



# JUST HOUSING AMENDMENT

## EVALUATION AND REPORT 2023



**Cook County Commission on  
Human Rights**

[human.rights@cookcountyl.gov](mailto:human.rights@cookcountyl.gov)

(312) 603 -1100

# **Cook County Commission on Human Rights (CCCHR) 2023 Evaluation and Report Just Housing Amendment**

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*Acknowledgments: Thank you to CCCHR's Investigators and support staff leadership for working tirelessly to amicably resolve housing complaints and encourage fair housing practices in Cook County. Thank you to the many community groups, associations, non-profit organizations, and individuals who continue to support outreach regarding Cook County's laws, distributed the survey to others, and took the time to complete the survey and provide feedback regarding the Just Housing Amendment. Thank you to Cook County's GIS Division for creating the "Complainant Occurrence by ZIP Code" map.*

## I. Background:

In most cities, people with any justice involvement can be unfairly denied housing. The Just Housing Amendment (JHA) to the Cook County Human Rights Ordinance (Ord. No. [19-2394](#) § 42-38) was passed to ensure individuals with prior justice involvement can access safe, stable, and affordable housing.

The JHA passed on April 25, 2019, with enforcement beginning on February 1, 2020. The JHA applies to real estate transactions, including the sale, rental, lease, and sublease renewal of residential properties. The JHA:

1. Prohibits housing discrimination based on an individual's **covered criminal history**; and
2. Requires housing providers considering an individual's covered criminal history to perform an **individualized assessment** of an otherwise qualified individual's criminal conviction history prior to denying them any application for housing.

### a. Definitions

What is an **individualized assessment**?

An "individualized assessment," as referenced in the JHA, means a process by which a person considers all factors relevant to an individual's conviction history from the previous three (3) years. An individualized assessment is not required for convictions that are more than three (3) years old.

Factors that may be considered in performing the Individualized Assessment include, but are not limited to:

- (1) The nature and severity of the criminal offense and how recently it occurred;
- (2) The nature of the sentencing;
- (3) The number of the applicant's criminal convictions;
- (4) The length of time that has passed since the applicant's most recent conviction;
- (5) The age of the individual at the time the criminal offense occurred;
- (6) Evidence of rehabilitation;
- (7) The individual's history as a tenant before and/or after the conviction;
- (8) Whether the criminal conviction(s) was related to or a product of the applicant's disability; and
- (9) If the applicant is a person with a disability, whether any reasonable accommodation could be provided to ameliorate any purported demonstrable risk.

What is **covered criminal history**?

Any information regarding an individual's arrest, charge, or citation for an offense; participation in a diversion or deferral of judgment program; record of an offense that has been sealed, expunged, or pardoned in accordance with applicable law; juvenile record; and conviction.

### b. Procedures

Housing providers **can no longer include a question on housing applications** that asks whether an applicant has a criminal background.

**Disclosures:**

Before accepting an application fee, the housing provider must disclose the following:

- Tenant Selection Criteria, which describes how an applicant will be evaluated.
- Notice of the applicant's right to dispute inaccuracies relevant to criminal history and to provide evidence of rehabilitation or other mitigating factors related to their criminal background.
- A copy of Part 700 of the CCCHR's procedural rules or a link to the CCCHR website, with the address, email address, and phone number of the CCCHR.

**Two-Step Evaluation Process:*****Step One: Prequalification***

- During this step, a housing provider may screen a tenant to determine whether the applicant satisfies all the application criteria such as income, rental history, credit score, pets, etc. **Criminal background checks cannot be performed during Step One.**
- When this first step is completed, the housing provider must either 1) pre-qualify the applicant based on all criteria except those related to criminal history; or 2) deny the application based on failure to satisfy the prequalification criteria.

***Step Two: Criminal Background Check & Individualized Assessment, if necessary***

- Only after the housing provider prequalifies an applicant may a housing provider conduct a criminal background check.
- If the criminal background check reveals a criminal history, the housing provider may only consider criminal conviction(s) within the last three (3) years.

A landlord may deny an applicant housing based on criminal history only if:

Applicant is a current sex offender required to register under the **Sex Offender Registration Act** (or similar law in another jurisdiction) or a **current child sex offender** under residency restriction; *OR*

An individualized assessment affirms that a **criminal conviction within the last three (3) years** causes a **demonstrable risk to personal safety or property of others.**

Does an applicant who is denied housing have the right to dispute the information contained in the criminal background check?

Yes. The JHA Conviction Dispute Procedures are as follows:

- Within five (5) business days of receiving a criminal background check, the housing provider must deliver a copy to the applicant. A copy of the background check can be delivered in person, by certified mail, or by text or email.
- Once the applicant receives the results of the background check, the applicant has five (5) business days to provide evidence that disputes the accuracy or relevance of information related to the criminal background check.
- The housing provider then has three (3) business days from receipt of the dispute information to accept or deny the application.

**II. Enforcement Data**

**a. Data**

Since the inception of the enforcement, CCCHR has received forty-nine (49) complaints alleging JHA violations.

