



**Meeting of  
Fair Housing Task Force**

**Wednesday, April 16, 2014  
5:30 p.m.- 6:30 p.m.**

**Village of Oak Park  
123 Madison, Room 130  
Oak Park, Illinois**

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**Agenda**

1. Call to Order
2. Introductions
3. Public Comment
4. Overview of task force mission
  - a. Enforcement Process Review
  - b. Community Education Process
  - c. Partner Agency Review
5. Set meeting calendar
6. Next steps
7. Adjourn

RESOLUTION

A RESOLUTION CREATING A FAIR HOUSING TASK FORCE

**WHEREAS**, the Village of Oak Park recently commissioned a report conducted by the HOPE Fair Housing Center (“HOPE”) to determine if barriers exist in the local rental housing market due to an individual’s race, family status, age or disability; and

**WHEREAS**, despite the Village’s commitment to diversity and inclusion, testing conducted by HOPE evidenced discrimination by landlords and real estate agents regarding to rental housing and such evidence is set forth in the report prepared by HOPE dated January 23, 2014; and

**WHEREAS**, the Village adopted a fair housing ordinance in 1968, which was among the first of its kind in the nation, which is now codified as part of Chapter 13 (“Human Rights”) of the Oak Park Village Code, and which protects the rights of individuals within the protected classes of race, sex, color, religion, ancestry, national origin, veteran status, sexual orientation, age, marital status, familial status, source of income or disability in the purchasing, leasing, securing a loan, renting or occupying housing or other real estate in the Village; and

**WHEREAS**, the Board of Trustees reaffirm its commitment to strengthening Oak Park’s diversity and ensuring that all people have fair and equal access to housing opportunities in the community; and

**WHEREAS**, pursuant to that commitment and for the purposes set forth herein, the Board of Trustees has determined to establish a Fair Housing Task Force.

**NOW THEREFORE, BE IT RESOLVED** by the President and Board of Trustees of the Village of Oak Park, Illinois, in the exercise of their home rule powers, as follows:

**Section 1. Recitals Incorporated.** The above recitals are incorporated herein as though fully set forth.

**Section 2. Establishment of Fair Housing Task Force.** There is hereby established a Fair Housing Task Force (“Task Force”) of the Village of Oak Park. The Task Force shall review and examine the following related to fair housing: (1) the enforcement of existing laws and ordinances; (2) community education; (3) oversight of housing-related agencies in Oak Park; and (4) other matters as directed by the Board of Trustees.

**Section 3. Task Force Membership.** The Task Force shall consist of thirteen (13) members. The members of the Task Force shall be as follows: (1) the chairs of the Village’s Community Relations Commission, Disability Access Commission, and Housing Programs Advisory Committee; (2) three (3) members of the Board of Trustees to be appointed by the President, with the advice and consent of the Board of Trustees; and (3) six (6) at large members to also be appointed by the President, with the advice and consent of the Board of

Trustees. The President shall serve as an *ex officio* member of the Task Force. The President shall appoint the Chair of the Task Force.

**Section 4. Task Force Meetings.** The first Task Force meeting shall be held on April 16, 2014 at 5:30 p.m. Task Force meetings thereafter shall be held on times and dates as determined by the Task Force. A quorum to hold a meeting shall consist of seven (7) members. All meetings shall be conducted pursuant to the Open Meetings Act, 5 ILCS 120/1 *et seq.*

**Section 5. Task Force Report and Dissolution.** The Task Force shall make a report to the Board of Trustees of its findings and recommendations regarding the matters set forth in Section 2 above by December 31, 2014. The Task Force shall be dissolved upon the submission of its final report.

**Section 6. Severability and Repeal of Inconsistent Ordinances, Resolutions and Motions.** If any section, paragraph, clause or provision of this Resolution shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this resolution. All ordinances, resolutions or adopted motions in conflict herewith are hereby repealed to the extent of such conflict.

**Section 7. Effective Date.** This Resolution shall be in full force and effect immediately after its passage as provided by law.

ADOPTED this 7<sup>th</sup> day of April, 2014 pursuant to a roll call vote as follows:

Voting	Aye	Nay	Abstain	Absent
President Abu-Taleb				✓
Trustee Barber	✓			
Trustee Brewer	✓			
Trustee Lueck	✓			
Trustee Ott	✓			
Trustee Salzman	✓			
Trustee Tucker	✓			

APPROVED this 7<sup>th</sup> day of April, 2014.



Robert Tucker, Village President Pro-Tem

ATTEST:



Teresa Powell, Village Clerk (Deputy)





**HOPE Fair Housing Center**

**Report for the Village of Oak Park  
January 23, 2014**

HOPE Fair Housing Center  
245 W. Roosevelt Road  
Suite 15-107  
West Chicago, IL 60185  
(630) 690-6500  
[www.hopefair.org](http://www.hopefair.org)

## **HOPE Fair Housing Testing 2013 - Village of Oak Park**

This report presents the results of testing conducted by HOPE Fair Housing Center in the Village of Oak Park aimed at detecting racial discrimination in the rental housing market and potential barriers for persons with disabilities in residential properties. HOPE conducted:

- fourteen paired rental fair housing tests designed to capture information about differences in treatment, terms and conditions, availability and steering based on race;
- ten paired rental tests with deaf/hard of hearing testers using a relay system such as a Caption Phone or Video Relay System; and
- eight reasonable accommodation tests where testers with a disability inquired about a reasonable accommodation under the Fair Housing Act.

Information presented will include: (1) the background of the project; (2) the scope of the project; (3) the methodology utilized; (4) a summary of rental tests results, (5) results of calls placed by deaf Testers; (6) findings of the reasonable accommodation testing; and (7) recommendations.

### **Executive Summary**

The level and egregiousness of the discrimination found in these tests were startling. Oak Park's reputation as one of the few truly integrated communities in the Chicago Metro area makes the level of discrimination against African-Americans particularly surprising. Perhaps not as surprising, but troubling nonetheless, was the level of discrimination based upon disability.

- In six paired tests, no African-American testers were able to view apartments while all of their counterparts saw one or more apartments.
- Two Oak Park companies refused to return phone calls or make appointments for African-Americans on multiple occasions. There was never an instance where an African-American received a call back where their white counterpart did not.
- One white tester was shown an available unit. Her African-American counterpart was told that the unit had been rented and nothing else was available. The white tester called back and was told that the unit was still available.
- After a white tester expressed interest in a predominantly African-American location, the resident manager told her she need to talk to the Oak Park Regional Housing Center.
- In several of these race based tests, agents made gratuitous discriminatory comments related to familial status, age and marital status.

- “Agent” said the youngest people in the building were in their 40s and there were no children in the building.
- “Agent” said that a single woman rented the unit before, there were lots of women, and it would be nice to have consistency.
- “Agent” said the building is mostly singles and young couples.
- Deaf or hard of hearing testers were hung up on 20% of the time. In one instance, a deaf tester was hung up on twice after the relay operator announced they were calling on behalf of a deaf person. In another instance, the deaf person was hung up on after the relay operator announced she was calling on behalf of a deaf person, the agent said she wasn’t interested in telemarketing calls. The deaf tester called back and received no answer. After making a third attempt, the deaf person was able to speak with a different agent.
- After a tester with a disability asked for a reasonable accommodation to allow them to have an emotional support animal necessary with their disability, agents made the following comments.
  - “[M]aybe you could put like a handicap sign on the front door or something?”
  - The agent stated that there are no exceptions and that everyone has a situation. They are only required to make exceptions for the blind and even then only when there is no other assistance a blind person can use besides a dog.
  - An agent told the person with a disability that they would have to have a certified service dog and that a doctor’s recommendation wouldn’t be enough.

### **Village of Oak Park**

As a HUD entitlement community receiving annual Community Development Block Grant funds, Oak Park is required to certify that it will “affirmatively further fair housing.” This includes specific fair housing planning responsibilities: 1) conducting an Analysis of Impediments to Fair Housing Choice; 2) developing and implementing actions that will overcome the effects of identified impediments; and 3) maintaining records to document the Village’s efforts to affirmatively further fair housing.

In its 2010 Analysis of Impediments to Fair Housing Choice (AI), Oak Park developed a Fair Housing Action Plan based on its findings. One of the findings under the Public Sector category was that “More than half of the housing complaints filed in Oak Park involved rental transactions.” The Action proposed to address the finding was to “proactively conduct testing of sale and rental properties in Oak Park at a scale commensurate with the Village’s financial capacity.”

As it did in the 60s and 70s when it actively promoted integrated neighborhoods and established its Housing Center, Oak Park is again in the forefront of promoting fair housing by assessing discrimination in its housing market. Few if any cities or municipalities undertake this proactive self-testing unless pursuant to a settlement agreement or court order. This agreement between HOPE and Oak Park addresses the commitment made by the Village to Affirmatively Further Fair Housing through the specific activity of having fair housing testing conducted and is a testament to Oak Park's ongoing commitment to confront any housing discrimination in a robust manner.

### **HOPE Fair Housing Center**

HOPE Fair Housing Center is a non-profit, 501(c)(3), tax-exempt organization. Founded in 1968, HOPE Fair Housing works to create greater housing opportunities for all. We want to ensure everyone has the chance to live in the community/home/apartment of their choice free from discrimination based on race, color, religion, national origin, sex, disability, familial status, or any other characteristics protected under state or local laws. HOPE accomplishes this through education, outreach, enforcement, training, and advocacy.

### **METHODOLOGY**

After conducting research, the matched pair test begins with the creation of tester "profiles" or "assignments" by the test coordinator. When testing for differential treatment based on a protected characteristic, tester assignments will be matched on the relevant characteristics related to the transaction at issue (i.e., type of housing sought, date housing needed, current employment and employment history, etc.). However, there would be two key differences: (1) the race or disability (or other protected characteristic at issue) would vary between the testers with one representing the "control" tester and one representing the "protected" tester and (2) the protected tester would be slightly better qualified and have slightly better credentials than the control tester.

Testers called and/or visited an institution within the assigned time frame. Testers completed report forms and narratives and were debriefed by the test coordinator. Testers were given instructions about how to respond to any follow-up contacts made by the housing provider and reported any follow-up contacts.

Project staff analyzed tests for differences based on race or disability and/or compliance with reasonable accommodation requests. The testers themselves often are unaware of discrimination because they do not receive comparative information for analysis. HOPE staff reviewed reasonable accommodation tests to identify and document compliance with the Fair Housing Act's reasonable accommodation provisions for people with disabilities.

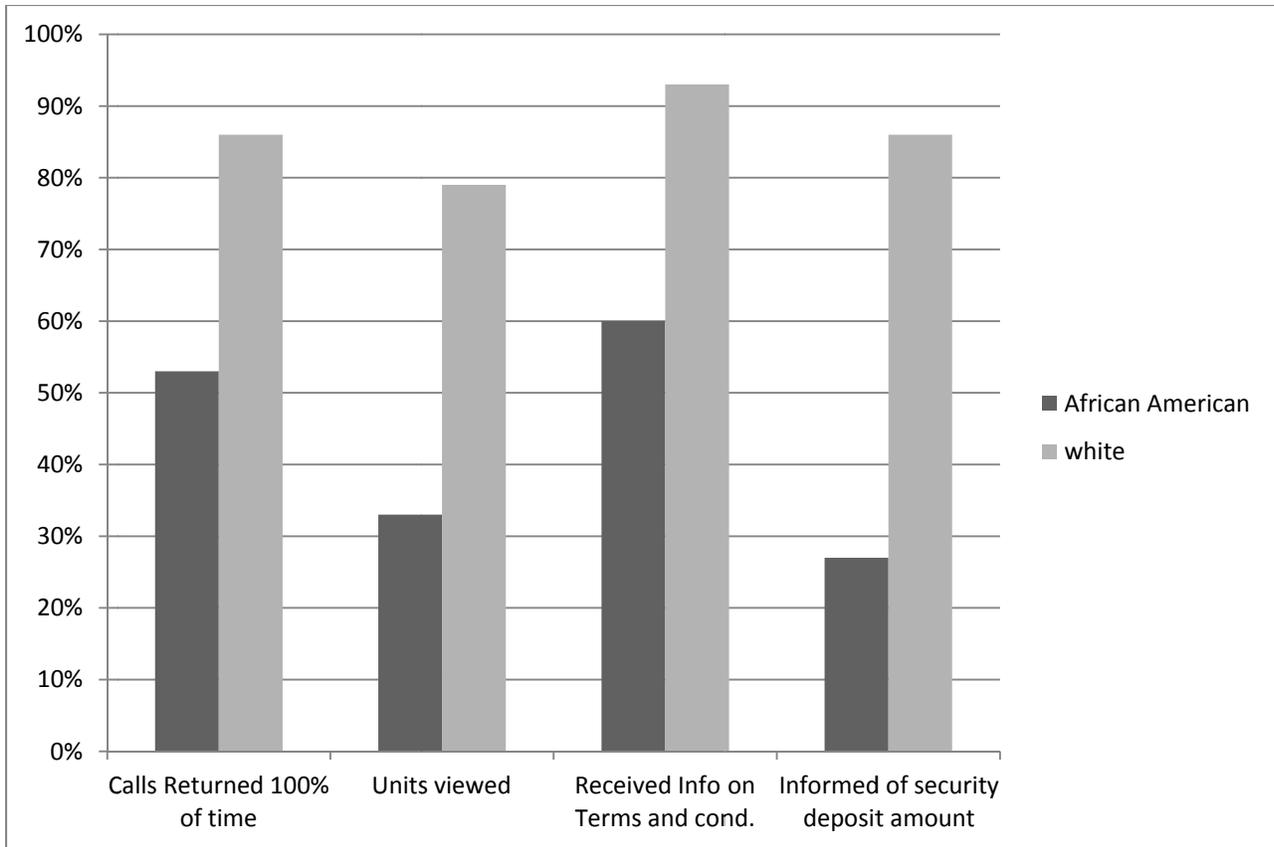
## **RENTAL RACE TEST RESULTS**

HOPE conducted 14 paired rental tests of eight different management companies offering rental units within the Village of Oak Park. Fourteen of the tests were race-based, matched tests with a White Tester and an African-American Tester contacting the same office; an additional test was conducted with one African-American tester which was followed by two matched tests to the same management company.

The tests demonstrate that in Oak Park, in spite of its reputation, intention, and progress in maintaining diversity, there are ongoing instances of racial discrimination that warrant follow-up, through additional periodic testing as well as fair housing education for rental agents, management companies, and potential renters.

