

MARY Kay MINAGHAN Rules 9/25/2019

Good morning, my name is Mary Kay Minaghan. I am a lifelong resident of the 1<sup>st</sup> District and have been a landlord for more than half my life. I am here today to ask this Board to remove section 740.120 from the rules. This provision requires a landlord to hold a unit while a prospective tenant goes through the appeal process. I appreciate the work of the Human Relations Commission and in fact know some of the Commission members quite well. I'm proud to say one has been my mentor in the struggle to ensure women and minorities have access to government contracts and another was my lawyer in the BAGC case against the City of Chicago. Frankly, he is the only reason Chicago and Cook County still have an MWBE program.

Forcing a landlord to hold a unit while a prospective tenant goes through an appeal process provides that person a protection that is not afforded to any other protected class member in Cook County's Fair Housing ordinance. Requiring a landlord to hold a unit is not found in the Federal Fair Housing Act or the Illinois Human Rights Act which non-home rule municipalities in Cook County must follow. There is also no hold requirement in the Fair Housing laws of home rule municipalities, such as Chicago, South Holland, Glenwood, Chicago Ridge, Oak Park, Evanston and Skokie. I also looked at Fair Housing laws in Miami-Dade and Los Angeles counties, two counties comparable in size to Cook and they too had no hold requirement. Adding a requirement to hold a unit is completely inconsistent with Fair Housing laws and places those prospective tenants above families with children or people who face discrimination based on their race, gender, religion or disability. We don't have to require the owner to hold a unit because all Fair Housing laws noted above contain a remedies section and ordering an owner to give the unit to a harmed person is already an available remedy. Furthermore, if such a remedy is awarded, the owner could be sued by the tenant who has to be displaced. I would contend that if this happens, that landlord will think twice about discriminating in the future.

Commissioner Johnson, I know your intentions with this ordinance are good. I agree that people with criminal records deserve a chance to make their case and I am happy to give them the time needed to do so. But practically speaking forcing a landlord to hold the unit will do more to discourage landlords from complying with this law and this defeats the all the good that this ordinance strives to achieve.

Finally, I'd like to thank Commissioner Sims for introducing me to some of the representatives of the Just Housing Initiative. They shared their experiences and they deserve the same protection of Cook County's Fair Housing ordinance as every other protected class member. I just don't believe treating people with a criminal background differently is fair to them or to me and I always thought that was what Fair Housing was about – being fair.

(MICHAEL SCABEY)