<b>Date</b>	<b>Case Number</b>	<b>Nature of Complaint</b>	<b>Resolution</b>
8/28/2020	2020JHA001	Improper denial based on criminal conviction history	Settlement
7/20/2020	2020H003	Improper denial and housing discrimination based on race	Alleged Conduct occurred before JHA effective date/ No jurisdiction over racial discrimination claim
8/28/2020	2020JHA002	Discriminatory advertisement	Settlement
9/8/2020	2020JHA003	Improper denial based on criminal conviction history	Withdrawal
9/30/2020	2020JHA004	Improper denial based on criminal conviction history	Settlement
3/19/2021	2021JHA001	Discriminatory Advertisement	Settlement
4/29/2021	2021JHA002	Discriminatory Advertisement	Withdrawal
4/29/2021	2021JHA003	Discriminatory Advertisement	Settlement
4/29/2021	2021JHA004	Discriminatory Advertisement	Settlement
4/29/2021	2021JHA005	Discriminatory Advertisement	Settlement
4/29/2021	2021JHA006	Discriminatory advertisement	Withdrawal/Duplicate Complaint
6/2/2021	2021JHA007	Improper denial based on criminal conviction history	Settlement
7/2/2021	2021JHA008	Improper denial based on criminal conviction history	Withdrawal

7/16/2021	2021JHA009	Improper denial based on criminal conviction history	Settlement
9/29/2021	2021JHA010	Improper denial based on criminal conviction history	Settlement
9/15/2021	2021JHA011	Improper denial based on criminal conviction history	Settlement
9/21/2021	2021JHA012	Improper denial based on criminal conviction history	Settlement
10/29/2021	2021JHA013	Improper denial based on criminal conviction history	Settlement
11/4/2021	2021JHA014	Improper denial based on criminal conviction history	Dismissed for lack of jurisdiction
11/12/2021	2021JHA015	Improper denial based on criminal conviction history	Settlement
11/19/2021	2021JHA016	Improper denial based on criminal conviction history	Settlement
12/10/2021; 1/13/2022	2022JHA001	Improper denial based on criminal conviction history	Withdrawal
1/12/2022	2022JHA002	Improper denial based on criminal conviction history	Settlement
2/16/2022	2022JHA003	Improper denial based on criminal conviction history	Settlement
2/16/2022	2022JHA004	Improper denial based on criminal conviction history	Withdrawal
3/1/2022	2022JHA005	Improper denial based on criminal conviction history	Settlement
4/25/2022	2022JHA006	Improper denial based on criminal conviction history	Withdrawal

5/20/2022	2022JHA007	Improper denial based on criminal conviction history	Settlement
6/29/2022	2022JHA008	Improper denial based on criminal conviction history	N/A Matter Ongoing
7/20/2022	2022JHA009	Improper denial based on criminal conviction history	Settlement
8/10/2022	2022JHA010	Improper denial based on criminal conviction history	Withdrawal
7/28/2022	2022JHA011	Improper denial based on criminal conviction history	Dismissed for Lack of Response
7/28/2022	2022JHA012	Discriminatory Advertisement	Withdrawal
7/28/2022	2022JHA013	Discriminatory Advertisement	Withdrawal
7/28/2022	2022JHA014	Discriminatory Advertisement	Settlement
7/28/2022	2022JHA015	Discriminatory Advertisement	Settlement
7/28/2022	2022JHA016	Discriminatory Advertisement	Withdrawal
9/15/2022	2022JHA017	Improper denial based on criminal conviction history	Settlement
11/14/2022	2022JHA018	Improper denial based on criminal conviction history	Dismissed for Private Room Exception
12/27/2022	2023JHA001	Improper denial based on criminal conviction history	Settlement
2/3/2023	2023JHA002	Discriminatory Advertisement; Improper denial based on criminal conviction history	Settlement
2/7/2023	2023JHA003	Improper denial based on criminal conviction history	N/A Matter Ongoing

4/6/2023	2023JHA004	Improper denial based on criminal conviction history	N/A Matter Ongoing
4/11/2023	2023JHA005	Improper denial based on criminal conviction history	N/A Matter Ongoing
6/21/2023	2023JHA006	Improper denial based on criminal conviction history	Withdrawal
6/23/2023	2023JHA007	Improper denial based on criminal conviction history	N/A Matter Ongoing
8/30/2023	2023JHA008	Improper denial based on criminal conviction history	N/A Matter Ongoing
10/13/2023	2023JHA009	Improper denial based on criminal conviction history	N/A Matter Ongoing
10/30/2023	2023JHA010	Improper denial based on criminal conviction history	N/A Matter Ongoing