Testing was initially made difficult by the overall unprofessional, poor customer service offered by rental agents to potential housing consumers. In addition, the statistics show that compared to White Testers, African-American Testers were not treated nearly as well as their White counterparts. They received considerably fewer site visits to units, had to place more calls to get return calls, and in more instances their calls were never returned. They were offered less information on rental terms, and in some cases agents made discouraging statements to them rather than the encouraging and positive remarks made to White Testers.

Results are presented in four categories: Responsiveness, Number of Units Viewed, and Information Given on Terms & Conditions and Information Given on Security Deposit. The chart below demonstrates the differences noted in these tests.



Responsiveness

Seven of the 15 African-American Testers (47%) did not receive return calls after leaving messages, compared to just two of the 14 White Testers (14%). All but one of the seven companies contacted had at least one instance where testers did not receive a call back or had to call multiple times to speak with an agent. And the one company where this was not the case had an appointment to view a unit with an African-American tester, but the agent did not show up, even though the tester was told the agent was on the way. Some of the tests were not completed because callbacks were not received after multiple calls and voice mails on the part of the testers. In two paired tests to the same company, two white testers received call backs after one message each, while one African-American tester left two messages with no return call and the other placed three calls with two messages before receiving a return call.

In one paired test, the White Tester placed one call, was shown two units and given information on rent, security deposit, application fee, and credit checks. The African-American Tester placed three calls and left two messages over an eight-day period before receiving a return call. The agent said there were two available units that could be viewed on the weekend and to leave a message as to which day was convenient. The Tester left a message and did not receive a call back. Nor was a call received after another message was left the next week.

### Units Viewed

Overall, 13 of 29 testers posing as qualified, interested renters desiring to view available units were not able to schedule appointments and view units. In other words, 45% of all Testers posing as potential, qualified renters contacting a management company to view available units were not able to do so. This happened in spite of numerous call and messages left by Testers to management companies.

**In six paired tests, all White Testers, but no African-American Testers, were able to view units.** Most disturbing about this is that two companies refused to return calls or make appointments for African-Americans in multiple paired tests. In five paired tests, both Testers viewed one or more units. In three paired tests, none of the testers was able to schedule a site visit to an available unit. More than twice as many White Testers were shown units: of the 16 Testers who viewed units, 11 were White and five were African-American. This represents 79% of White Testers, (11 of 14), versus just 33% of African-American Testers (5 of 15). This is a significant and insidious finding, as an African-American individual or family contacting an agent in Oak Park seeking rental housing would have no way of knowing that they were being treated differently because of their race.

There was one documented case of an African-American Tester being told that a unit was not available, when it was available to the White Tester previously as well as later in the same day that the agent told the African-American tester that it was not available.

In one paired test, the White Tester was shown four available units with an average rent of \$1,007. The African-American Tester, with comparable income and qualifications, viewed a total of three units with an average rent of \$842. This Tester was first shown two units, and the Tester reported that the agent “reluctantly” arranged for viewing of one other unit, but was told two applications were already pending.

### Information on Units

Thirteen out of 14 White Testers (93%) and just nine of 15 African-American Testers (60%) received information from agents on the terms and conditions of the rental units. And even when given information, the African-American Testers received less complete information on rent, credit checks, security deposits, etc. The White Testers received an average of 4.8 pieces of information. African-American Testers who received information were given an average of 3.4 pieces of information. This is 29% fewer than the White Testers. Three White Testers were also offered a rental application by the agent and no African-American Testers, although one who requested an application did receive it.

Three times as many White Testers as African-American Testers were informed of security deposit amounts (12 of 14 White Testers, 4 of 15 African-American Testers). In the four instances where both Testers received security deposit information from a management company, they were told the same amount.

In four of the 14 paired tests, a management company that gave White Testers information on monthly rent failed to offer that information to the African-American counterpart. In seven paired tests, both testers were given the same or comparable rental amounts. When they were quoted rent for the same unit, the rents given were the same. In two of three instances where paired Testers were shown different units, the rent on the units shown to African-American testers was somewhat lower than on the units shown to White Testers.

### Encouragement

In addition to more information on specific terms for the rental property, White Testers were more likely to receive encouraging statements, such as being told of amenities, favorable makeup of the buildings, the quiet street, and pending improvements to the units. Conversely, African-American testers received more discouraging statements, such as being told that the landlord and employer check is extensive and we “expect it to be a good report,” or that a criminal background check is conducted. One African-American Tester was cautioned about occupancy restrictions, only two persons in the unit, while the White Tester was not.

### Discriminatory Comments

In several tests, agents made comments indicating that families with children did not live in particular buildings. By stating that these apartments are for singles and couples, the agents were indicating an illegal preference or limitation based upon familial status.

## **RENTAL TESTS FOR DEAF/HARD OF HEARING TESTERS**

HOPE conducted ten paired deaf/hard of hearing tests with ten different companies. HOPE used pairs of testers, one hearing and one a person with a hearing impairment. Half of these tests were conducted by a hearing impaired tester using a caption phone where the tester uses their voice to speak into the phone and the recipient’s speech is translated into captions on a screen for the hearing impaired tester to read. The other half of the tests were conducted by a tester using a video relay system. A video relay service (VRS), also sometimes known as a video interpreting service (VIS), is a video telecommunication service that allows deaf and hard-of-hearing individuals to communicate over video telephones and similar technologies with hearing people in real-time, via a sign language interpreter. The equipment can be used to talk to others via a sign language interpreter, who uses a conventional telephone at the same time to communicate with the deaf person's party. Each of these types of testers was hung up on by

rental agents once. While this was a small number of tests, 20% of the time, the deaf/hard of hearing tester was hung up on even after being made aware that the tester was deaf. With VRS, the relay operator announces that they are calling on behalf of a deaf customer. In some instances, the rental agents have responded that they aren't interested in sales calls. For caption phone tests, it may take a moment for the rental agent's words to appear in caption on the hearing impaired users screen. Education about relay systems would be a public benefit and avoid those with hearing impairments from being hung up on.

When the deaf/hard of hearing testers were able to get through and speak with an agent, the tests demonstrated significant differences in availability and/or terms and conditions of rental housing. In three of the tests, there were significant differences in the amenities and information offered to the hearing testers. In three tests, there were differences in the security deposit amount or other fees told to the deaf tester. In half of the tests, the deaf or hard of hearing testers were told about fewer available units.

In seven instances where the deaf/hard of hearing testers each spoke with an agent<sup>1</sup>, the hearing tester received more information in four of the tests, i.e. more than half of the time. This included being told about more available units, terms of rental, building amenities, and a special promotion. In another test, the hearing tester was told that the security deposit was one month's rent while the hard of hearing tester was told 1.5 times monthly rent.

## **REASONABLE ACCOMMODATION TESTS**

The federal Fair Housing Act requires housing providers to make reasonable accommodations in rules or policies to allow a person with a disability the same use and enjoyment of the property. A common example of a reasonable accommodation would include allowing a visually-impaired person to use a service animal even if the apartment complex has a "no pet" policy. To test compliance with this requirement, HOPE utilized a tester posing as a person with a disability in need of an accommodation. The tester identified herself as a person with a disability and requested an accommodation to a rule or policy of the apartment complex for a support animal.

HOPE attempted reasonable accommodation tests with eight different realty or management companies. In four of the tests, testers were denied their requested accommodation. Also, in four tests, the tester was required to have multiple conversations with the housing provider to determine whether the reasonable accommodation would be granted. In two of these tests, the tester was ultimately denied her accommodation after multiple phone contacts with the provider.

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<sup>1</sup> *In one test, the hearing tester did not receive a call back after leaving two voicemails. The deaf tester did speak with an agent in this test.*

In one instance, the unit was no longer available, so seven tests were completed. The request for a reasonable accommodation was granted in less than half of the completed tests.

In three of the seven tests, testers were denied their requested accommodation outright, and in another case the agent put the tester off, first by stating that he would have to check with his partner, then by saying the unit wasn't going to be available for three weeks, and finally by not returning the tester's final call. Two agents approved the request of the testers for a support animal after being told the tester had paperwork from a doctor. In addition, tentative consent was granted in a case pending approval by the property manager who was on vacation. This test required four separate communications, two calls and two text messages.

In three of the tests, agents mistakenly believed that a certified service dog would be required for a reasonable accommodation or at least to waive the standard pet fees.

#### **RECOMMENDATIONS:**

- Rental housing providers in the Village of Oak Park should receive training regarding the Fair Housing Act requirements and the failures noted in these tests. This training would include information about:
  - Race discrimination and violations under the Fair Housing Act;
  - Provisions related to familial status;
  - Specific training related to reasonable accommodation and reasonable modification requests and recommended procedures; and
  - Training related to relay systems used by deaf and hard of hearing individuals.
- There should be future testing after the training to ensure that training was sufficient to ensure compliance. If training does not ensure compliance, the Village of Oak Park and/or HOPE should explore enforcement actions against non-compliant rental providers.
- The Village of Oak Park should continue to promote the Community Relations Commission and its complaint process.
- HOPE's reasonable accommodation tests where the agents made discriminatory comments should be referred to the Community Relations Commission for enforcement action.
- Owners and brokers should utilize a customer service report, similar to the National Association of Realtors® "Prospect Equal Service Report" to ensure that their agents are treating all potential renters equally.

## **Chapter 13 HUMAN RIGHTS**

### **Article 1 PUBLIC POLICY; DEFINITIONS**

This section has been affected by a recently passed ordinance, 2013-71 - SOURCE OF INCOME AS A PROTECTED CLASS. [Go to new ordinance.](#)

#### **13-1-1: POLICY:**

It is hereby declared to be the policy of the Village and the purpose of this Chapter, in the exercise by the Village of its police and regulatory powers for the protection of the public health, safety and welfare and for the maintenance and promotion of commerce, industry and good government in the Village, to secure to all persons living or desiring to live in the Village, a fair opportunity to purchase, lease, rent or occupy housing or other real estate, to provide all persons desiring employment in the Village fair and equal employment opportunities, and to provide all persons full and equal access to all public places of accommodation, regardless of race, sex, color, religion, ancestry, national origin, veteran status, sexual orientation, age, marital status, familial status or disability. (Ord. 1999-0-8, 3-15-99)

This section has been affected by a recently passed ordinance, 2013-71 - SOURCE OF INCOME AS A PROTECTED CLASS. [Go to new ordinance.](#)

#### **13-1-2: DEFINITIONS:**

The following words and phrases shall have the meanings, and are hereby defined, as follows:

**ADMINISTRATOR:** The employee of the Village designated by the Board to administer the provisions of this Chapter.

**COMMISSION:** The Commission on Community Relations of the Village of Oak Park.

**DISABILITY:** With respect to a person: a) a physical or mental impairment which substantially limits one or more of such person's major life activities; or b) a record of having such an impairment; or c) being regarded as having such an impairment.

**DISCRIMINATE:** To extend differential treatment on the basis of race, sex, color, religion,

ancestry, national origin, veteran status, sexual orientation, age, marital status, familial status or disability.

**FAMILIAL STATUS:** One or more individuals (who have not attained the age of 18 years) being domiciled with: a) a parent or another person having legal custody of such individual or individuals; or b) the designee of such parent or other person having such custody, with the written permission of such parent or other person.

**LEASE:** Includes sublease, assignment and rental and includes any contract to do any of the foregoing.

**LENDING INSTITUTION:** Any bank, insurance company, savings and loan association, other persons in the business of lending money or guaranteeing loans, any person in the business of obtaining, arranging or negotiating loans as agent or broker, and any person in the business of buying or selling loans or instruments for the payment of money which are secured by title to or a security interest in real property.

**MATRICULATION:** The condition of being enrolled in a college or university, or in a business, nursing, professional, secretarial, technical or vocational school, or in an adult education program.

**OWNER:** Any person holding any interest in property which may be used for dwelling purposes, employment purposes, or purposes which involve the accommodation of the public at large.

**PUBLIC PLACE OF ACCOMMODATION:** Includes restaurants, hotels, stores, soft drink or ice cream parlors, barbershops, beauty shops, theaters, places of amusement, taxicabs, funeral homes, public swimming pools and other places of public accommodation.

An operator of a public place of accommodation is any owner, lessee, proprietor, manager or an employee of any such person or persons.

**PURCHASE:** Includes any contract to purchase.

**REAL ESTATE BROKER:** Any person who for a consideration acts as an employee or agent to manage, or to negotiate the sale purchase or rental of any real property or any interest therein. Real estate broker includes, but is not limited to, all persons required to be licensed pursuant to the provisions of an act in relation to the definition, registration and regulation of real estate brokers and real estate salespersons as heretofore and hereafter amended.

