

September 4, 2019

*Submitted via electronic mail*

The Honorable Larry Suffredin  
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**RE: Proposed Rules for Ordinance No. 19-2394**

Dear Chairman Suffredin and Honorable Members of the Rules and Administration Committee:

The Cook County Board of Commissioners took a historic step on April 25<sup>th</sup>, 2019 by passing the Just Housing Amendment (Ord. No. 19-2394). Through this legislative action, the County became one of the largest jurisdictions in the United States to protect people with arrests and conviction records from housing discrimination. As a result, local and state governments across the country will now look to Cook County as a model. It is in light of this responsibility to set the example for other local governments, and in careful consideration of both the language and the spirit of the Just Housing Amendment that Entry Point, submits comments in response to the draft Just Housing Amendment interpretive rules proposed by the Cook County Commission on Human Rights.

Entry Point is the Coordinated Entry system for suburban Cook County and Housing Forward is the lead agency overseeing the system. Coordinated Entry is the HUD mandated process by which communities efficiently and effectively match households experiencing homelessness to the housing resources that best suit their need. A main goal of HUD and Coordinated Entry is to house vulnerable individuals and families who will have difficulty resolving homelessness for themselves due to facing significant barriers to obtaining and sustaining housing. Each year in our system of care, 40 percent of people assessed for services have had some type of interaction with the criminal justice system. **We know that a criminal record is one of the biggest barriers to housing and stability.** We have seen clients who are eligible for our services and have been matched for permanent supportive housing, where they will receive a subsidy for housing and case management, but they remain homeless because they cannot find an apartment that will accept someone with a record. Oftentimes the conviction is old, irrelevant to their housing, or caused by their homelessness. We strongly urge the Rules and Administration Committee to ensure that people can fully utilize the Just Housing Amendment, and that the spirit of the law is upheld during the rulemaking process. **This is imperative to ensuring that we can end homelessness.**

We support the full comments of the Just Housing Initiative, and specifically seek to:

1. Open housing options for individuals with arrest and conviction records and their families who face frequent housing discrimination.
2. Ensure easy and consistent interpretation of the law by the general public, especially housing providers and housing seekers.
3. Reduce enforcement costs incurred by the public.
4. Reduce compliance costs to housing providers when possible without sacrificing the effectiveness of the amendment.

Recommendations:

**The Rules Must Not Exempt Public Housing Authorities.**

Current language in the proposed rule creates an exemption for public housing authorities that was not authorized by the Just Housing Amendment. If not addressed, this exemption effectively creates two separate sets of rules, one set for privately owned housing and another for public housing or private subsidized housing. This will create great confusion for any private housing providers who lease both market rate and subsidized units, as well as housing seekers who may be transitioning between subsidized and market rate units. Likewise, a consistent standard will make enforcement much simpler for the commission. Lastly, persons with a conviction will have a fairer shot at the already difficult to access affordable housing options which their tax dollars subsidize.

**The Rules Should Ensure People Understand Their Rights**

The easiest way to prevent discrimination is to make sure people are informed of their rights by requiring housing providers to provide a know-your-rights document to housing seekers at the same time they are provided the Notice of Tenant Screening Criteria. This will ensure that applicants have a plain language explanation of their rights and make the application process smoother for renters and housing providers.

**The Rules Should Remove Examples of Categories of Convictions**

The Just Housing Amendment entitles every applicant—with a record or not—to be considered as an individual. Including categories of convictions in the draft interpretive rules inadvertently defines those categories as a “demonstrable risk” and permits blanket bans on people with those conviction types. All categories of convictions should be removed from the final rules to ensure that no housing seekers are automatically excluded based on a conviction category. This will ensure all applicants are assessed individually based not only on their past record but their demonstrated ability to be a good renter, neighbor, and community member.

**The Rules Should Reduce the Time Limit on Considering Criminal History to 3 Years from the Date of Conviction**

The draft interpretive rules propose that housing providers may only consider convictions that occurred within the last five years. However, reducing the time limit to three years would ensure that the county ordinance is in line with existing practices of the Chicago Housing Authority and Housing Authority of Cook County. A three-year time limit would also bring the county ordinance in line with state law. Individuals with conviction records, for example, may now apply for nearly all state-issued occupational licenses, and if more than three years has passed post-conviction, the state must consider the time beyond the three years as evidence of rehabilitation. A shorter time limit would help reduce administrative costs for housing providers by limiting the number of applicants in need of an individualized assessment.

We urge you to incorporate these comments into the Just Housing Rules. Home is the cornerstone from which people build better lives for themselves and their families. People with records, like everyone else, deserve a place to call home.

Thank you,  
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