**b. Complaint Summary**

**i. Cumulative (since the beginning of enforcement)**

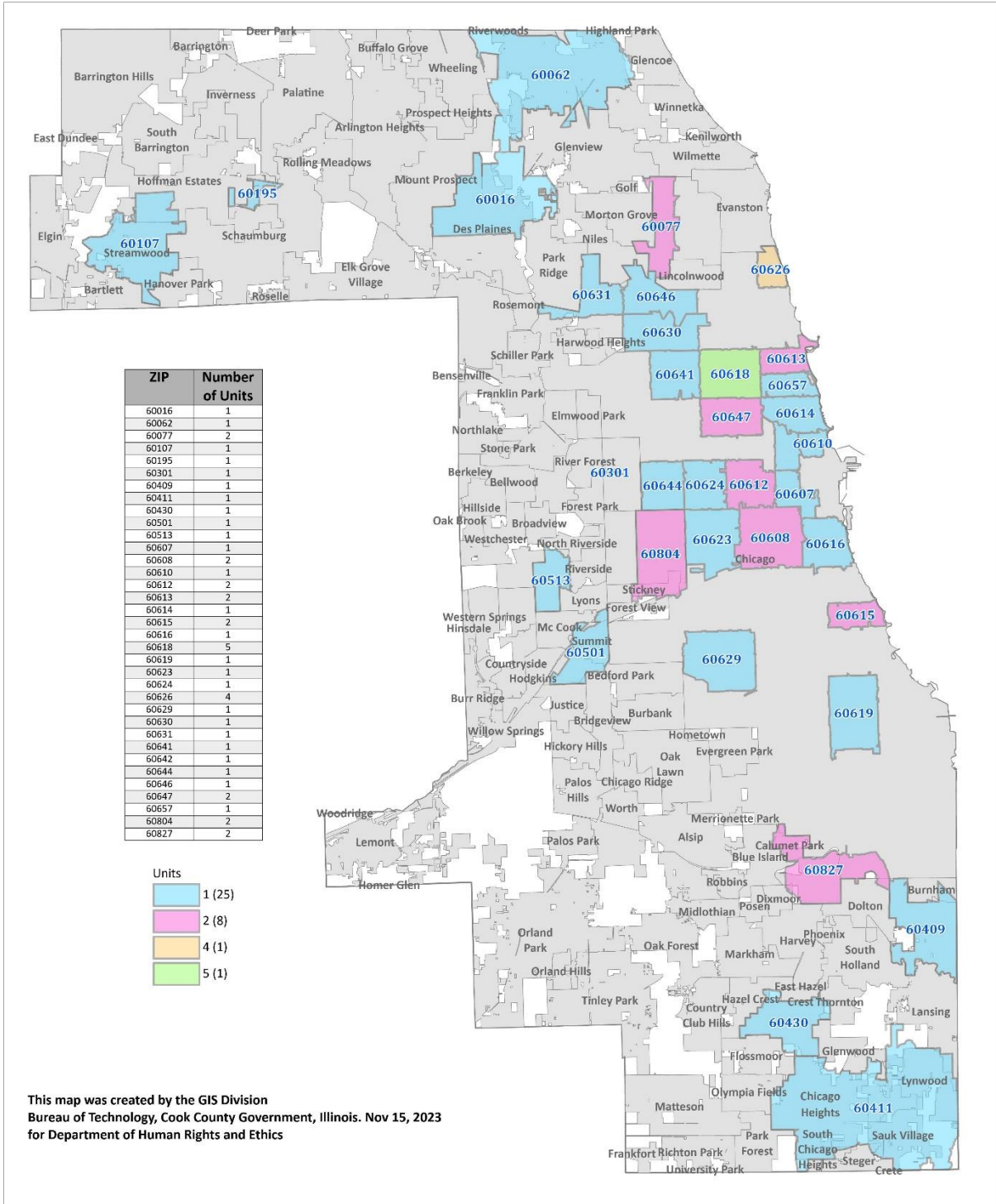
- Thirty-six (36) complaints were made for improper denials based upon criminal history.
- Thirteen (13) complaints were made for discriminatory advertisements.
- Estimated total settlement amount reported for JHA complaints is \$32,531.
- Forty-one (41) of the forty-nine (49) JHA complaints have been closed.
  - Of the forty-one (41) closed cases, twenty-five (25) resulted in settlement, which included monetary awards and other compensatory damages; and at least six (6) housing providers received training from housing community groups on compliance with JHA.
  - Of the forty-one (41) closed cases, twelve (12) complainants voluntarily withdrew their complaints.
  - Two (2) JHA complaints resulted in the complainant being placed in a housing unit or retaining housing in the property at issue.
- Eighteen (18) complaints were filed in the name of a housing community group.



**ii. FY2023 Complaints Only**

- Ten (10) JHA complaints have been filed thus far in FY2023 (December 1, 2022 to October 31, 2023). Of these, three (3) complaints have been resolved.
- Estimated settlement amount for cases settled in FY2023 is \$1,500, which we know is underreported as we have been informed of several cases that settled for undisclosed amounts.
- As of October 31, 2023, CCCHR has nine (9) open JHA cases.
- The complaints included no instance where an individualized assessment was conducted, or demonstrable risk found.

### iii. Complaint Occurrence by ZIP Code



Map: Complaint Occurrence by ZIP Code

Note: Total number of units is greater than the number of cases because one complaint alleged that two (2) residential buildings violated the JHA.

### III. Just Housing Amendment Survey

In order to assess the impact of the JHA outside of the limited number of cases, CCCHR issued the 2023 Just Housing Amendment Survey (see Appendix A), which was open from September 12, 2023 to November 3, 2023.

Following data analytics standards to obtain accurate information, a number of survey bots / automatically generated responses were removed from the survey responses using the following rules:

- Any responses that included ZIP Codes that were not located in Cook County were removed, with rare exceptions based on time of completion.
- Any responses that did not include a response to the questions that were intended to surface automatically generate responses were removed.
- Any emails that contained a random combination of letters and numbers longer than 30 values were removed.