**REAL ESTATE TRANSACTION:** The purchase, sale, exchange or lease of any real property or interest therein or any negotiations, listings or contracts in connection therewith. (Ord. 1989-0-43, 6-5-89; amd. Ord. 1999-0-8, 3-15-99)

## **Article 2**

# **UNLAWFUL REAL ESTATE PRACTICES**

This section has been affected by a recently passed ordinance, 2013-71 - SOURCE OF INCOME AS A PROTECTED CLASS. [Go to new ordinance.](#)

### **13-2-1: UNLAWFUL REAL ESTATE PRACTICES:**

It shall be unlawful for any person with respect to real estate located in Oak Park, to:

- A. **Persuade to Sell:** Persuade or induce any owner to discriminate in the sale of real estate.
- B. **Discriminate in Services:** Discriminate against any person in furnishing services in connection with real estate.
- C. **Discriminate in Terms:** Discriminate against any person in the terms, conditions or privileges of sale or rental of a dwelling or in the provision of services or facilities in connection therewith. (1981 Code)
- D. **Change of Status:** For profit, seek to induce owners to sell real estate or attempt to obtain listings of real estate for sale or lease by representing or suggesting that any prospective or present change in the race, sex, religion, creed, ancestry, sexual orientation, national origin, age, matriculation, familial status or handicap status of persons in the neighborhood will cause a decline in the value of the real estate.
- E. **Refuse to Disclose Information:** Refuse to disclose to any bona fide prospective buyer or lessee because of the race, sex, religion, creed, ancestry, sexual orientation, national origin, age, matriculation, familial status or handicap of the prospective buyer or lessee, the address and description of any property listed for sale or lease or the terms upon which it is offered, or refuse to show for that reason to any bona fide prospective buyer or lessee any listing sheet or rental list in the person's possession relating to such property.
- F. **Indication of Preference:** Make, print or publish, or cause to be made, printed or published, any notice, statement or advertisement, with respect to the sale or rental of a dwelling that indicates any preference, limitation or discrimination based on race, sex, religion, creed, ancestry, sexual orientation, national origin, age, matriculation, familial

status or handicap, or an intention to make any such preference, limitation or discrimination. (Ord. 1989-0-42, 6-5-89)

- G. **Pay Commission:** Pay a commission or any consideration to any person for acts or services performed in violation of this Article. (1981 Code)
- H. **Misrepresent Property:** Represent to any person because of race, sex, religion, creed, ancestry, sexual orientation, national origin, age, matriculation, familial status or handicap that any dwelling is not available for inspection, sale or rental when such dwelling is in fact so available. (Ord. 1989-0-42, 6-5-89)
- I. **Discriminate in Lending:** Discriminate in lending or furnishing financial assistance to a person applying therefor for the purpose of purchasing, constructing, improving, repairing or maintaining a dwelling, or to discriminate against him in the fixing of the amount, interest rate, duration or other terms or conditions of such loan or other financial assistance. For the purpose of this subsection, discrimination shall include refusal to make loans, differentiating in the type of terms of loans, including interest rates, charges to buyer or seller, duration and amount of loan, influencing appraisals in connection with loans or delaying of loan applications.
- J. **Unauthorized Advertisement:** Advertise that any property is for sale or for rent in a newspaper or other publication without the written consent of the owner or his authorized agent.
- K. **Unwanted Solicitation:** For any person to solicit any property for sale or rental or the listing of any property for sale or rental at any time notice has been given that any owner or tenant of such real estate does not desire to sell or lease such real estate or does not desire to be solicited. For the purpose of this subsection K, notice shall be given by the Village Clerk by preparing a list of the names and addresses of persons who have advised the Village Clerk they do not desire to be solicited, said list to be prepared both alphabetically and by street address, and said list shall be published by the Village Clerk as follows:
1. By maintaining a copy of said list in the office of the Village Clerk available for inspection, and
  2. By furnishing a copy of said list annually, plus a monthly list of additions and deletions to every real estate broker in the Village, and
  3. By filing annually a copy of said list with the Commission of Human Relations of the State of Illinois plus a monthly list of additions and deletions thereto, and

4. By furnishing a copy of said list on request, without charge, to any person having an interest in the sale or rental of real estate in Oak Park.

In addition, any owner or renter may notify in writing any real estate agent or broker or any other person that such owners or renters do not wish to list for sale such residential property.

- L. Insurance: For any person to discriminate in the sale of insurance in connection with real estate. (1981 Code)

- M. Differentiate in Lending: Differentiate in lending in connection with loans to be secured by property in Oak Park because of the race, sex, religion, creed, ancestry, sexual orientation, national origin, age, matriculations, familial status or handicap of the persons living in Oak Park or of the persons living in the neighborhood of the property to be used as security for the loan or because of prospective or present changes in the race, sex, religion, creed, ancestry, sexual orientation, national origin, age, matriculation, familial status or handicap of persons living in Oak Park or in the neighborhood of the property to be used as security for the said loan. For the purpose of this subsection M, differentiate in lending shall include:

1. To refuse to make loans; or
2. To differentiate in the type of loans, including interest rates, charges to buyer or seller, duration and amount of loan; or
3. To influence appraisals in connection with loans; or
4. To delay processing loan applications. (Ord 1989-0-42, 6-5-89)

- N. Reports of Rentals: It is the policy of the President and Board of Trustees to prevent the segregation by race of any part of the Village. In order to prevent persons selling or renting real estate, whether as owner or otherwise, from selling or renting on the basis of the race of the buyer or lessee, the Administrator of the Village's Human Rights Program is directed to review and investigate sales and rentals of residential property to determine if said sales and rentals are in accordance with the provisions of this Chapter.

Subject to Section 13-2-2, in order to facilitate such review and investigation, every person who rents residential real estate located in Oak Park or any person who acts as an agent for a lessor of real estate located in Oak Park, shall, within the first ten (10) days of each calendar month, file a report containing the following information:

1. An address of each residential property for which a lease has been executed during the previous calendar month, including the apartment number of each apartment leased.

## 2. The race of the lessee.

Owners or agents shall submit the information directly to the Community Relations Division of the Village within the time indicated. Records of rentals so submitted shall be kept confidential and shall be only available for inspection by the Director of the Community Relations Division, the Village Manager, the Board of Trustees of the Village, the Community Relations Commission and the Administrator of the Human Rights Program. Information derived from said records shall not be used in any adversary proceeding for or against any owner or agent.

Also, as required in Chapter 8 (Business Licensing), owners and/or managers are reminded that records of occupancy data, including the number of occupants and the termination date of all leases is required to be submitted to the Village. Information so submitted will be held in confidence as stated above.

- O. Attempt to Influence: Influence or attempt to influence or steer by any words, acts or failure to act, any person who is a prospective seller, purchaser or tenant of real property in connection with the sale or rental of said property so as to cause or contribute to racially segregated housing or so as to retard, obstruct or discourage racially integrated housing in any building, street, block or neighborhood. Steering shall also consist of the practice of displaying listings or showing prospective nonminority purchasers or renters units for sale or rent only in areas that are predominantly occupied by nonminority residents or by displaying listings or showing prospects of a minority race units for sale or rent in areas containing predominantly minority residents or areas that adjoin areas containing predominantly minority residents. Selling a prospect a home as a result of an open house shall not constitute steering by the broker. (1981 Code)

This section has been affected by a recently passed ordinance, 2013-71 - SOURCE OF INCOME AS A PROTECTED CLASS. [Go to new ordinance.](#)

### **13-2-2: LIMITATIONS AND EXCLUSIONS:**

- A. This Chapter shall not apply to the rental of any room or units in dwellings containing living quarters occupied or intended to be occupied by no more than four (4) families living independently of each other if the owner actually maintains and occupies one of such living quarters as his or her residence. (1981 Code)
- B. Nothing in this Chapter shall require an owner to offer for sale or lease real property to the public at large, nor shall this Chapter be deemed to prohibit discrimination for any reason other than race, sex, religion, ancestry, creed, sexual orientation, national origin, age,

matriculation, familial status or handicap and not otherwise prohibited by law. (Ord. 1989-0-42, 6-5-89)

- C. Nothing in this Chapter shall require a person to offer real property for sale or lease or to show real property to any person if such person is not negotiating for the purchase or lease of such real property in good faith. Provided, however, a "tester" authorized by the Administrator of the Village's Human Rights Program shall be deemed to be negotiating in good faith and shall be deemed to be bona fide as required by subsection 13-2-1E.
- D. The provisions of this Chapter are limited to real estate transactions solely in connection with property located in the Village. (1981 Code)

### **13-2-3: REAL ESTATE FOR RENT AND FOR SALE SIGNS PROHIBITED:**

The President and Board of Trustees find as follows:

- A. That a prohibition of "For Sale" and "Sold" signs has been recommended by the Commission on Community Relations on the basis that said signs tend to encourage unfair housing practices and tend to defeat the purposes of the Village's Human Rights Program.
- B. That a prohibition of "For Rent" signs has been recommended by the Commission on Community Relations for the following reasons:
1. "For Rent" signs presently are used more frequently in areas that have a greater percentage of occupancy of minority residents. "For Rent" signs are seldom used in connection with buildings that have no minority occupants. The use of these signs therefore tends to "signal" that minorities may be more welcome in some areas of the Village than others and this tends to segregate areas contrary to the policy of the Village to maintain an integrated community.
  2. A proliferation of "For Rent" signs encourages panic peddling and block busting.
  3. "For Rent" signs may give an appearance of community instability when concentrated in a limited geographic area.
  4. A proliferation of "For Rent" signs may infer that an area is less desirable than other areas.

5. A system of apartment management that refers tenants to the source of rentals will encourage greater professionalism in apartment management.

It shall, therefore, be unlawful for any person to construct, place, maintain or install a "For Sale", "Sold" or "For Rent" sign on any property developed for residential use in the Village. The term "For Sale" sign shall include signs carrying the following or similar words: "Open House" or "Open for Inspection" and shall include any other devices placed on the property to indicate that the property is for sale.

In the case of new construction of residential property or conversion of an existing structure to condominium use where a condominium declaration is recorded, a "For Sale" sign shall be permitted on the property until the property or condominium units are sold, but not to exceed one and a half (1<sup>1</sup>/<sub>2</sub>) years after issuance of a certificate of occupancy for a new building or from the date the "For Sale" sign is posted in the case of a conversion. (1981 Code)

### **13-2-3.1: OPEN HOUSE SIGNS PERMITTED ON SUNDAYS:**

Notwithstanding Section 13-2-3, "Open House" signs will be permitted on Sunday, subject to the following conditions:

- A. The wording on the sign is limited to "Open for Inspection" or "Open House".
- B. The display of signs is limited to the hours of the "Open House" and in no event shall be displayed in excess of four (4) hours.
- C. The size of the sign is limited to twenty four inches by thirty six inches (24" X 36").
- D. The signs are not to be posted on public land. (Ord. 1981-0-49, 7-20-81, eff. 8-3-81)
- E. The Director of the Community Relations Department will report to the Board of Trustees on or about February 1 of each year as to the effect "Open House" signs have on the general purposes of this Section. (Ord. 1982-0-9, 2-1-82)

### **13-2-4: DUTIES OF COMMISSION ON COMMUNITY RELATIONS; COMPLAINTS, PENALTY:**

It shall be the duty of the Commission on Community Relations to: initiate, receive and investigate written complaints charging discrimination; seek conciliation of such complaints and compliance by violators; hold hearings, make findings of fact, issue recommendations and publish its findings of fact and recommendation in accordance with the provisions of this Chapter.

A. **Complaints and Enforcement:** Any person aggrieved in any manner by a violation of any provision of this Chapter may file a written complaint with the Administrator. The complaint shall be under oath, addressed to the Commission, and shall state:

1. The name and address of the complainant,
2. The name and address of the person or persons against whom the complaint is brought, if known to the complainant, and
3. The facts surrounding the alleged violation of this Chapter.

Such complaint shall state the name and address of all persons believed to have knowledge concerning the alleged violation. The Commission shall provide a printed form of complaint for the use of aggrieved persons.

B. **Fee:** No fee shall be charged for the filing of the complaint.

C. **Service of Copy:** After the filing of the complaint, the Administrator shall, within three (3) days, serve a copy of the complaint personally or by certified mail on the person or persons charged and shall furnish a copy to the chairperson of the Commission.

D. **Investigation:** The Administrator shall investigate the complaint and if he or she determines that probable cause exists in support of the allegations of the complaint, he or she shall set a date for a conference and notify the parties of the time and place thereof. At such conference, the Administrator shall interview the complainant and the person or persons against whom the complaint has been directed, and shall attempt to resolve the complaint by conciliation.

E. **Conciliation:** If the Administrator is unable to conciliate the complaint, he or she shall so notify the chairperson of the Commission within thirty (30) days of the filing of the complaint. The Commission shall thereupon hold a hearing on the complaint, either by

the full Commission, or by a three (3) member panel thereof, as determined by the chairperson.

F. **Hearing by Commission or Panel:** Such hearing shall be conducted upon notice by certified mail to all parties, at least forty eight (48) hours prior to the hearing. The Commission shall provide a court reporter to take a transcript of the hearing. All evidence shall be under oath, administered by an officer authorized to administer oaths. All parties may be represented by counsel at their election and shall have the right to call witnesses and to cross examine witnesses. If the hearing is conducted by a three (3) member panel, the panel shall furnish the Commission with:

1. Its findings of fact;
2. Its recommendations;
3. A summary of the evidence taken; and
4. A transcript of the hearing if requested by the Commission.

G. **Action by the Commission:** At the close of the hearing, the Commission may take any one or more of the following actions:

1. Resolve the complaint by conciliation;
2. Dismiss the complaint;
3. Make findings and recommendations to the Board of Trustees regarding filing a complaint for revocation of any applicable State license;
4. Instruct the Village Prosecutor to file a complaint to enjoin the violation or a complaint for any other appropriate relief;
5. In the case of any violation of this Chapter by any person in the course of performing under a contract or subcontract with the State or any political subdivision or agency thereof, or with the government of the United States or any agency or instrumentality thereof, to notify by certified mail such contracting agency for the purpose of causing it to terminate such contract or any portion thereof, either absolutely or on condition of compliance with the provisions of this Chapter.

H. **Action by Administrator:** If, in the judgment of the Administrator, immediate court action is necessary, he or she may at any time instruct the Village Prosecutor to file a complaint in the Circuit Court for a fine, injunction or other appropriate relief. Such action may be taken even though administrative hearings of the complaint are still pending before the Administrator or the Commission.

