavior" is an extremely vague term that can be applied arbitrarily, and the sanction is unduly harsh as it deprives the applicant of subsidized housing they desperately need. We urge CHA to remove this term. If the applicant's behavior does not pose a threat to health or safety or the right to quiet enjoyment, it should not be disqualifying.	Thank you for your comment.
10	Jaclyn Zarack Koriath <jkoriath@legalaidchicago.org>	We are also concerned about the dress code requirement. The TSPs provide that, "[i]f the applicant or any member of the applicant's family is not appropriately dressed when visiting the management office, the applicant will be asked to leave." Individuals who are financially eligible for subsidized housing may not have many clothing options, and the clothing they do have may fall within the TSP's very broad definition of what is inappropriate. We therefore urge CHA to remove the dress code provision.	Thank you for your comment.

11	Jaclyn Zarack Koriath <jkoriath@legaldichicago.org>	b. The TSPs provide that, "[t]he owner/agent will remove an applicant's name from the waiting list when [the] Applicant cannot be contacted during outreach." The applicant, however, should be provided the opportunity for a mitigation hearing to show that extenuating circumstances interfered with his or her ability to provide updated contact information. Furthermore, CHA should not remove an applicant from the waitlist pending the resolution of the mitigation hearing, because if the applicant prevails at the hearing he or she should get the next available unit.	Thank you for your comment.
12	Jaclyn Zarack Koriath <jkoriath@legaldichicago.org>	c. The TSPs authorize CHA to use an applicant's credit and rental histories to deny admission. CHA should remember that anyone who is financially eligible for subsidized housing will likely have poor credit, and may have had their utility services disconnected or even been evicted for nonpayment of market rent. The fact that an applicant could not afford market rent and/or utility services is simply evidence of their need for subsidized housing where they will pay a reduced rent equal to a percentage of their household income. The TSPs, therefore, should only use credit and rental histories to determine whether an applicant will not be able to comply with their obligations going forward, or will pose a threat to other residents' health, safety, or right to quiet enjoyment.	Thank you for your comment.
13	Jaclyn Zarack Koriath <jkoriath@legaldichicago.org>	ii. The policies set forth in the TSPs regarding marijuana are not consistent with CHA's position on marijuana (page 2). The TSPs state that "new admissions of any marijuana user – including people who use medical marijuana - are prohibited." This blanket ban is inconsistent with CHA's previous and public position on the issue. Last year, after Mayor Lightfoot urged CHA to use discretion when reviewing marijuana-related cases, CHA spokeswoman Molly Sullivan said, "CHA is committed to ensuring that all residents, voucher holders and applicants for CHA housing understand that CHA has discretion when it comes to handling the use of cannabis and will address matters related to cannabis on a case-by-case basis." Lightfoot urges CHA to offer 'clarity and fairness' when dealing with pot, Chicago Sun Times, November 27, 2019.	Thank you for your comment.
14	Jaclyn Zarack Koriath <jkoriath@legaldichicago.org>	We urge CHA to adopt an admissions policy that is consistent with its prior public statements. We understand that, because of federal preemption, CHA may adopt a much less forgiving standard. Nevertheless, a policy that denies affordable housing to low-income individuals just because they use a substance that is legal and available to every other adult in Illinois is fundamentally unfair. We urge CHA to consider not just whether it has the legal authority to adopt a blanket ban against applicants who use marijuana, but whether it should adopt this policy.	
15	Jaclyn Zarack Koriath <jkoriath@legaldichicago.org>	iii. The TSPs contain unlawful restrictions and verification requirements for people with disabilities (pages 3, 11). The TSPs explicitly restrict tenants from having canine assistance animals by breed, which is an unlawful restriction under the Fair Housing Act and other federal and state protections for people with disabilities. See page 3 ("Rotweilers, Pit Bull Terriers, Chows, and Doberman Pinschers are not eligible for ownership on CHA property and will not be allowed under any circumstances"); 42 U.S.C. § 3604(f); 29 U.S.C. § 794(a); 42 U.S.C. § 12132; 775 ILCS 95/3-102-11(C)(2). The Office of Fair Housing and Equal Opportunity Office at Department of Housing and Urban Development ("HUD") has issued clear and recent guidance, explaining that blanket breed bans cannot be used by housing authorities. See Assessing a Person's Request to Have an Animal as a Reasonable Accommodation Under the Fair Housing Act, FHEO Notice: FHEO-2020-01 (January 28, 2020) ("Housing providers may not limit the breed or size of a dog used as a service animal or support animal just because of the size or breed"). Including breed restrictions in the TSPs is a discriminatory practice, and this provision must be removed from the TSPs.	For reasonable accommodations, every request is reviewed and considered on a case-by-case basis.