After applying these rules, the survey yielded thirty-four (34) responses with the following respondent identifications:

<i>Respondent identification</i>	<i>Number of responses</i>
Individual sharing your personal experience as a renter or housing applicant, who has prior justice involvement.	3
Individual sharing your personal experience as a renter or housing applicant.	10
Housing provider, landlord, realtor.	6
Staff or member of a social service or non-profit organization.	8
Staff of member of a community group.	2
Staff or fair housing agency or legal service provider.	2
Government employee.	1
Other.	2

#### a. Summary of Response Results

Have you heard of the Just Housing Amendment?

<i>Respondent</i>	<i>Response</i>	<i>Number of responses</i>
Individual sharing your personal experience as a renter or housing applicant, who has prior justice involvement.	<b>Yes</b>	<b>1</b>
	No	1
	Unsure	1
Individual sharing your personal experience as a renter or housing applicant.	<b>Yes</b>	<b>7</b>

	No	3
Housing provider, landlord, realtor.	<b>Yes</b>	<b>5</b>
	No	1
Staff or member of a social service or non-profit organization.	<b>Yes</b>	<b>6</b>
	No	2
Staff of member of a community group.	<b>Yes</b>	<b>1</b>
	Unsure	1
Staff or fair housing agency or legal service provider.	<b>Yes</b>	<b>1</b>
	Unsure	1
Government employee.	<b>Yes</b>	<b>1</b>
Other.	<b>Yes</b>	<b>1</b>
	Unsure	1

Do you know anyone (yourself or others) who has been positively impacted by the Just Housing Amendment?

Yes	12
No	14
Unsure	8

Have you seen any advertisements for housing with exclusionary language like "no felonies," "no arrests," or "no convicted drug dealers"?

<i>Respondent</i>	<i>Response</i>	<i>Number of responses</i>
Individual sharing your personal experience as a renter or housing applicant, who has prior justice involvement.	<b>Yes</b>	<b>1</b>
	No	1
	Unsure	1
Individual sharing your personal experience as a renter or housing applicant.	<b>Yes</b>	<b>3</b>
	No	3
	Unsure	4
Staff or member of a social service or non-profit organization.	<b>Yes</b>	<b>3</b>
	No	4
	Unsure	1
Staff or member of a community group.	<b>Yes</b>	<b>1</b>
	No	1
Staff or fair housing agency or legal service provider.	<b>Yes</b>	<b>1</b>
	Unsure	1
Government employee.	No	1

Other.	Yes	1
	No	1

If yes, where have you seen advertisements with exclusionary language?

<i>Summary of responses</i>	<i>Number of responses</i>
Internet	3
Specific websites listing available housing units	2
Social media	1
Physical advertisements (postings outside apartments or homes)	1

On housing applications that you have recently seen or completed, have you seen a question(s) regarding arrest and/or conviction background? Questions like "Do you or a member of your household have any prior felonies in Illinois or any other state?" or "Have you ever been charged or arrested?"

<i>Respondent</i>	<i>Response</i>	<i>Number of responses</i>
Individual sharing your personal experience as a renter or housing applicant, who has prior justice involvement.	<b>Yes</b>	<b>3</b>
Individual sharing your personal experience as a renter or housing applicant.	<b>Yes</b>	<b>4</b>
	No	6
Housing provider, landlord, realtor.	<b>Yes</b>	<b>1</b>
	No	5
Staff or member of a social service or non-profit organization.	<b>Yes</b>	<b>2</b>
	No	4
	Unsure	2
Staff or member of a community group.	<b>Yes</b>	<b>1</b>
	Unsure	1
Staff or fair housing agency or legal service provider.	<b>Yes</b>	<b>1</b>
	Unsure	1
Government employee.	No	1
Other.	No	1
	Unsure	1

As part of recent housing application procedures, were disclosures distributed regarding rights related to Cook County's Just Housing Amendment?

For example, a copy of the Cook County Commission on Human Rights Just Housing Rules (Part 700 of the Procedural Rules): <https://bit.ly/JHARules>

<i>Respondent</i>	<i>Response</i>	<i>Number of responses</i>
Individual sharing your personal experience as a renter or housing applicant, who has prior justice involvement.	<b>Yes</b>	<b>1</b>
	Unsure	2
Individual sharing your personal experience as a renter or housing applicant.	<b>Yes</b>	<b>6</b>
	No	3
	Unsure	1
Housing provider, landlord, realtor.	<b>Yes</b>	<b>4</b>
	No	1
	Unsure	1
Staff or member of a social service or non-profit organization.	<b>Yes</b>	<b>3</b>
	No	2
	Unsure	3
Staff or member of a community group.	Unsure	2
Staff or fair housing agency or legal service provider.	<b>Yes</b>	<b>1</b>
	No	1
Government employee.	Unsure	1
Other.	Unsure	2

If a disclosure regarding Cook County's Just Housing Amendment was distributed during housing applications, at what point during the housing application process was it distributed?