In addition to the duties specified herein, the Administrator shall have the following powers and duties:

1. To make recommendations regarding amendments to this Chapter and related ordinances or parts of the Municipal Code.
  2. To investigate all matters coming to his or her attention in connection with administering the fair housing program of the Village.
  3. To investigate fair housing grievances and attempt conciliation thereof, when either an oral or written complaint has been filed.
- I. Action by Complainant: At any time after final action by the Commission, or after dismissal of a complaint by the Administrator, or in the event of the refusal of the Administrator or Commission to act on a complaint within the time limits herein set forth, the complainant may file a complaint in the Circuit Court for appropriate relief for the alleged violation.
- J. Limitation of Time to File Complaints: Any complaint shall be barred from consideration unless it is filed with the Administrator within six (6) months after the alleged discriminatory practice occurred. The Administrator may extend the time for filing the complaint for an additional sixty (60)days when conciliation efforts are pending.
- K. Closed Meeting for Conciliation: The Commission or the Administrator is authorized to hold closed meetings for conciliation of complaints of discrimination brought pursuant to this Chapter. The Administrator, the complainant and an advisor, the respondent and an advisor, shall have the right to attend the hearing.
- L. Issue of Subpoenas: The complainant or the person charged, or the Administrator or the Director of the Community Relations Division, or the Commission on its own motion, may have subpoenas issued in the name of the Commission for persons to appear at Commission hearings and for the examination of documents. Subpoenas shall only be issued to persons or for documents which have a substantial evidentiary connection with a complaint. Service of such subpoenas shall be made in the same manner as in civil actions and shall be enforceable through the Circuit Court of Cook County. (1981 Code)

## **Article 3**

# **FAIR EMPLOYMENT PRACTICES**

**13-3-1: DISCRIMINATION IN EMPLOYMENT:**

- A. It shall be unlawful for any department of the Village, or any Village official, his or her agent or employee, for or on behalf of the Village to refuse to employ, or to discharge any person, otherwise qualified, on account of race, sex, religion, creed, ancestry, national origin, sexual orientation, age, matriculation, familial status or handicap or to discriminate for any of said reasons in regard to tenure, terms or conditions of employment; to deny promotion or increase in compensation solely for any of said reasons; to publish offers of employment based on any such discrimination; to adopt or enforce any rule or employment policy which discriminates between employees on account of race, sex, creed, religion, national origin, sexual orientation, matriculation, familial status, ancestry or age, except where such rule or policy is consistent with the pension, retirement, and related laws of the State of Illinois. Further, that all persons with a physical or mental handicap shall be free from discrimination unrelated to ability in hiring and promotion practices of the Village.
- B. Discrimination in employment on the basis of age shall generally be unlawful for prospective employees between the ages of eighteen (18) and seventy (70). (Ord. 1989-0-42, 6-5-89)

**13-3-2: DISCRIMINATION BY CONTRACTORS WITH THE VILLAGE:**

Every supplier of materials and services and all contractors doing business with the Village in excess of one thousand dollars (\$1,000.00) per year shall be an "equal opportunity employer" as defined in section 2000(e) of chapter 21, title 42, of the United States Code Annotated, and Federal Executive Orders #11245 and #11375 which are incorporated herein by reference. (1981 Code)

**13-3-3: BIDDING ON VILLAGE CONTRACTS:**

The Village shall have the right, as a condition to bidding, to require prospective contractors, bidders or suppliers to show that they are "equal opportunity employers" as provided for by Federal law and Federal executive order, and to insure their compliance with the requirements and obligations of the Human Rights Act, contained in 775 Illinois Compiled Statutes 5/2-105(A) pertaining to public contracts, which Act is incorporated herein by reference. (Ord 1989-0-42, 6-5-89)

**13-3-4: CONTRACTS WITH VILLAGE OF OAK PARK:**

The provisions of Section 13-3-1 of this Article shall be incorporated as material parts of all contracts to which the Village is a party. (1981 Code)

## **Article 4 PUBLIC ACCOMMODATIONS**

**13-4-1: DISCRIMINATORY ACTS PROHIBITED:**

It shall be unlawful to deny, directly or indirectly, any person the full and equal access to the goods, services, facilities, privileges and accommodations of any place of public accommodation by reason of the race, sex, creed, ancestry, religion, national origin, sexual orientation, age, matriculation, familial status or handicap of the person so denied; provided, however, a beautician may limit his or her services to females, and an athletic or health club may limit the use of their facilities on the basis of sex. It shall be unlawful to print, circulate, post, mail or otherwise cause to be published any statement, advertisement or sign that indicates that the full and equal enjoyment of the goods, services, facilities, privileges and accommodations of a place of public accommodation will be denied because of the race, sex, creed, ancestry, religion, national origin, sexual orientation, age, matriculation, familial status or handicap of any person. (Ord. 1989-0-42, 6-5-89)

## **Article 5 UNLAWFUL MANAGEMENT PRACTICES**

**13-5-1: UNLAWFUL MANAGEMENT PRACTICES:**

A. Applicability. This Article shall apply only to multiple family residences containing four (4) or more dwelling units. For the purpose of this Article, a dwelling unit is defined as a portion of a building containing culinary facilities and arranged, designed and exclusively used or maintained for use by one family as a separate housekeeping unit.

This Article shall not apply to hotels. A hotel is defined as "a building in which living or sleeping facilities are provided for compensation and offered to transient guests and in which one or more customary services such as maid and linen service or telephone service are provided." For the purposes of this Article, the term "hotel" shall also mean motel.

- B. **Lease Required.** No dwelling unit shall be rented without a written lease having been executed on behalf of the owner and the tenant. This requirement shall not apply to the renewal of tenancies existing as of September 12, 1973.
- C. **Security Deposit - Application.** No dwelling unit shall be rented without the owner or agent first having obtained a written application, along with a security deposit of not less than one month's rental. However, this provision shall not apply to renewals of existing leases.
- D. **Showing of Dwelling Units.** Any person showing a dwelling unit for the purpose of renting said dwelling unit must have a knowledge of this Chapter 13 of the Code of the Village.
- E. **Processing of Application for Rental of a Dwelling Unit.** Any person accepting and/or processing an application for a dwelling unit must:
1. Have a knowledge of this Chapter 13 of the Code of the Village;
  2. Have a knowledge of the laws and practices in connection with rental and management of multiple family dwellings;
  3. Attend a seminar on housing practices to be conducted by the Community Relations Commission of Oak Park with the assistance of the Oak Park Board of Realtors. Such a seminar must be attended at least once each calendar year.
- F. **Copies of Applications.** Copies of applications for apartments shall be furnished by the owner or manager to all agents having authority to accept such applications. No agent shall represent that an application has been made for a dwelling unit unless he or she has, in fact, knowledge that such application has been made.

## **Article 6 COUNSELING**

### **13-6-1: COUNSELING:**

In order to encourage the development of a racially integrated and stable community, nothing in this Chapter shall be construed to prohibit any person from referring a prospective

tenant or purchaser to the Community Relations Division of the Village for counseling. Counseling, which may be conducted by the Community Relations Division in connection with applicants so referred, shall consist of:

- A. Furnishing statistical data regarding the racial composition of blocks, neighborhoods and school districts;
- B. Furnishing data regarding the policy of the Village to maintain racial diversity; and
- C. Furnishing data regarding State guidelines in connection with minority enrollment in schools.

ORDINANCE

**AN ORDINANCE AMENDING CHAPTER 13 ("HUMAN RIGHTS"), ARTICLE 1 ("PUBLIC POLICY; DEFINITIONS") ARTICLE 2 ("UNLAWFUL REAL ESTATE PRACTICES") OF THE VILLAGE CODE OF OAK PARK, ILLINOIS TO INCLUDE SOURCE OF INCOME AS A PROTECTED CLASS**

WHEREAS, the Village of Oak Park ("Village") is a home rule unit of government as provided by the provisions of Article VII, Section 6 of the Illinois Constitution of 1970; and

WHEREAS, as a home rule unit of government, the Village is expressly empowered to perform any function pertaining to its government and affairs, including, but not limited to, the power to regulate for the protection of the public health, safety, morals and welfare; and

WHEREAS, the Village has a long history in promoting fair housing opportunities for all and in fact supports affirmatively marketing housing opportunities throughout the Village to promote a well-integrated and welcoming community for all individuals; and

WHEREAS, the Village funds the Oak Park Housing Authority to cover the administrative shortfall in operating the Housing Choice Voucher Program caused by a reduction in federal funding to the Oak Park Housing Authority; and

WHEREAS, the Village seeks to promote housing opportunities throughout the community; and

WHEREAS, the Village believes it is important for all property owners to accept to qualified tenants regardless of their lawful source of income.

NOW THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Oak Park, Cook County, Illinois, in the exercise of their home rule powers, as follows:

**Section 1. Recitals Incorporated.** The above recitals are incorporated herein by reference as though fully set forth.

**Section 2. Village Code Amended.** Chapter 13 ("Human Rights"), Article 1 ("Public Policy; Definitions"), Section 13-1-1 and Section 13-1-2 ("Definitions") of the Village Code is amended by adding the underlined language to read as follows:

**13-1-1: POLICY:**

It is hereby declared to be the policy of the Village and the purpose of this Chapter, in the exercise by the Village of its police and regulatory powers for the protection of the public health, safety and welfare and for the maintenance and promotion of commerce, industry and good government in the Village, to secure to all persons living or desiring to live in the Village, a fair opportunity to purchase, lease, rent or occupy housing or other real estate, to

provide all persons desiring employment in the Village fair and equal employment opportunities, and to provide all persons full and equal access to all public places of accommodation, regardless of race, sex, color, religion, ancestry, national origin, veteran status, sexual orientation, age, marital status, familial status, source of income or disability.

**13-1-2: DEFINITIONS:**

The following words and phrases shall have the meanings, and are hereby defined, as follows:

**ADMINISTRATOR:** The employee of the Village designated by the Board to administer the provisions of this Chapter.

**COMMISSION:** The Commission on Community Relations of the Village of Oak Park.

**DISABILITY:** With respect to a person: a) a physical or mental impairment which substantially limits one or more of such person's major life activities; or b) a record of having such an impairment; or c) being regarded as having such an impairment.

**DISCRIMINATE:** To extend differential treatment on the basis of race, sex, color, religion, ancestry, national origin, veteran status, sexual orientation, age, marital status, familial status, source of income or disability.

**FAMILIAL STATUS:** One or more individuals (who have not attained the age of 18 years) being domiciled with: a) a parent or another person having legal custody of such individual or individuals; or b) the designee of such parent or other person having such custody, with the written permission of such parent or other person.

**LEASE:** Includes sublease, assignment and rental and includes any contract to do any of the foregoing.

**LENDING INSTITUTION:** Any bank, insurance company, savings and loan association, other persons in the business of lending money or guaranteeing loans, any person in the business of obtaining, arranging or negotiating loans as agent or broker, and any person in the business of buying or selling loans or instruments for the payment of money which are secured by title to or a security interest in real property.

**MATRICULATION:** The condition of being enrolled in a college or university, or in a business, nursing, professional, secretarial, technical or vocational school, or in an adult education program.

**OWNER:** Any person holding any interest in property which may be used for

dwelling purposes, employment purposes, or purposes which involve the accommodation of the public at large.

**PUBLIC PLACE OF ACCOMMODATION:** Includes restaurants, hotels, stores, soft drink or ice cream parlors, barbershops, beauty shops, theaters, places of amusement, taxicabs, funeral homes, public swimming pools and other places of public accommodation.

An operator of a public place of accommodation is any owner, lessee, proprietor, manager or an employee of any such person or persons.

**PURCHASE:** Includes any contract to purchase.

**REAL ESTATE BROKER:** Any person who for a consideration acts as an employee or agent to manage, or to negotiate the sale purchase or rental of any real property or any interest therein. Real estate broker includes, but is not limited to, all persons required to be licensed pursuant to the provisions of an act in relation to the definition, registration and regulation of real estate brokers and real estate salespersons as heretofore and hereafter amended.

**REAL ESTATE TRANSACTION:** The purchase, sale, exchange or lease of any real property or interest therein or any negotiations, listings or contracts in connection therewith.

**SOURCE OF INCOME:** The amount of money or its equivalent received as compensation by a person during a period of time from a lawful source. Source of income shall include wages, alimony, child support, income derived from social security, federal or state public assistance, federal or state housing and rental subsidies, such as the federal Housing Choice Voucher Program and the State of Illinois Rental Housing Support Program (collectively referred to as "housing choice vouchers"), and other lawful compensation.

**Section 2. Village Code Amended.** Chapter 13 ("Human Rights"), Article 2 ("Unlawful Real Estate Practices"), Section 13-2-1 ("Unlawful Real Estate Practices") and Section 13-2-2 ("Limitations and Exclusions") of the Village Code is amended by adding the underlined language and deleting the overstricken language to read as follows:

**13-2-1: UNLAWFUL REAL ESTATE PRACTICES:**

It shall be unlawful for any person with respect to real estate located in Oak Park, to:

- A. Persuade to Sell: Persuade or induce any owner to discriminate in the sale of real estate because of the race, sex, religion, creed, ancestry, sexual orientation, national origin, age, matriculation, familial status, source of income or handicap of a person.

- B. **Discriminate in Services:** Discriminate in Services: Discriminate against any person in furnishing services in connection with real estate because of the race, sex, religion, creed, ancestry, sexual orientation, national origin, age, matriculation, familial status, source of income or handicap of a person.
- C. **Discriminate in Terms:** Discriminate against any person in the terms, conditions or privileges of sale or rental of a dwelling or in the provision of services or facilities in connection therewith because of the race, sex, religion, creed, ancestry, sexual orientation, national origin, age, matriculation, familial status, source of income or handicap of a person.
- D. **Change of Status:** For profit, seek to induce owners to sell real estate or attempt to obtain listings of real estate for sale or lease by representing or suggesting that any prospective or present change in the race, sex, religion, creed, ancestry, sexual orientation, national origin, age, matriculation, familial status, source of income or handicap status of persons in the neighborhood will cause a decline in the value of the real estate.
- E. **Refuse to Disclose Information:** Refuse to disclose to any bona fide prospective buyer or lessee because of the race, sex, religion, creed, ancestry, sexual orientation, national origin, age, matriculation, familial status, source of income or handicap of the prospective buyer or lessee, the address and description of any property listed for sale or lease or the terms upon which it is offered, or refuse to show for that reason to any bona fide prospective buyer or lessee any listing sheet or rental list in the person's possession relating to such property.
- F. **Indication of Preference:** Make, print or publish, or cause to be made, printed or published, any notice, statement or advertisement, with respect to the sale or rental of a dwelling that indicates any preference, limitation or discrimination based on race, sex, religion, creed, ancestry, sexual orientation, national origin, age, matriculation, familial status, source of income or handicap, or an intention to make any such preference, limitation or discrimination.
- G. **Pay Commission:** Pay a commission or any consideration to any person for acts or services performed in violation of this Article.
- H. **Misrepresent Property:** Represent to any person because of race, sex, religion, creed, ancestry, sexual orientation, national origin, age, matriculation, familial status, source of income or handicap that any dwelling is not available for inspection, sale or rental when such dwelling is in fact so available.
- I. **Discriminate in Lending:** Discriminate in lending or furnishing financial assistance to a person applying therefor for the purpose of purchasing, constructing, improving, repairing or maintaining a dwelling, or to

discriminate against him in the fixing of the amount, interest rate, duration or other terms or conditions of such loan or other financial assistance. For the purpose of this subsection, discrimination shall include refusal to make loans, differentiating in the type of terms of loans, including interest rates, charges to buyer or seller, duration and amount of loan, influencing appraisals in connection with loans or delaying of loan applications.

- J. **Unauthorized Advertisement:** Advertise that any property is for sale or for rent in a newspaper or other publication without the written consent of the owner or his authorized agent.
- K. **Unwanted Solicitation:** For any person to solicit any property for sale or rental or the listing of any property for sale or rental at any time notice has been given that any owner or tenant of such real estate does not desire to sell or lease such real estate or does not desire to be solicited. For the purpose of this subsection K, notice shall be given by the Village Clerk by preparing a list of the names and addresses of persons who have advised the Village Clerk they do not desire to be solicited, said list to be prepared both alphabetically and by street address, and said list shall be published by the Village Clerk as follows:
1. By maintaining a copy of said list in the office of the Village Clerk available for inspection, and
  2. By furnishing a copy of said list annually, plus a monthly list of additions and deletions to every real estate broker in the Village, and
  3. By filing annually a copy of said list with the Commission of Human Relations of the State of Illinois plus a monthly list of additions and deletions thereto, and
  4. By furnishing a copy of said list on request, without charge, to any person having an interest in the sale or rental of real estate in Oak Park.