16	Jaclyn Zarack Koriath <jkoriath@legaldichicago.org>	The TSPs should also clarify that verification of a disability is not permitted for a tenant with a known or obvious disability. HUD guidance provides that: If a person's disability is obvious, or otherwise known to the provider, and if the need for the requested accommodation is also readily apparent or known, then the provider may not request any additional information about the requester's disability or the disability-related need for the accommodation. If the requester's disability is known or readily apparent to the provider, but the need for the accommodation is not readily apparent or known, the provider may request only information that is necessary to evaluate the disability-related need for the accommodation. See Reasonable Accommodations under the Fair Housing Act, Joint Statement of HUD and DOL (May 17, 2004) (emphasis added). The TSPs indicate that verification is mandatory in all cases, which is inconsistent with HUD guidance regarding tenants with disabilities. CHA should update the TSPs to explain when verification is not permitted, and also explain the least burdensome methods by which tenants can verify their disability, including self-verification.	Thank you for your comment.
17	Jaclyn Zarack Koriath <jkoriath@legaldichicago.org>	iv. CHA should prioritize survivors of domestic violence in the preferences of the TSPs and must make TSP policies consistent with VAWA (pages 19, 28, 40, 42-43). CHA should add an exception to the preference rule to prioritize survivors of domestic violence, sexual assault, or stalking who currently reside in CHA public housing and require an emergency transfer pursuant to the Violence Against Women Reauthorization Act of 2013 ("VAWA"), 38 U.S.C. § 12451(e); 24 C.F.R. § 5.2005(e)(1)(i); Notice PH-2017-08(HA) 25. CHA should also add VAWA emergency transfers to the unit transfer policies section, to be clear that survivors of domestic violence, sexual assault, or stalking can request an emergency transfer under VAWA.	Thank you for your comment.

18	Jaclyn Zarack Koriath ckoriath@legalaidchicago.org	CHA must update its VAWA policy to explain that a survivor of domestic violence, sexual violence, or stalking can request VAWA protections verbally, consistent with the VAWA Final Rule and HUD Guidance: See 24 C.F.R. § 5.2007(a)(1); Notice PH-2017-08(HA) 8.2(a) ("The VAWA Final Rule clarifies that PHAs and owners are not required to ask for documentation when an individual presents a claim for VAWA protections; the PHA or owner may instead choose to provide benefits to an individual based solely on the individual's verbal statement or other corroborating evidence."). As written, the TSPs are not consistent with VAWA or HUD guidance because they do not explain that a request can be made verbally, or that, if CHA intends to verify the verbal statement, it must ask the tenant for the verification in writing.	
19	Jaclyn Zarack Koriath ckoriath@legalaidchicago.org 312.229.6384	CHA's assumptions that every request for VAWA verifications must be verified, even in light of the COVID-19 crisis and the inherent danger of a survivor requesting protections while violence is ongoing, are inconsistent with the intent of VAWA and convey a message that CHA is not inclined to believe survivors. See page 42 ("To ensure that a person is not wrongly accused of committing an offense covered under the VAWA, the owner/agent will carefully evaluate abuse claims as to avoid denial, termination of assistance, termination of tenancy or eviction based on false or unsubstantiated accusations."), CHA also engages in victim blaming in the TSPs by implying that survivors have control over their abusers and putting affirmative obligations on a survivor that may threaten their life or safety. See page 43 ("Inviting a person evicted because of an offense covered under the Violence Against Women Act or encouraging such person to remain on the property is a lease violation. The resident agrees to notify the owner/agent and/or the local authorities if such person enters the property.-").	
20	Jaclyn Zarack Koriath ckoriath@legalaidchicago.org 312.229.6384	This messaging is harmful in that it can effectively intimidate survivors from requesting VAWA protections, rather than encouraging them to seek the protection they are entitled to under the law, and could also encourage survivors to take action that may cause them permanent harm from their abusers. CHA should update the TSPs to create flexibility with requesting VAWA protections (including verbally) and returning verification documents due to the safety concerns that survivors seeking VAWA protection are facing. CHA should also update the lease bifurcation policy to confirm that bifurcation will only happen after the survivor is safe (through an emergency transfer or other measures decided by the survivor) and eliminate any provisions holding survivors responsible for their abuser's conduct, including the section titled "criminal acts."	Thank you for your comment.