<i>Respondent</i>	<i>Response</i>	<i>Number of responses</i>
Individual sharing your personal experience as a renter or housing applicant, who has prior justice involvement.	Before an application fee	1
Individual sharing your personal experience as a renter or housing applicant.	Before an application fee	2
	During another portion of the application	4
Housing provider, landlord, realtor.	Before an application fee	3
	Unsure	1
Staff or member of a social service or non-profit organization.	During another portion of the application	1
Staff or fair housing agency or legal service provider.	Before an application fee was accepted	1

If a background check was run as part of recent housing application procedures, at what point in the application procedures was it typically run?

<i>Respondent</i>	<i>Response</i>	<i>Number of responses</i>
Individual sharing your personal experience as a renter or housing applicant, who has prior justice involvement.	Right after application fee	3
Individual sharing your personal experience as a renter or housing applicant.	Right after initial application	1
	Right after application fee	2
	Right after confirmation of passing prequalification	6
	Background check was not run	1
Housing provider, landlord, realtor.	Right after initial application	1
	Right after application fee	1
	Right after confirmation of passing prequalification	4
Staff or member of a social service or non-profit organization.	Right after initial application	3
	Right after confirmation of passing prequalification	4
	Background check was not run	1
Staff or member of a community group.	Right after initial application	1
	Right after confirmation of passing prequalification	1
Staff or fair housing agency or legal service provider.	Right after application fee	1
	In tandem with other screening criteria	1
Government employee.	Right after application fee	1
Other.	Right after initial application	1
	Right after confirmation of passing prequalification	1

If a background check was run as part of recent housing application procedures, how long was the lookback period (how many years of personal history did it pull/check)?

<i>Respondent</i>	<i>Response</i>	<i>Number of responses</i>
Individual sharing your personal experience as a renter or housing applicant, who has prior justice involvement.	Entire record	2
	Last 10 years of record	1

Individual sharing your personal experience as a renter or housing applicant.	Entire record	3
	Last 3 years of record	3
	Unsure of length of time	3
Housing provider, landlord, realtor.	Entire record	1
	Last 3 years of record	2
	Unsure of length of time	3
Staff or member of a social service or non-profit organization.	Last 10 years of record	1
	Last 3 years of record	1
	Some other length of time	1
	Unsure of length of time	4
Staff or member of a community group.	Last 3 years of record	1
	Some other length of time	1
Staff or fair housing agency or legal service provider.	Entire record	1
	Unsure of length of time	1
Government employee.	Last 10 years of record	1
Other.	Unsure of length of time	2

Was a copy of the background check provided to the applicant?

<i>Respondent</i>	<i>Response</i>	<i>Number of responses</i>
Individual sharing your personal experience as a renter or housing applicant, who has prior justice involvement.	No	1
Individual sharing your personal experience as a renter or housing applicant.	<b>Yes</b>	<b>6</b>
	No	3
Housing provider, landlord, realtor.	<b>Yes</b>	<b>2</b>
	No	1
	Unsure	2
Staff or member of a social service or non-profit organization.	<b>Yes</b>	<b>2</b>
	No	1
	Unsure	4
Staff or member of a community group.	Unsure	1
Staff or fair housing agency or legal service provider.	No	2
Government employee.	No	1
Other.	<b>Yes</b>	1
	No	1



As part of recent housing application procedures, after a background check was run, did the housing provider ask questions that give context about the nature of your record and other aspects of your life?

<i>Respondent</i>	<i>Response</i>	<i>Number of responses</i>
Individual sharing your personal experience as a renter or housing applicant, who has prior justice involvement.	Yes	1
	No	1
	Unsure	1

If yes, after the series of questions (individualized assessment), were you admitted into the unit you applied for?

<i>Respondent</i>	<i>Response</i>	<i>Number of responses</i>
Individual sharing your personal experience as a renter or housing applicant, who has prior justice involvement.	Yes	1

How do you hear about new or changed laws in your area?

<i>Summary of responses</i>	<i>Number of responses</i>
On the news/TV.	5
In the newspaper (print).	1
On the Internet, specifically online news outlets.	12
On the Internet, specifically social media or blogs.	11
From direct outreach by a community group or association.	11
In a training (in-person or virtual).	6
In a mailing to my home.	1
On the radio.	3
In an email.	12
At work.	2
Other (Housing provider network groups.)	1
Other (Local realtor association.)	1
Other (From friends and coworkers.)	1

Is there anything about the Just Housing Amendment that needs to be clarified?

This question was asked to "Housing provider, landlord, realtor" respondents.

<i>Summary of responses</i>	<i>Number of responses</i>
Appeal process	1
No / nothing	1
Increased outreach efforts / more education for realtors	1
Repeal in favor of attitude education	1
Potential liability	1
Too complicated overall	1

### **b. Survey Conclusions**

CCCHR developed the following conclusions regarding JHA enforcement and outreach through this survey.

First, in open-ended response questions, there were consistent responses indicating that a.) background checks are increasingly not used as a qualifier and/or b.) there is an increase of using a property manager or online service that comports with and facilitates the requirements of the JHA. Survey responses indicated a slight increase of concern regarding landlords and property managers not informing tenants of their rights, including neglecting to share the required disclosures and/or failing to provide a copy of the background check to applicants.