In addition, any owner or renter may notify in writing any real estate agent or broker or any other person that such owners or renters do not wish to list for sale such residential property.

- L. **Insurance:** For any person to discriminate in the sale of insurance in connection with real estate.
- M. **Differentiate in Lending:** Differentiate in lending in connection with loans to be secured by property in Oak Park because of the race, sex, religion, creed, ancestry, sexual orientation, national origin, age, matriculations, familial status, source of income or handicap of the persons living in Oak Park or of the persons living in the neighborhood of the property to be used as security for the loan or because of prospective or present changes in the

race, sex, religion, creed, ancestry, sexual orientation, national origin, age, matriculation, familial status, source of income or handicap of persons living in Oak Park or in the neighborhood of the property to be used as security for the said loan. For the purpose of this subsection M, differentiate in lending shall include:

1. To refuse to make loans; or
  2. To differentiate in the type of loans, including interest rates, charges to buyer or seller, duration and amount of loan; or
  3. To influence appraisals in connection with loans; or
  4. To delay processing loan applications.
- N. Reports of Rentals: It is the policy of the President and Board of Trustees to prevent the segregation by race of any part of the Village. In order to prevent persons selling or renting real estate, whether as owner or otherwise, from selling or renting on the basis of the race of the buyer or lessee, the Administrator of the Village's Human Rights Program is directed to review and investigate sales and rentals of residential property to determine if said sales and rentals are in accordance with the provisions of this Chapter.
1. An address of each residential property for which a lease has been executed during the previous calendar month, including the apartment number of each apartment leased.
  2. The race of the lessee.

Owners or agents shall submit the information directly to the Housing Programs Manager within the time indicated. Records of rentals so submitted shall be kept confidential and shall be only available for inspection by the Housing Programs Manager, the Village Manager, the Board of Trustees of the Village, the Community Relations Commission and the Housing Programs Advisory Committee. Information derived from said records shall not be used in any adversary proceeding for or against any owner or agent.

Also, as required in ~~Chapter 8 (Business Licensing)~~ Chapter 12 (Housing), owners and/or managers are reminded that records of occupancy data, including the number of occupants and the termination date of all leases is required to be submitted to the Village. Information so submitted will be held in confidence as stated above.

- O. Attempt to Influence: Influence or attempt to influence or steer by any words, acts or failure to act, any person who is a prospective seller,

purchaser or tenant of real property in connection with the sale or rental of said property so as to cause or contribute to racially segregated housing or so as to retard, obstruct or discourage racially integrated housing in any building, street, block or neighborhood. Steering shall also consist of the practice of displaying listings or showing prospective nonminority purchasers or renters units for sale or rent only in areas that are predominantly occupied by nonminority residents or by displaying listings or showing prospects of a minority race units for sale or rent in areas containing predominantly minority residents or areas that adjoin areas containing predominantly minority residents. Selling a prospect a home as a result of an open house shall not constitute steering by the broker.

**13-2-2: LIMITATIONS AND EXCLUSIONS:**

- A. This Chapter shall not apply to the rental of any room or units in dwellings containing living quarters occupied or intended to be occupied by no more than four (4) families living independently of each other if the owner actually maintains and occupies one of such living quarters as his or her residence.
- B. This Chapter shall not apply to the payment of rent through housing choice vouchers for any owner occupied two to four residential unit buildings.
- C. This Chapter shall not apply to the payment of rent through housing choice vouchers for a single family attached or detached residence.
- BD. Nothing in this Chapter shall require an owner to offer for sale or lease real property to the public at large, nor shall this Chapter be deemed to prohibit discrimination for any reason other than race, sex, religion, ancestry, creed, sexual orientation, national origin, age, matriculation, familial status, source of income or handicap and not otherwise prohibited by law.
- CE. Nothing in this Chapter shall require a person to offer real property for sale or lease or to show real property to any person if such person is not negotiating for the purchase or lease of such real property in good faith. Provided, however, a "tester" authorized by the Administrator of the Village's Human Rights Program shall be deemed to be negotiating in good faith and shall be deemed to be bona fide as required by subsection 13-2-1E.
- F. A building owner may assert as an affirmative defense to the prohibition set forth in Section 13-2-1C of this Article to not accept housing choice vouchers as payment from persons who seek to rent a dwelling unit from the owner when 25% or more of the dwelling units in the building are already occupied by persons who pay rent in whole or in part with housing choice vouchers.

EG. The provisions of this Chapter are limited to real estate transactions solely in connection with property located in the Village.

**Section 3. Severability and Repeal of Inconsistent Ordinances.** If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance. All ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**Section 4. Effective Date.** This Ordinance shall be in full force and effect after its adoption, approval, and publication as provided by law.

ADOPTED this 2<sup>nd</sup> day of December, 2013, pursuant to a roll call vote at follows:

Voting	Aye	Nay	Abstain	Absent
President Abu-Taleb	✓			
Trustee Barber	✓			
Trustee Brewer	✓			
Trustee Johnson	✓			
Trustee Leuck	✓			
Trustee Salzman	✓			
Trustee Tucker	✓			

APPROVED this 2<sup>nd</sup> day of December, 2013.

  
 \_\_\_\_\_  
 Anan Abu-Taleb, Village President

Attest:

  
 \_\_\_\_\_  
 Teresa Powell, Village Clerk

Published in pamphlet form this 3<sup>rd</sup> day of December 2013.

  
 \_\_\_\_\_  
 Teresa Powell  
 Village Clerk

# ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE

VILLAGE OF OAK PARK, IL



Approved by the Village Board of Trustees  
January 19, 2010

## **Acknowledgements**

The Village of Oak Park expresses gratitude to the following entities whose membership participated in the planning, preparation and editing of this Analysis:

Village Board of Trustees

Fair Housing Pioneers of Oak Park

Housing Programs Advisory Committee

Community Development Citizens Advisory Committee

Community Relations Commission

Universal Access Committee

Affordable Housing Providers

Disability Advocacy Organizations

Village of Oak Park Community Agencies

Oak Park Area Realtors Association

Building Owners and Manager Association of Oak Park

Village of Oak Park Departmental Staff

# VILLAGE OF OAK PARK, IL

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## 1. EXECUTIVE SUMMARY

### A. Background

The Village of Oak Park is a HUD entitlement community and receives annual grants through the Community Development Block Grant (CDBG) Program. Receipt of these funds requires the Village to certify that it will “affirmatively further fair housing.” As a result, the Village has specific fair housing planning responsibilities. These include:

- Conducting an Analysis of Impediments to Fair Housing Choice (AI)
- Developing actions to overcome the effects of identified impediments to fair housing, and
- Maintaining records to support the Village’s initiatives to affirmatively further fair housing.

HUD defines an impediment to fair housing as any actions, omissions, or decisions that restrict, or have the effect of restricting, the availability of housing choices, based on race, color, religion, sex, disability, familial status, or national origin. In Illinois, protection under state fair housing law is extended to include discrimination based on ancestry, age, marital status, military status, sexual orientation, or unfavorable discharge from military service. Beginning January 1, 2010, persons with an order of protection will become a protected class.

The AI is a comprehensive review of public and private sector policies that impact fair housing choice in the Village. Sources of information include census data, home mortgage industry data, federal, state and local housing complaint data, and surveys and interviews conducted with housing providers and fair housing advocates.

### B. Findings

Based on the data collected and analyzed, and the interviews conducted for this report, the following findings and issues were identified.

- 1) The racial composition of Oak Park has changed dramatically since 1960.
- 2) Members of the protected classes residing in Oak Park have significantly lower incomes.
- 3) Minorities and females are more likely to be unemployed.
- 4) Minorities are less likely to own their homes in Oak Park.
- 5) Minority households tend to have larger households and require larger housing units.
- 6) The Village has lost over 3,300 affordable rental units since 2000.
- 7) Home buying opportunities are severely limited for Blacks and Hispanics.
- 8) Minority homeowners are more likely to experience housing problems.
- 9) More than half of all housing complaints filed in Oak Park since 1997 involved rental transactions.
- 10) The Village does not receive HOME Investment Partnership Program funds.
- 11) Minorities are under-represented on appointed citizen boards and commissions.

- 12) Advocacy groups have very lengthy waiting lists for clients seeking affordable housing.
- 13) The Village zoning ordinance does not clearly state the Village's emphasis on the provision of affordable housing.
- 14) Public transit is excellent throughout most of Oak Park, however, only one of the seven Oak Park CTA transit stations is handicapped accessible.
- 15) Rental ads in both local newspapers stated "no pets."
- 16) Some building owners and management agents may not fully appreciate the need for regular fair housing training.
- 17) Minorities were denied home mortgages at higher rates than Whites.
- 18) Minorities were more likely to receive high-cost mortgage loans than Whites.
- 19) The Oak Park Regional Housing Center, as the Village's designated marketing agent, provides the critical link between prospective renters and Oak Park's integration goals.
- 20) The Oak Park Community Relations Department is also an important link in the Village's efforts to achieve diversity and eliminate housing discrimination.
- 21) The Village's Multi-family Incentives Program (formerly known as the Diversity Assurance Program) appears to have successfully contributed to the integration of Oak Park.

### C. Fair Housing Action Plan

Based on the findings and issues, the following ten potential impediments to fair housing choice in Oak Park were identified. Recommended actions to eliminate these impediments are also provided. More detail is included in section 7 of the report.

#### i. Public Sector

##### a. Minority households and other members of the protected classes have difficulty securing affordable housing in Oak Park.

**Proposed Action 1:** Include source of income as a protected class to the Village's fair housing ordinance.

**Proposed Action 2:** Develop an Affordable Housing strategy for the Village which may include actions such as adopting an Inclusionary Zoning Ordinance and Affordable Housing Trust Fund.

##### b. There is an inadequate supply of handicapped accessible housing in Oak Park.

**Proposed Action 1:** Institute a requirement, by local ordinance, that all new multi-family developments are to provide a minimum percentage of accessible rental units.

**Proposed Action 2:** Create and maintain a list of certified private and public rental units that are accessible to persons with physical disabilities.

**Proposed Action 3:** Work with the Oak Park Area Association of Realtors to expand their listing form to include accessibility features of available units.

**Proposed Action 4** The Village should work with disability advocates to sponsor workshops and other educational opportunities for housing planning staff, developers, architects, builders, Realtors, and other housing professionals to increase knowledge of various accessibility and visitability design features and cost-effective ways of incorporating such features into newly constructed or substantially rehabilitated housing units.

**c. Members of the protected classes are under-represented on appointed citizen boards and commissions.**

**Proposed Action:** Annually the Village should schedule a recruitment period for new board and commission applicants, with an emphasis on recruiting members of the protected classes.

**d. Affordable housing developers are being denied access to local HOME Program funds.**

**Proposed Action:** Apply for HOME funds by either joining the Cook County HOME Consortium or pursuing a yearly State application.

**e. Prospective developers of any new single-room occupancy (SRO) units will require a parking variance for the project, resulting in the need for a public hearing.**

**Proposed Action:** The Village should proactively address this issue to eliminate the potential for not-in-my-back-yard (NIMBY) public opposition to any potential project.

**f. More than half of the housing complaints filed in Oak Park involved rental transactions.**

**Proposed Action:** Proactively conduct testing of sale and rental properties in Oak Park at a scale commensurate with the Village's financial capacity.

**g. Only one of the seven Oak Park CTA transit stations is handicapped accessible.**

**Proposed Action:** The Village should continue participating in the long-range planning efforts of the Chicago Metropolitan Agency for Planning, the metropolitan planning organization for the Chicago Metropolitan Urbanized Area, which includes the Village of Oak Park.

**ii. Private Sector**

**a. Rental ads in one local newspaper stated "no pets."**

**Proposed Action:** Discussions with the newspaper should be initiated with the recommendation that its policy be modified to require that all future rental real estate ads that state "no pets" (or seek to restrict the type of pet allowed) include the phrase or agree to the following exception: "except companion/service animals permitted under fair housing laws."

**b. Mortgage loan denials and high-cost lending disproportionately affect minority applicants.**

**Proposed Action 1:** Because credit history is a major reason for denial of home mortgage applications in Oak Park, there are opportunities for lenders to focus on the problem and work with applicants to address the concern.

**Proposed Action 2:** Engage HUD-certified housing counselors to target credit repair education through existing advocacy organizations that work with minority populations on a regular basis.

**Proposed Action 3:** Encourage the continued efforts of the Housing Center, and consider expansion of new initiatives, to recruit volunteers from local lending institutions to conduct home ownership workshops.

**Proposed Action 4:** Conduct a more in-depth analysis of HMDA data to determine if discrimination is occurring against minority applicant households.

**Proposed Action 5:** Engage in a communication campaign that would market homeownership opportunities to all minorities regardless of income including middle and higher income minorities. The campaign could show the value of living in a diverse community like Oak Park and could encourage homeowner investment. The campaign could also target lenders to show the high denial rates of mortgage applications for all minorities regardless of income.

## **2. INTRODUCTION**

### **A. Introduction**

The Village of Oak Park has prepared an Analysis of Impediments to Fair Housing Choice to satisfy requirements of the Housing and Community Development Act of 1974, as amended. This Act requires that each community receiving Community Development Block Grant (CDBG) funds certifies to HUD that it will affirmatively further fair housing. This certification to HUD may be implemented through the Consolidated Plan process.

Under the Consolidated Plan, HUD funded recipients are required to: (1) examine and attempt to alleviate housing discrimination within their jurisdiction; (2) promote fair housing choice for all persons; (3) provide opportunities for all persons to reside in any given housing development, regardless of race, color, religion, sex, disability, familial status, or national origin; (4) promote housing that is accessible to and usable by persons with disabilities; (5) and comply with the non-discrimination requirements of the Fair Housing Act. These requirements can be achieved through the preparation of an Analysis of Impediments to Fair Housing Choice.

The Analysis of Impediments to Fair Housing Choice is a review of a jurisdiction's laws, regulations, and administrative policies, procedures, and practices affecting the location, availability, and accessibility of housing, as well as an assessment of conditions, both public and private, affecting fair housing choice.

### **B. Fair Housing Choice**

Equal and free access to residential housing (housing choice) is fundamental to meeting essential needs and pursuing personal, educational, employment or other goals. Because housing choice is so critical, fair housing is a goal that government, public officials and private citizens must achieve if equality of opportunity is to become a reality.

