



November 19, 2019

Item No. 6

**RECOMMENDATION TO AWARD CONTRACTS TO ILLINOIS LICENSED
ATTORNEYS TO SERVE AS HEARING OFFICERS
FOR HOUSING CHOICE VOUCHER ADMINISTRATIVE HEARINGS**

Presenter: Cheryl J. Colston Chief Legal Officer

RECOMMENDATION

The Acting Chief Executive Officer recommends that the Board of Commissioners (“Board”) approve the award of contracts to the below listed individuals to serve as Hearing Officers for the Chicago Housing Authority (“CHA”) Housing Choice Voucher (“HCV”) program. Each contract has a one-year base term of January 1, 2020 through December 31, 2020, and four (4) one-year options.

Recommended Awardees	Hearing Officer
Denis Guest	Hearing Officer
Allison Wood	Hearing Officer
Yolaine Dauphin	Hearing Officer
Joseph Chico	Hearing Officer
Margaret Fitzpatrick	Hearing Officer
Dennis Fleming	Hearing Officer
Rhonda L. Walker	Hearing Officer
LaToya Dixon	Hearing Officer
Darlene Redmond	Hearing Officer
Donna Rizzuto	Hearing Officer

The aggregate not to exceed amount for the base term of all the contracts is \$655,000.00. The Board delegates authority to the Acting Chief Executive Officer, or appointed Chief Executive Officer, to use his/her discretion to exercise the option terms. Each option term shall only be exercised at the time of the expiration of the prior contract term and may only be exercised individually.

The requested action complies in all material respects with all applicable federal, state and local laws, and CHA Board policies. Staff have completed all necessary due diligence to support the submission of this initiative.

FUNDING

CHA General Fund

GENERAL EXPLANATION

Pursuant to the Department of Housing and Urban Development (“HUD”) rules and regulations, 24 CFR 982.555 *et.al*, and the CHA Administrative Plan, CHA must provide Housing Choice Voucher participants due process hearings, at their request, prior to taking certain adverse actions that impact participants’ assistance.

HUD regulations also provide that the hearing officer that presides over a hearing may not be the same individual (or a subordinate of that individual) that made the decision to take the adverse action which is the subject of the hearing. CHA has historically engaged hearing officers, as independent contractors, with prior hearing officer experience, including former judges from the Circuit Court of Cook County. HUD regulations do not place limitations on a public housing authorities’ ability to designate the personnel to present the cases on the public housing authorities’ behalf.

Hearings are scheduled daily, Monday through Friday, and take place in one of three (3) hearing rooms, located in downtown Chicago. CHA has the capacity to schedule up to 180 hearings per month. CHA has recently instituted changes in its processes to more accurately determine which cases should proceed to hearing. CHA made these changes following an analysis of the past two (2) years of administrative hearing decisions, which revealed that more than sixty percent (60%) of cases that proceeded to hearings resulted in reinstating participants to the HCV program without conditions. The analysis showed that majority of these cases involved *de minimis* violations that could have been resolved without a hearing.

As a result, a fewer number of cases now proceed to hearing, and an enhanced customer service programming addresses *de minimis* violations such as housing quality standards, re-certifications and missing documents issues. From January 2018 to August 2018, 254 cases proceeded to hearing versus January 2019 to September 2019, when 157 cases proceeded to hearing. That difference of 97 fewer cases equated to a savings of \$58,200.00 (CHA pays \$600.00 per completed hearing.) CHA seeks to continue modifying the program for efficiency, so that more disputes are resolved without the need to proceed to hearings.

CHA will award a flat fee per case contract for a base period of one (1) year. The flat fee per case for the Hearing Officer contracts is \$600.00 for each completed hearing.

PROCUREMENT PROCESS

- CHA issued Request for Proposal Event No. 2735 on July 22, 2019 for Housing Choice Voucher Program Hearing Officer Services.
- CHA solicited 50 vendors
- Proposals were evaluated and scored based on the evaluation criteria below:
 - Technical Approach:

Qualifications and Experience	45 points
Writing ability	35 points
 - Approach and Work Plan: 20 points
- The Evaluation Committee was comprised of five (5) CHA employees, including staff from Legal and HCV- Policy and Compliance.
- A total of fourteen (14) proposals were received before the due date.

Respectfully submitted:

Cheryl J. Colston
Chief Legal Officer

RESOLUTION NO. 2019-CHA -

WHEREAS, the Board of Commissioners of the Chicago Housing Authority has reviewed the Board Letter dated November 19, 2019, entitled "RECOMMENDATION TO AWARD CONTRACTS TO ILLINOIS LICENSED ATTORNEYS TO SERVE AS HEARING OFFICERS FOR HOUSING CHOICE VOUCHER ADMINISTRATIVE HEARINGS."

THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CHICAGO HOUSING AUTHORITY:

THAT the Board of Commissioners ("Board") authorizes the Acting Chief Executive Officer to enter into contracts with Illinois licensed attorneys to serve as Hearing Officers for a one-year base term from January 1, 2020 through December 31, 2020, with four (4) one-year options. The aggregate not to exceed amount for the base term of all the contracts is \$655,000.00. The Board delegates authority to the Acting Chief Executive Officer, or appointed Chief Executive Officer, to use his/her discretion to exercise the options. Each option term shall only be exercised at the time of the expiration of the prior contract term and may only be exercised individually.

James L. Bebley
Acting Chief Executive Officer
Chicago Housing Authority