Second, there is acknowledgement that violations of the JHA remain primarily in the steps prior to an individualized assessment, specifically in posted advertisements, overly-inclusive lookback periods, denials based on an arrest, and denials before conducting an individualized assessment when one should have been conducted. Again this year, more specific websites that violate JHA were identified in survey responses.

Third, survey responses again in 2023 identified new areas for targeted enforcement and outreach efforts. CCCHR will continue to expand outreach in areas where survey responses suggest low awareness of the JHA or where JHA noncompliance is high. Equity Fund Recommendation 2.2 includes a multi-faceted outreach plan, which will greatly increase CCCHR outreach efforts in 2024. **There is still more work to be done to increase broad knowledge of the existence of the Just Housing Amendment.**

Overall, the results of the 2023 Just Housing Amendment Survey will continue to inform and guide CCCHR's work in 2024.

#### **IV. Outreach & Training**

##### **a. Trainings**

During FY2023 (December 1, 2022 to November 30, 2023), CCCHR hosted ten (10) trainings regarding the JHA, to housing applicant and provider groups where approximately 350 individuals received live and recorded trainings. In addition, staff distributed information regarding JHA at fourteen (14) community events or conferences, handing out flyers or talking about the JHA with approximately 1000 individuals throughout 2023.

##### **b. Coordination Meetings**

CCCHR has continued our leadership role in [Equity Fund Task Recommendation No. 2.2](#) to increase enforcement of and outreach regarding Cook County's housing protections, with an emphasis on JHA. CCCHR hosted several internal meetings with the Housing Authority of Cook County, Cook County Office of the President, Cook County Board of Commissioners, Cook County Justice Advisory Council, and Cook County Department of Public Health. The general purposes of these meetings were to answer questions regarding the JHA, distribute outreach materials, and plan future trainings.

CCCHR also hosted several meetings with partner agencies, including Chicago Commission on Human Relations, Illinois Department of Human Rights, Illinois Housing Development Authority, Chicago Housing Authority, and U.S. Department of Housing and Urban Development, to discuss JHA.

Additionally, CCCHR hosted meetings that centered or included discussion of the JHA with nine (9) community groups, including non-profit and advocacy organizations and housing providers.

##### **b. Outreach Materials**

Throughout the year, CCCHR distributed printed outreach materials regarding JHA in English and Spanish at community events.

In January, CCCHR hosted a 2023 Outreach Planning Open House, to incorporate input and suggestions from community groups regarding training topics, policy priorities, and outreach opportunities.

In February, CCCHR offered training regarding JHA and other County housing protections at Brookfield Public Library and with the [Road Home Program](#) of Chicago Cook Workforce Partnership. CCCHR also shared resources regarding JHA and the Fair Housing Video Library in our bi-monthly newsletter, which was opened by 441 recipients.

In March, CCCHR shared information in a training regarding JHA with Safer Foundation - Austin.

In April, CCCHR celebrated Fair Housing Month, with a number of in-person tabling and virtual training opportunities. This included sharing information about JHA at Community Investment Corporation's Fair Housing Breakfast, giving trainings with Housing Authority of Cook County and

Open Communities, and tabling at Kenwood Oakland Community Organization's (KOCO) Annual Convention. CCCHR issued a JHA social media toolkit and again shared our Fair Housing Video Library in our bi-monthly newsletter, which was opened by 700 recipients.

In May, CCCHR shared JHA resources with Cook County residents at the 16<sup>th</sup> District's Satellite Office Open House and Cook County United Against Hate's Spring Showcase.

In June, CCCHR was awarded a "Best in Category" National Association of Counties award within Civic Education and Public Information for the [Just Housing Amendment Outreach Program](#). CCCHR also shared information and resources at the Northside Housing Fair.

In July, CCCHR provided two trainings on JHA requirements to 200+ property managers of Chicago Housing Authority.

In August, CCCHR worked with HUD's Office of Policy Development and Research to share information about JHA in the Regulatory Barriers Clearinghouse article "[Cook County Prohibits Housing Discrimination Based on Criminal History](#)."

In September, CCCHR coordinated "Know Your Rights & Responsibilities: Anti-Discrimination Protections at All Levels of Government," a joint training with Illinois Department of Human Rights and Chicago Commission on Human Relations. CCCHR also gave trainings with Housing Authority of Cook County and Chicago Area Fair Housing Alliance, and shared information regarding JHA at Fall Nature Fest.

In October, CCCHR presented information on JHA and shared resources at Generating Hope: Social Justice Resource Fair, an event in University Park for returning residents. CCCHR also provided fair housing training to approximately 100 staff members at a property management group.

In November, CCCHR presented information about JHA to Cook County residents at the Brookfield Public Library.

CCCHR offered the 2023 Just Housing Amendment Survey in English, Spanish, and Polish. CCCHR also offered a print version of the survey, by request. CCCHR conducted specific outreach related to the 2023 Just Housing Amendment Survey, via email, phone, and social media.

## V. Evaluation & Recommendation

Pursuant to Subsection 770 of the Substantive and Procedural Rules Governing the Cook County Human Rights Ordinance (“Procedural Rules”), CCCHR must evaluate the rules implementing the JHA to determine whether the Procedural Rules should be amended to effectuate the purpose of the JHA. The evaluation shall include an analysis of whether applicants who receive a positive individualized assessment from housing providers are ultimately admitted into the unit they applied for and data about the complaints made under the Just Housing Amendment.