Under federal law, fair housing choice is defined as the ability of persons, regardless of race, color, religion, sex, national origin, familial status, or handicap, of similar income levels to have available to them the same housing choices. Persons who are protected from discrimination by fair housing laws are referred to as members of the protected classes.

This Analysis encompasses the following six areas related to fair housing choice:

- The sale or rental of dwellings (public and private)
- The provision of housing brokerage services
- The provision of financing assistance for dwellings
- Public policies and actions affecting the approval of sites and other building requirements used in the approval process for the construction of publicly assisted housing

- The administrative policies concerning community development and housing activities, which affect opportunities of minority households to select housing inside or outside areas of minority or ethnic concentration, and
- Where there is a determination of unlawful segregation or other housing discrimination by a court or a finding of noncompliance by the U.S. Department of Housing and Urban Development (HUD) regarding assisted housing in a recipient's jurisdiction, an analysis of the actions which could be taken by the recipient to remedy the discriminatory condition, including actions involving the expenditure of funds made available under 24 CFR Part 570.

As a federal entitlement community, the Village of Oak Park has specific fair housing planning responsibilities. These include:

- Conducting an analysis of impediments to fair housing choice
- Develop actions to overcome the effects of identified impediments to fair housing, and
- Maintain records to support the Village's initiatives to affirmatively further fair housing.

HUD interprets these three certifying elements to include:

- Analyzing housing discrimination in the jurisdiction and working toward its elimination
- Promoting fair housing choice for all people
- Providing racially and ethnically inclusive patterns of housing occupancy
- Promoting housing that is physically accessible to, and usable by, all people, particularly individuals with disabilities, and
- Fostering compliance with the nondiscrimination provisions of the Fair Housing Act.

This Analysis will:

- Evaluate population, household, income and housing characteristics by protected classes in the Village of Oak Park
- Evaluate public and private sector policies that impact fair housing choice
- Identify blatant or de facto impediments to fair housing choice, where any may exist, and
- Recommend specific strategies to overcome the effects of any identified impediments.

HUD defines an impediment to fair housing choice as any actions, omissions, or decisions that restrict, or have the effect of restricting, the availability of housing choices, based on race, color, religion, sex, disability, familial status, or national origin.

The Analysis serves as the basis for fair housing planning, provides essential information to policy makers, administrative staff, housing providers, lenders, and fair housing advocates, and assists in building public support for fair housing efforts. The elected governmental bodies are expected to review and approve the analysis and use it for direction, leadership, and resources for future fair housing planning.

The analysis will serve as a baseline for progress against which implementation efforts will be judged and recorded.

### **C. The Federal Fair Housing Act**

#### **i. What housing is covered?**

The federal Fair Housing Act covers most housing. In some circumstances, the Act exempts owner-occupied buildings with no more than four units, single family housing sold or rented without the use of a broker, and housing operated by organizations and private clubs that limit occupancy to members.

#### **ii. What does the Fair Housing Act prohibit?**

##### **a. In the Sale and Rental of Housing**

No one may take any of the following actions based on race, color, national origin, religion, sex, familial status or handicap:

- Refuse to rent or sell housing
- Refuse to negotiate for housing
- Make housing unavailable
- Deny a dwelling
- Set different terms, conditions or privileges for the sale or rental of a dwelling
- Provide different housing services or facilities
- Falsely deny that housing is available for inspection, sale, or rental
- For profit, persuade owners to sell or rent (blockbusting) or
- Deny anyone access to or membership in a facility or service (such as a multiple listing service) related to the sale or rental of housing.

##### **b. In Mortgage Lending**

No one may take any of the following actions based on race, color, national origin, religion, sex, familial status or handicap (disability):

- Refuse to make a mortgage loan
- Refuse to provide information regarding loans
- Impose different terms or conditions on a loan, such as different interest rates, points, or fees
- Discriminate in appraising property

- Refuse to purchase a loan or
- Set different terms or conditions for purchasing a loan.

**c. Other Prohibitions**

It is illegal for anyone to:

- Threaten, coerce, intimidate or interfere with anyone exercising a fair housing right or assisting others who exercise that right
- Advertise or make any statement that indicates a limitation or preference based on race, color, national origin, religion, sex, familial status, or handicap. This prohibition against discriminatory advertising applies to single family and owner-occupied housing that is otherwise exempt from the Fair Housing Act.

**iii. Additional Protections for the Disabled**

If someone has a physical or mental disability (including hearing, mobility and visual impairments, chronic alcoholism, chronic mental illness, AIDS, AIDS Related Complex and mental retardation) that substantially limits one or more major life activities, or has a record of such a disability, or is regarded as having such a disability, a landlord may not:

- Refuse to let the disabled person make reasonable modifications to a dwelling or common use areas, at the disabled person's expense, if necessary for the disabled person to use the housing. Where reasonable, the landlord may permit changes only if the disabled person agrees to restore the property to its original condition when he or she moves.
- Refuse to make reasonable accommodations in rules, policies, practices or services if necessary for the disabled person to use the housing.

For example, a building with a "no pets" policy must make a reasonable accommodation and allow a visually impaired tenant to keep a guide dog.

**iv. Significant Recent Changes**

The Housing for Older Persons Act of 1995 (HOPA) makes several changes to the 55 and older exemption. Since the 1988 Amendments, the Fair Housing Act has exempted from its familial status provisions properties that satisfy the Act's 55 and older housing condition.

First, it eliminates the requirement that 55 and older housing have "significant facilities and services" designed for the elderly. Second, HOPA establishes a "good faith reliance" immunity from damages for persons who in good faith believe that the 55 and older exemption applies to a particular property, if they do not actually know that the property is not eligible for the exemption and if the property has formally stated in writing that it qualifies for the exemption.

HOPA retains the requirement that senior housing must have one person who is 55 years of age or older living in at least 80% of its occupied units. It also still requires that senior housing publish and follow policies and procedures that demonstrate the intent to be housing for persons 55 and older.

An exempt property will not violate the Fair Housing Act if it includes families with children, but it does not have to do so. Of course, the property must meet the Act's requirements that at least 80% of its occupied units have at least one occupant who is 55 or older, and that it publish and follow policies and procedures that demonstrate the intent to be 55 and older housing.

**v. Requirements for New Buildings**

In buildings that are ready for first occupancy after March 13, 1991 and have an elevator and four or more units:

- Public and common areas must be accessible to persons with disabilities
- Doors and hallways must be wide enough for wheelchairs
- All units must have:
  - An accessible route into and through the unit
  - Accessible light switches, electrical outlets, thermostats and other environmental controls
  - Reinforced bathroom walls to allow later installation of grab bars, and
  - Kitchens and bathrooms that can be used by people in wheelchairs.

If a building with four or more units has no elevator and will be ready for first occupancy after March 13, 1991, these standards apply to ground floor units. These requirements for new buildings do not replace any more stringent standards in state or local law.

**vi. Housing Opportunities for Families**

Unless a building or community qualifies as housing for older persons, it may not discriminate based on familial status. That is, it may not discriminate against families in which one or more children under the age 18 live with:

- A parent or
- A person who has legal custody of the child or children or
- The designee of the parent or legal custodian, with the parent or custodian's written permission.

Familial status protection also applies to pregnant women and anyone securing legal custody of a child under age 18.

Housing for older persons is exempt from the prohibition against familial status discrimination if:

- The HUD Secretary has determined that it is specifically designed for and occupied by elderly persons under a federal, state or local government program or
- It is occupied solely by persons who are 62 or older or
- It houses at least one person who is 55 or older in at least 80% of the occupied units, and adheres to a policy that demonstrates the intent to house persons who are 55 or older.

A transition period permits residents on or before September 13, 1988 to continue living in the housing, regardless of their age, without interfering with the exemption.

#### **D. Illinois Human Rights Act**

The Illinois Human Rights Act prohibits discrimination in the area of real estate transactions based on race, color, religion, sex, national origin, ancestry, age, marital status, familial status, physical or mental disability, military status, sexual orientation, or unfavorable discharge from military service. And, effective January 1, 2010, persons with an order of protection will become a protected class in Illinois. Consequently, persons residing in Illinois have more protection under state law than under federal law in the area of housing discrimination.

Under the Illinois Human Rights Act, real estate transactions include the sale, exchange, rental or lease of real property, the brokering or appraising of residential real property, and the making or purchasing of loans or providing other financial assistance for purchasing, constructing, improving, repairing or maintaining a dwelling or secured by residential real estate.

The Illinois Human Rights Commission is authorized under the Illinois Human Rights Act and provides a neutral forum for resolving complaints of discrimination filed under the Act. The primary responsibility of the Commission is to make impartial determinations of whether there has been unlawful discrimination as defined by the Act.

The Commission fights discrimination by investigating and resolving discrimination complaints through the reconciliation of complaints by mediators and conciliators, and conducting a multi-faceted public education program.

#### **E. Village of Oak Park Human Rights Ordinance**

The Oak Park Human Rights Ordinance guarantees “a fair opportunity to purchase, lease, rent or occupy housing or other real estate...regardless of race, sex, color, religion, ancestry, national origin, veteran status, sexual orientation, age, marital status, familial status or disability.” This local ordinance adds the protected classes of sexual orientation and veteran status to the list of classes included in state and federal fair housing law.

The Village of Oak Park Community Relations Commission was created in 1963 to assure all residents of equal service and treatment. The duties of the Commission, as stated in the Human Rights Ordinance, include initiating, receiving and investigating written complaints charging discrimination; seeking conciliation of such complaints and compliance by violators; holding hearings, making findings of fact, issuing recommendations and publishing its findings of fact and recommendations.

The following chart lists the protected classes under federal, state and local laws related to fair housing.

**Figure 2-1**  
**Protection for Members of the Protected Classes**

Protected Class	Federal Fair Housing Act	Illinois Human Rights Act	Oak Park Human Rights Ordinance
Race	•	•	•
Color	•	•	•
National Origin	•	•	•
Religion	•	•	•
Sex	•	•	•
Familial Status	•	•	•
Handicap/Disability Status	•	•	•
Ancestry		•	•
Age		•	•
Marital Status		•	•
Military/Veteran Status		•	•
Sexual Orientation		•	•
Unfavorable Discharge from Military Service		•	
Persons with an Order of Protection*		•	

\* Effective January 1, 2010 (PA 96-0447)

## F. Methodology

Mullin & Lonergan Associates, Inc. (M&L) was hired as consultants to conduct the analysis of impediments to fair housing choice. M&L utilized a comprehensive approach to complete the analysis involving the Village. The following sources were utilized:

- The most recently available demographic data regarding population, household, housing, income, and employment
- The recently completed draft Consolidated Plan for 2010-2014
- The 1997 Analysis of Impediments to Fair Housing Choice
- Public policies affecting the siting and development of housing, including the 1990 Comprehensive Plan and the 2002 Village Zoning Ordinance, as amended
- Administrative policies concerning housing and community development
- Housing brokerage services and their administration in the community
- Financial lending institution data from the Home Mortgage Disclosure Act (HMDA) database

- Previous Consolidated Annual Performance and Evaluation Reports (CAPER)
- Interviews and focus group sessions conducted with agencies that provide housing and housing related services to members of the protected classes
- Interviews with individuals who were pioneers of the fair housing movement in Oak Park in the 1960s and 1970s.

**i. Using Census Data**

Two major sources of data were used for this report. Census data from 1990, Census 2000, and the 2005-2007 American Community Survey (ACS) Three-Year Estimates were supplemented with 2008 and 2009 estimates obtained from DemographicsNow. The ACS data is available only for geographic units with a population of 20,000 or more. As a result, ACS data is available for the Village as a whole, but not for smaller geographic units within the Village such as census tracts. For census tract level data more recent than 2000, DemographicsNow data was used. In all cases, the most recent data available was used.

Because statistics in census data products are based on the collection, tabulation, editing, and handling of questionnaires, errors in the data are possible. In addition to errors occurring during data collection, much of the census data is based on Summary File 3 (SF3) sample data rather than Summary File 1 (SF1) data, which is 100-percent data. Each data set is subject to sampling error and non-sampling error, respectively. Non-sampling error includes confidentiality edits applied by the Census Bureau to assure that data does not disclose information about specific individuals, households, or housing units. Because of sampling and non-sampling errors, there may be discrepancies in the reporting of similar type of data. These discrepancies do not negate the usefulness of the census data.

Other primary data sources include Comprehensive Housing Affordability Strategy (CHAS) data tables available from HUD, residential segregation data available from Census Scope, and mortgage data available from the Home Mortgage Disclosure Act (HMDA) database.

Throughout this report, the Census term “Black” is used to refer to all non-Hispanic Black persons. The Census term “White” is used to refer to all non-Hispanic White persons. The Census term “Hispanic” is used to refer to all persons of Hispanic origin regardless of race, and the term “minority” is used to refer to all non-White persons.

**ii. Areas of Racial or Ethnic Concentration**

HUD defines areas of racial or ethnic concentration as geographic areas where the percentage of a specific minority or ethnic group is 10 percentage points higher than a city’s overall percentage. While segregation may exist, it alone is not definitive proof of discrimination in the housing market; it *may*

indicate discrimination or else suggest that other factors are at work limiting housing choices of racial and ethnic groups.

## **G. Development of the AI**

### **i. Lead Agency**

The Housing Programs Division of the Community Development and Planning Department in the Village of Oak Park is the lead agency responsible for the preparation and implementation of the AI. The Division identified and invited numerous stakeholders to participate in the process for the purpose of developing a thorough analysis with a practical set of recommendations to eliminate housing discrimination, where identified.

### **ii. Agency Consultation**

The Village of Oak Park engaged in an extensive consultation process with local public agencies, nonprofit organizations and other interested entities in an effort to develop a community planning process for the AI. A series of written questionnaires were mailed to many of the interviewees and detailed lists of issues were developed for the focus group sessions and interviews.

On July 7, 8, and 9, 2009 the community development staff and the consulting team began a series of focus group sessions and individual interviews to identify current fair housing issues impacting the agencies and organizations. The focus group sessions and interviews were conducted jointly for the Analysis of Impediments to Fair Housing Choice, the Consolidated Plan for 2010-2014, and the Annual Plan for 2010. Comments received through these meetings are incorporated throughout the AI, where appropriate.

A list of the stakeholders identified and invited to the focus group sessions and interviews is included in Appendix A.