Additionally, Equity Fund Recommendation 2.2 (Increase Cook County’s capacity to enforce Cook County’s fair housing laws to reduce unlawful housing discrimination and affirmatively further fair housing.) called for CCCHR to “Revise the Commission’s procedural rules to streamline the complaint process.”

**Purpose:** In most cities, people with any kind of criminal record, even just an arrest, can be unfairly denied housing. The JHA was passed to help these individuals access safe, stable, and affordable housing.

**Conclusions:** Substantive amendments to CCCHR’s Procedural Rules were approved by the Cook County Human Rights Commissioners on September 7, 2023, and referred to the Human Relations Committee by the Cook County Board of Commissioners on November 16, 2023. If approved, the amendments include:

- Addition of Section 490.270 - Individual Right of Action;
- Amendments throughout Part 500 to incorporate “bodily autonomy” protection;
- Revised definition of “Unlawful Discrimination” to align with the Human Rights Ordinance;
- Amendments throughout to use gender-neutral language; and,
- Amendments throughout to increase Commission access and remove procedural barriers to filing complaints.

No substantive amendments were made to Part 700 – Just Housing Amendment Interpretive Rules, but amendments throughout the Procedural Rules were made to increase access to complaint filing. CCCHR intends to continue pursuing outreach and training opportunities related to the JHA.

## APPENDIX

### **Appendix A:** Just Housing Amendment Survey – 2023

This survey will ask questions about the Just Housing Amendment to Cook County's Human Rights Ordinance. The survey will close on October 29, 2023. The survey is intended for Cook County residents and housing providers; please do not complete the survey if you are not a Cook County resident or housing provider.

This survey is conducted in compliance with Section 770.100 of the Just Housing Amendment to the Human Rights Ordinance. This requires the Commission on Human Rights to evaluate "the rules implementing the Just Housing Amendment to the Cook County Human Rights Ordinance to determine whether the rules should be amended to better effectuate the Amendment's purpose." To learn more about the Just Housing Amendment, visit: <https://www.cookcountyil.gov/content/just-housing-amendment-human-rights-ordinance>

The survey results are confidential and will only be used in aggregate to publicly share the results of the evaluation. The results of this survey are non-binding -- recorded responses will not necessarily result in policy changes.

Please contact the Cook County Commission on Human Rights ([human.rights@cookcountyil.gov](mailto:human.rights@cookcountyil.gov) | 312-603-1100) with questions or concerns.

#### 1. What ZIP Code do you live or work in? \*

Enter your answer

#### 2. Which of the following best describes you? \*

- Individual sharing your personal experience as a renter or housing applicant, who has prior justice involvement.
- Individual sharing your personal experience as a renter or housing applicant.
- Housing provider, landlord, realtor.
- Staff or member of a social service or non-profit organization.
- Staff or member of a fair housing agency or legal service provider.
- Staff or member of a community group.
- Government employee.
- Other

3. In what municipality do you primarily provide housing?

Enter your answer

## Pre-Application & Application

These questions will ask about your awareness of the Just Housing Amendment and associated housing applications.

4. Have you heard of the Just Housing Amendment? \*

- Yes.
- No.
- I'm not sure.

5. Do you know that in Cook County there are legal protections related to applying for and being accepted into housing related to personal conviction history? \*

These protections are formally known as the Just Housing Amendment to the Cook County Human Rights Ordinance.

- Yes.
- No.
- I'm not sure.

6. Do you know anyone (yourself or others) who has been positively impacted by the Just Housing Amendment? \*

As an example, this might mean they gained access to housing in Cook County when they may have previously been denied housing.

- Yes.
- No.
- I'm not sure.

7. Have you seen any advertisements for housing with exclusionary language like "no felonies," "no arrests," or "no convicted drug dealers"? \*

- Yes.
- No.
- I'm not sure.

8. Where have you seen advertisements with exclusionary language?

Examples: on the Internet, a specific rental or listing website, an online marketplace, etc.

Enter your answer

9. If you would like to provide additional information regarding advertisements for housing that include phrases like "no felonies," "no arrests," or "no convicted drug dealers," please do so in the text box below.

Enter your answer



## Pre-Qualification (Pre-Individualized Assessment)

These questions will ask about your recent (since February 2020) experiences completing the first portion of housing applications.

10. On housing applications that you have recently seen or completed, have you seen question(s) regarding arrest and/or conviction background? \*

Examples: "Do you or a member of your household have any prior felonies in Illinois or any other state?" or "Have you ever been charged or arrested?"

- Yes.
- No.
- I'm not sure.

11. If you would like to provide additional information regarding where you saw question(s) regarding arrest and/or conviction background on housing applications, please do so in the textbox below.

Enter your answer

12. As part of recent housing application procedures, were you given a disclosure regarding your rights related to Cook County's Just Housing Amendment? \*

For example, you should be given a copy of the Cook County Commission on Human Rights Just Housing Rules (Part 700 of the Procedural Rules): <https://bit.ly/JHARules>.

- Yes, at least one.
- No.
- I'm not sure.