### **iii. Public Review and Comment**

The AI document was presented to the Village Board on October 16, 2009 at which time a 30-day public display and comment period commenced. The AI document was posted on the Village's website and made available for public review. Public comments were received and incorporated as appropriate. On November 23, 2009, the draft document and public comment summary were presented to the Board of Trustees; additional comments were received from the Board and incorporated into the final document. Final acceptance of the AI and Fair Housing Action Plan is scheduled to occur at a regular meeting on January 19, 2010.

### 3. DEMOGRAPHIC PROFILE

#### A. The Relationship between Fair Housing and Affordable Housing

As stated in the Introduction, fair housing choice is defined as the ability of persons, regardless of race, color, religion, sex, national origin, familial status, or handicap, of similar income levels to have available to them the same housing choices. Persons who are protected from discrimination by fair housing laws are referred to as members of the protected classes.

This AI analyzes a range of fair housing issues regardless of a person's income. To the extent that members of the protected classes tend to have lower incomes, then access to fair housing is related to affordable housing. In many areas across the U.S., a primary impediment to fair housing is a relative absence of affordable housing. Often, however, the public policies implemented in towns and cities create or contribute to the lack of affordable housing in these communities.

This document goes well beyond an analysis of the adequacy of affordable housing in Oak Park. This AI defines the relative presence of members of the protected classes within the context of factors that influence the ability of the protected classes to achieve equal access to housing and related services.

#### B. The Relationship between Protected Class Status and Income

##### i. Population Trends

The racial composition of Oak Park is changing dramatically. White households are leaving the community. Black, Asian and Hispanic households are moving into the Village. For the Village as a whole, more people are leaving the community than moving into it. Total population since 1960 has fallen more than 13% to 53,013 from 61,093 residents.

Between 1960 and 2007, the number of racial minority residents increased from 217 to 17,006. Combined with a decreasing total population, the share of minority residents rose from 0.4% to 32.1%.

**Figure 3-1  
 Population Trends – 1960-2007**

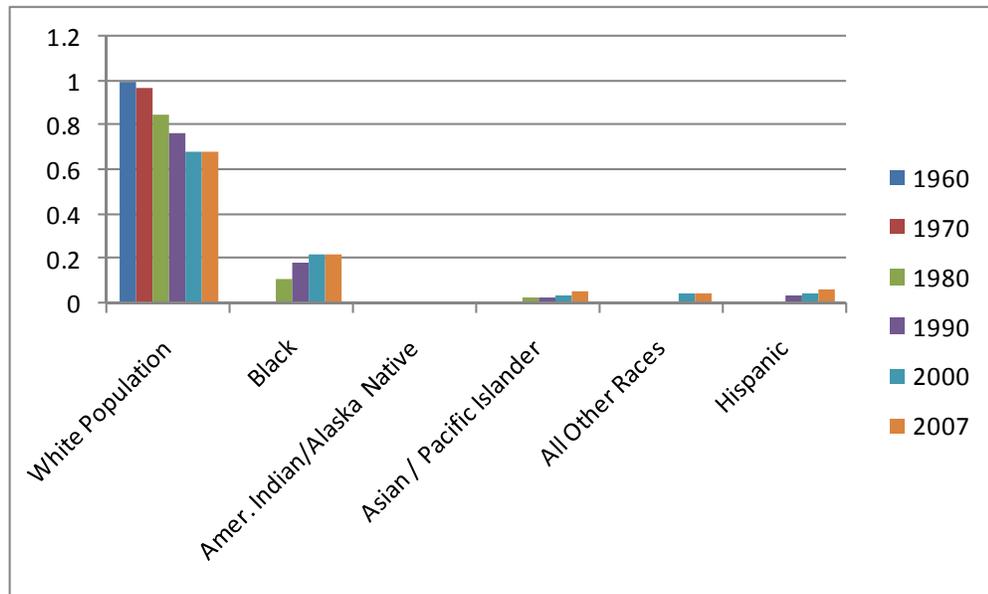
	1960		1970		1980		1990		2000		2007		% Change 1960-2007
	#	%	#	%	#	%	#	%	#	%	#	%	
Village of Oak Park	61,093	100.0%	61,149	100.0%	54,887	100.0%	53,648	100.0%	52,524	100.0%	53,013	100.0%	-13.2%
White Population	60,876	99.6%	60,558	96.9%	46,738	85.2%	41,313	77.0%	36,124	68.8%	36,007	67.9%	-40.9%
Non-White Population	217	0.4%	591	0.9%	8,149	14.8%	12,335	23.0%	16,400	31.2%	17,006	32.1%	7736.9%
Black	57	0.1%	190	0.3%	5,929	10.8%	9,804	18.3%	11,788	22.4%	11,644	22.0%	20328.1%
Amer. Indian/Alaska Native	---	---	---	---	74	0.1%	73	0.1%	81	0.2%	68	0.1%	* -8.1%
Asian / Pacific Islander	---	---	---	---	1,339	2.4%	1,785	3.3%	2,194	4.2%	2,924	5.5%	* 118.4%
All Other Races	160	0.3%	401	0.7%	654	1.2%	673	1.3%	2,337	4.4%	2,370	4.5%	1381.3%
Hispanic	---	---	---	---	153	0.3%	1,915	3.6%	2,374	4.5%	3,214	6.1%	* 2000.7%

Source: U.S. Census Bureau; DemographicsNow

Diversity among the minority population is also increasing. In 1960, there were 217 minority residents in Oak Park with Black residents accounting for 26.3% of all minorities. By 2007, Blacks comprised 68.5% of the minority population. Whites accounted for 67.9% of the total population as a result of significant increases in minority residents moving into Oak Park.

The chart below illustrates the slow but consistent decrease in White residents from 1960 through 2000, with the trend stabilizing in 2007. Over the same period, minorities, but Blacks in particular, have moderately increased in numbers. Asians, Hispanics and persons of other races have also increasingly made Oak Park their home.

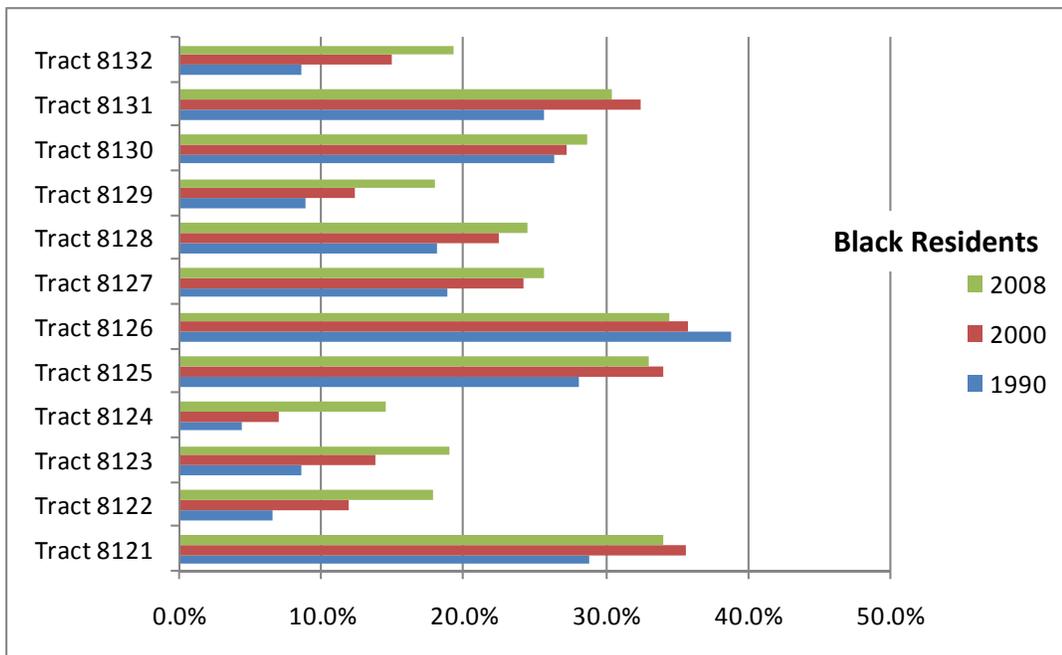
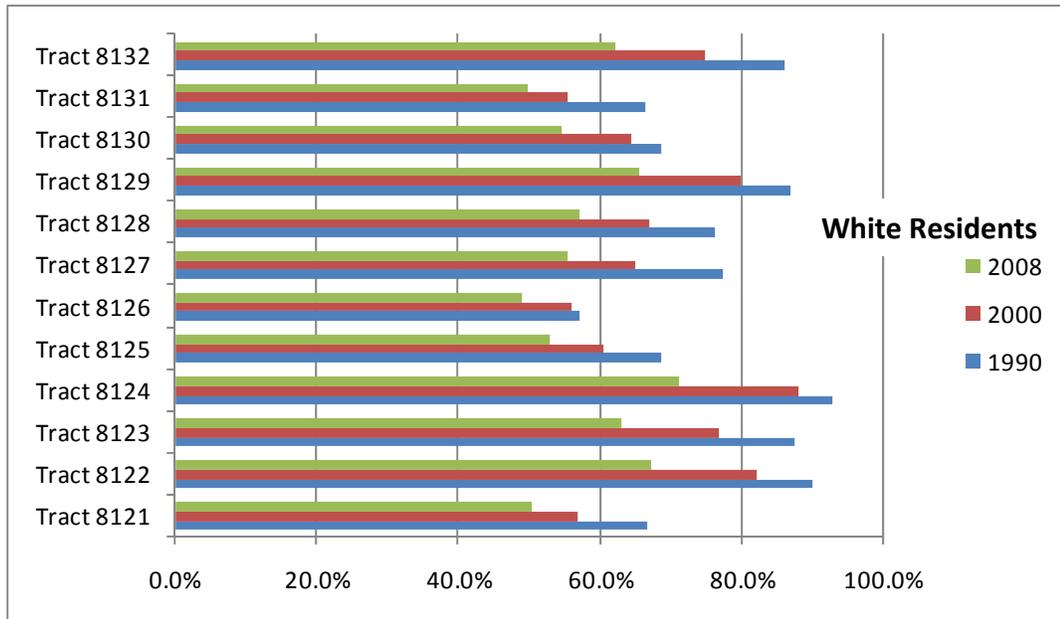
**Figure 3-2**  
**Changes in the Racial and Ethnic Characteristics of the Population – 1960-2007**



Sources: U.S. Census Bureau; 2005-2007 American Community Survey Three-Year Estimates for 2007 data

HUD defines areas of racial or ethnic minority concentration as geographical areas where the percentage of a specific minority or ethnic group is 10 percentage points higher than in the Village overall. In Oak Park, Blacks comprised 22.4% of the population in 2000. Therefore, an area of racial concentration would include any census tract where the percentage of Black residents is 32.4% or higher. There were four census tracts which met these criteria: census tracts 8121, 8125, 8126 and 8131. By 2008, the percentage of Black residents was slightly higher at 24.8% across the Village; however, there was no census tract that met the criteria for areas of racial concentration. The previously identified four areas of racial concentration contained percentages of Black residents ranging from 30.4% in tract 8131 to 34.5% in tract 8126. No other racial or ethnic minority group met the criteria for an area of concentration in 2000 or 2007.

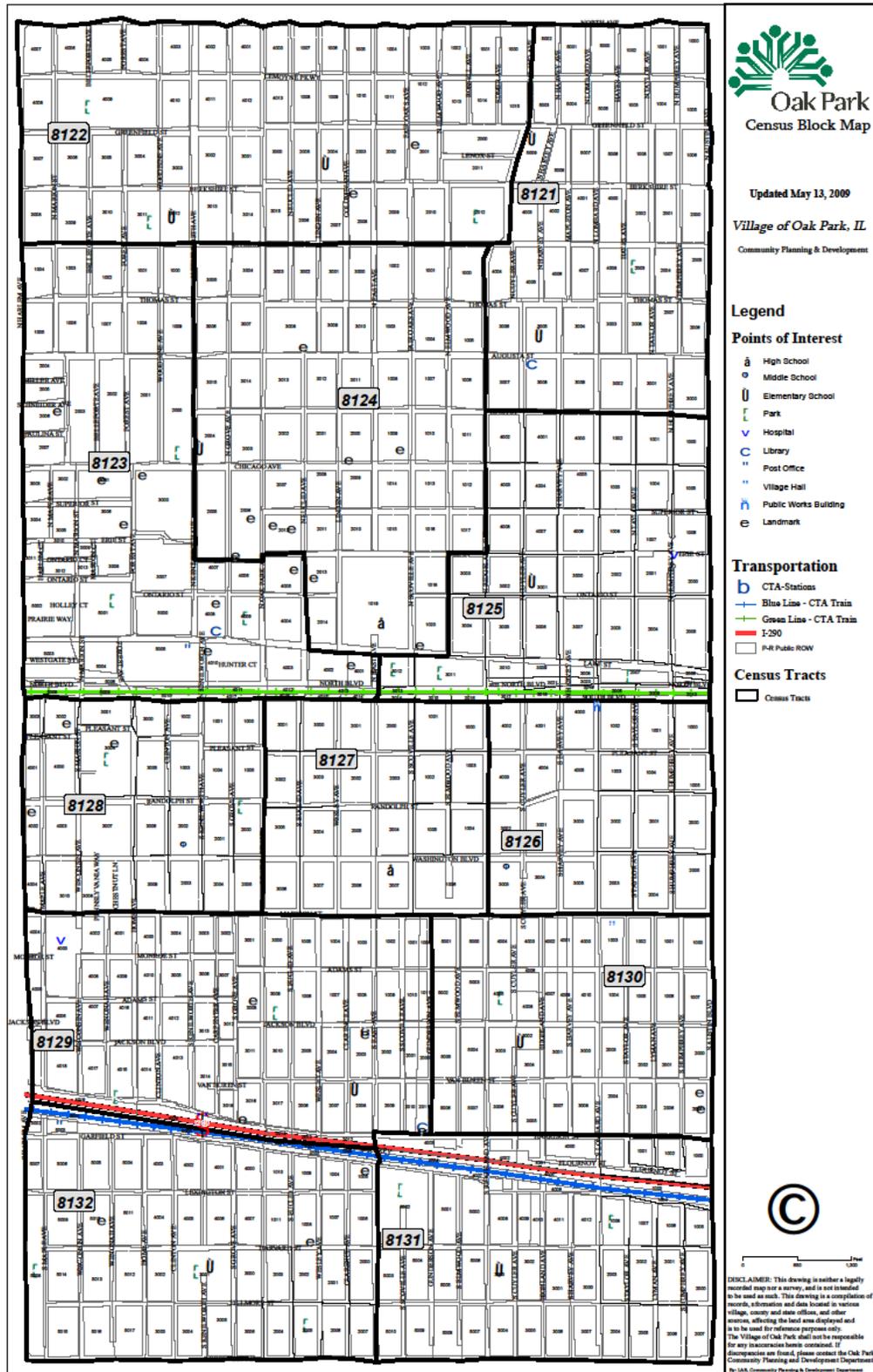
**Figure 3-3**  
**Changes in White and Black Residents by Census Tract – 1990-2008**



Sources: U.S. Census Bureau, 1990 Census and Census 2000; DemographicsNow for 2008 data

In the first chart shown above, the percentage of White residents has decreased in each census tract since 1990 without exception. By comparison, the percentage of Black residents has increased in eight of the Village's 12 census tracts. Consequently, not only are White residents moving out of Oak Park and more Black residents are moving in, but Blacks are integrating into all areas of the Village.