13. At what point during the housing applications were you typically given the disclosure?

- Before submitting an application fee.
- After submitting an application fee.
- During another portion of the housing application procedures.
- I'm not sure.

14. If a background check was run as part of recent housing application procedures, at what point in the application procedures did it typically occur? \*

- Right after I submitted my initial application.
- Right after I submitted my application fee.
- Right after I received confirmation that I passed prequalification checks (meaning my application was approved based on income, credit, etc.).
- Background checks were not run as part of recent housing application procedures.
- Other

15. How long was the lookback period (meaning how many years of your personal history did it pull/check)?

- It pulled my entire record.
- It pulled the last ten years of my record.
- It pulled the last three years of my record.
- It pulled some other length of time of my record.
- I'm not sure what length of time it pulled.

16. Was a copy of the background check provided to you?

- Yes.
- No.
- I'm not sure.

17. Were you given an opportunity to dispute information present in your background check?

- Yes.
- No.
- I'm not sure.

18. If you would like to provide additional information regarding any recent housing application processes, please do so in the textbox below.

Enter your answer

## Individualized Assessment

These questions will ask about your recent (since February 2020) experiences completing additional portions of housing applications.

20. As part of recent housing application procedures, after a background check was run, did the housing provider ask questions that gave context about the nature of your record and other aspects of your life? \*

If the housing provider asked you a series of questions about your recent (last 3 years) conviction history and used those questions to decide if you were approved for tenancy, this is called an "individualized assessment." If you need to reference the definition of "individualized assessment," please see <https://bit.ly/JHADefinitions>.

- Yes.
- No.
- I'm not sure.

21. After the series of questions (individualized assessment), were you admitted into the unit you applied for?

- Yes.
- No.
- I'm not sure.

22. If you would like to provide additional information regarding any recent individualized assessment processes, please do so in the textbox below.

Enter your answer

## Learning about New and Amended Legislation

This section is optional and will ask questions about how you learn about your rights and responsibilities.

61. How do you hear about new or changed laws in your area? (Select all that may apply.)

- On the news/TV.
- In the newspaper (print).
- On the Internet, specifically online news outlets.
- On the Internet, specifically social media or blogs.
- From direct outreach by a community group or association.
- In a training (in-person or virtual).
- In a mailing to my home.
- On the radio.
- In an email.
- Other

62. If you previously knew about the Just Housing Amendment, how were you made aware of it?  
(Select all that may apply.)

- On the news/TV.
- In the newspaper (print).
- On the Internet, specifically online news outlets.
- On the Internet, specifically social media or blogs.
- From direct outreach by a community group or association.
- In a training (in-person or virtual).
- In a mailing to my home.
- On the radio.
- In an email.
- Other

63. If Cook County Commission on Human Rights can contact you further about your responses, please include a contact name and email or phone number where you can be reached.

Enter your answer

**Appendix B:** Email for Distribution

Good afternoon,

I hope this email finds you well. Cook County Commission on Human Rights is writing to distribute this survey regarding knowledge and efficacy of the [Just Housing Amendment](#) to the Cook County Human Rights Ordinance:

<https://bit.ly/JHASurvey2023>



**Upon completion of the survey (including providing an email), survey respondents will be entered into a raffle for 3 \$25 Target gift cards (electronic delivery).**

This survey is conducted in compliance with Section 770.100 of the Just Housing Amendment to the Human Rights Ordinance. This requires the Commission on Human Rights to evaluate "the rules implementing the Just Housing Amendment to the Cook County Human Rights Ordinance to determine whether the rules should be amended to better effectuate the Amendment's purpose."

**Please distribute this survey to your network.** Two social media graphics are attached for your use and sample copy is included below. **To request print/paper copies of this survey, please contact Julia Epplin-Zapf, Policy Analyst via email ([Julia.epplin-zapf@cookcountyil.gov](mailto:Julia.epplin-zapf@cookcountyil.gov)).**

**The survey will close on Sunday, October 29, 2023.** Please contact the Cook County Commission on Human Rights with questions or concerns.

Thank you!

Sample copy:

Cook County Commission on Human Rights invites you to complete its 2023 survey regarding the efficacy of the [Just Housing Amendment](#) to the Cook County Human Rights Ordinance: <https://bit.ly/JHASurvey2023>.

**Please distribute this survey to your network. To request print/paper copies of this survey, please contact Julia Epplin-Zapf, Policy Analyst, via email ([human.rights@cookcountyil.gov](mailto:human.rights@cookcountyil.gov)).**

**The survey will close on Sunday, October 29, 2023.** Please contact the Cook County Commission on Human Rights with questions or concerns.

**Appendix C:** Social Media Graphics

Cook County Commission on Human Rights

**Please complete our survey about the Just Housing Amendment.**



Access the survey by scanning the QR or following this link: <https://bit.ly/JHASurvey2023>



**Complete this survey...**

**Get entered to win 1 of 3 \$25 Target gift cards!**

Survey is regarding Cook County's Just Housing Amendment. Access the survey by scanning the QR or following this link: <https://bit.ly/JHASurvey2023>



Cook County Commission on Human Rights



# Deadline extended!

You can still complete our survey  
on the Just Housing Amendment  
until 11/3!

<https://bit.ly/JHASurvey2023>