Figure 3-4  
 Census Tracts in Oak Park



## ii. Residential Segregation Patterns

Residential segregation is a measure of the degree of separation of racial or ethnic groups living in a neighborhood or community. Typically, the pattern of residential segregation involves the existence of predominantly homogenous White suburban communities and low-income minority inner-city neighborhoods. A potential impediment to fair housing choice is created where either subtle factors, such as attitudes, or overt factors, such as real estate practices, limit the range of housing opportunities for minorities. A lack of racial or ethnic integration in a community creates other problems, such as reinforcing prejudicial attitudes and behaviors, narrowing opportunities for interaction and reducing the degree to which community life is considered harmonious. Areas of extreme minority isolation often experience poverty and social problems at rates that are disproportionately high. Racial segregation has been linked to diminished employment prospects, poor educational attainment, increased infant and adult mortality rates and increased homicide rates.

Oak Park is well-known for its historically progressive set of policies designed to promote and preserve racial and ethnic integration. Through these policies, the Village has been successful in preventing the block-by-block re-segregation that occurred in most neighboring communities during the 1960s, and it has maintained a relatively high level of integration during the decades since. The following maps illustrate the distribution of racial minorities in Oak Park from 1960 through 2009.

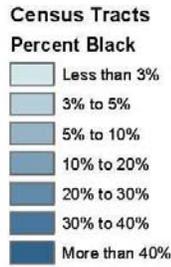
The distribution of racial or ethnic groups across a geographic area can be analyzed using an index of dissimilarity. This method allows for comparison between subpopulations, indicating how much one group is spatially separated from another within a community. The index of dissimilarity is a scale from 0 to 100, in which a score of 0 corresponds to perfect integration and a score of 100 represents total segregation.<sup>1</sup> The dissimilarity index is typically interpreted as the percentage of the minority population that would have to move in order for a community or neighborhood to achieve full integration.

A city that is evenly integrated is one in which the percentage of Blacks, for example, in each neighborhood is the same as the city overall. In the case of Oak Park where Blacks comprise 24.8% of the Village's total population, an even residential pattern would occur if the percentage of Blacks was about 25% in each census tract. This is the case in only two census tracts (8127 and 8128) in Oak Park. In the remaining census tracts, the percentage of Blacks ranges from 14.5% in 8124 to 34.5% in 8126.

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<sup>1</sup> The index of dissimilarity is a commonly used demographic tool for measuring inequality. For a given geographic area, the index is equal to  $1/2 \times \text{ABS} [(b/B)-(A/a)]$ , where b is the subgroup population of a census tract, B is the total subgroup population in a city, a is the majority population of a census tract, and A is the total majority population in the city. ABS refers to the absolute value of the calculation that follows.

**Figure 3-5**  
**Distribution of Black Residents in Oak Park – 1960-1970**

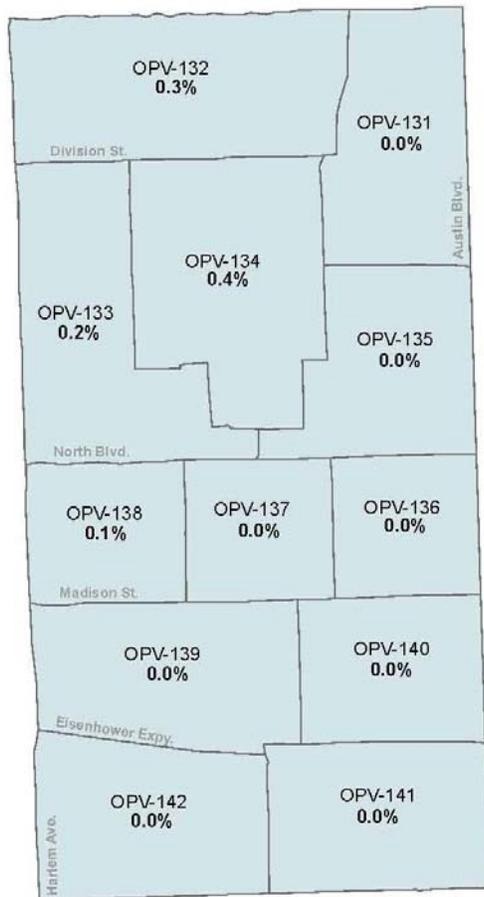


**Pre-Integration**

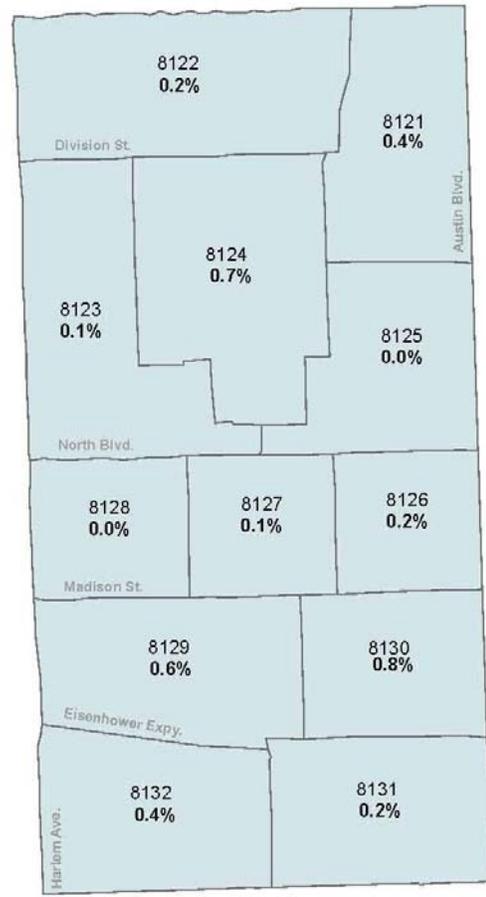
The Censuses of 1960 and 1970 classified race using only three categories: White, Negro and Other. In 1960, only 57 of 61,093 Oak Park residents were classified as Negro, or less than 0.1% of the Village. In 1970, 190 of the Village's 61,149 residents (0.3%) were classified as Negro. In both decades, minority households were dispersed throughout the Village's census tracts with no apparent concentration.

Census tract numbers and percentages of Negro residents appear in the maps below. The Census Bureau altered its tract numbers for the 1970 Census.

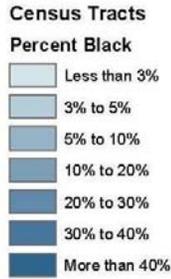
**1960**



**1970**



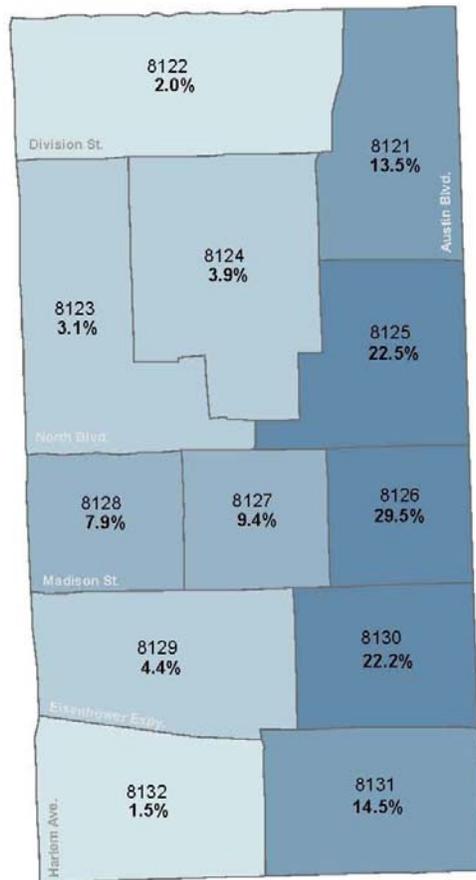
**Figure 3-6**  
**Distribution of Black Residents in Oak Park – 1980-1990**



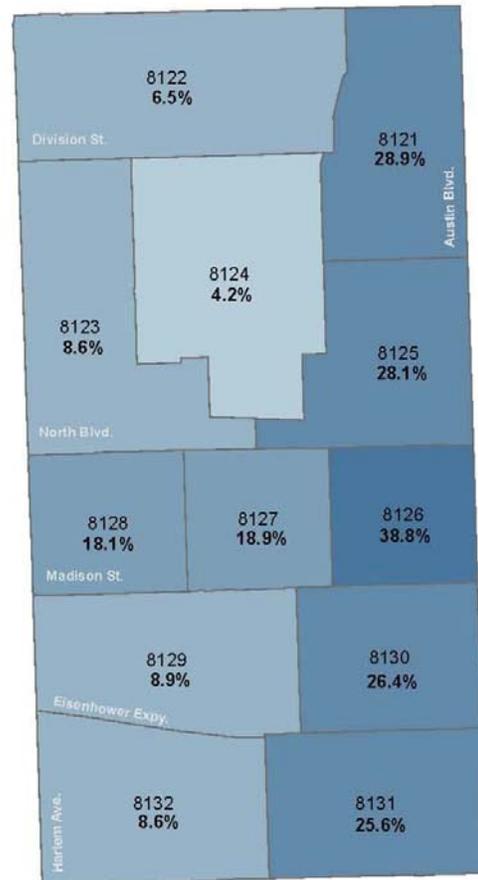
**Decades of Integration**

The civil rights movement, along with the Village's proactive integration policies, made way for an influx of Black households in Oak Park during the 1970s and 1980s. This is demonstrated by the distribution of Black residents in the maps below, marking the ends of those decades. In 1980, 5,942 of the Village's 54,887 residents (10.8%) were Black. In 1990, Black residents accounted for 9,804 of 53,648 total residents, or 18.3%. Some directional integration is apparent, as Black residents are more heavily concentrated in the tracts along the Village's eastern border.

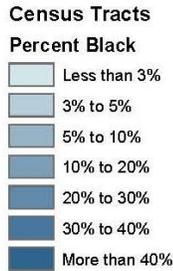
**1980**



**1990**



**Figure 3-7**  
**Distribution of Black Residents in Oak Park – 2000-2009**

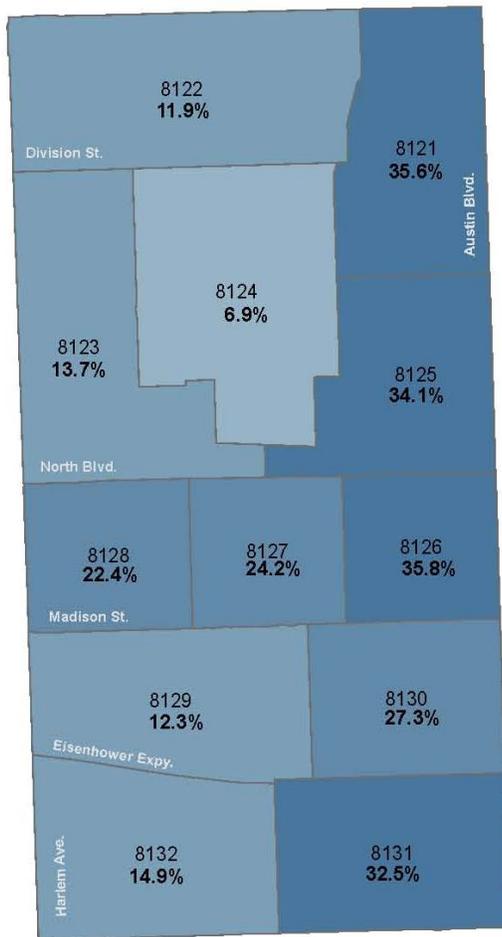


**Recent Trends**

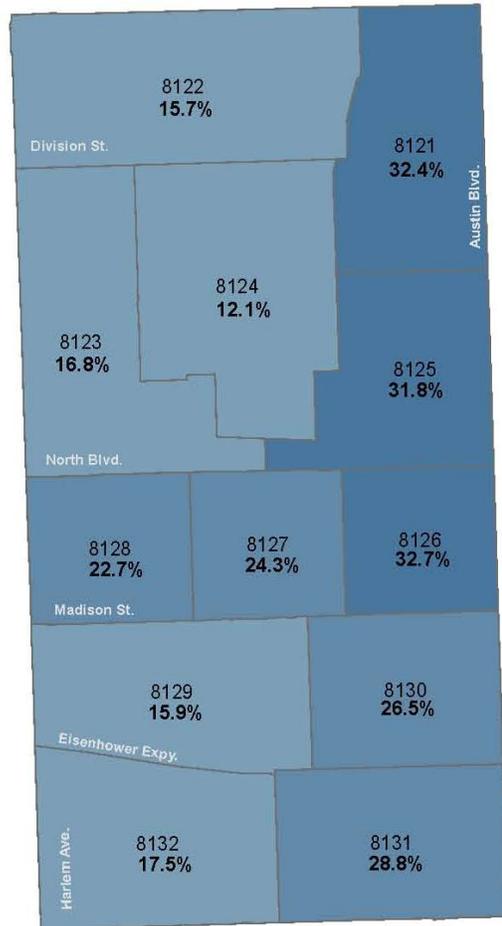
Population projections indicate that Oak Park has lost population since 2000 and will continue to do so through 2014. The net effect has been a decreasing number of Black residents that make up a steady proportion of the Village's overall population, as the White population declines at a greater rate. In 2000, 11,765 Black residents comprised 22.4% of all 52,524 Village residents. In 2009, 11,396 Black residents account for 22.8% of all 49,983 residents, and in 2014, 10,310 Black residents are expected to account for 21.3% of all 48,403 residents.

Geospatially, the Village became less segregated at the tract level between 2000 and 2009, as areas along the eastern border grow less concentrated, while all other tracts have growing proportions of Black residents.

**2000**



**2009**

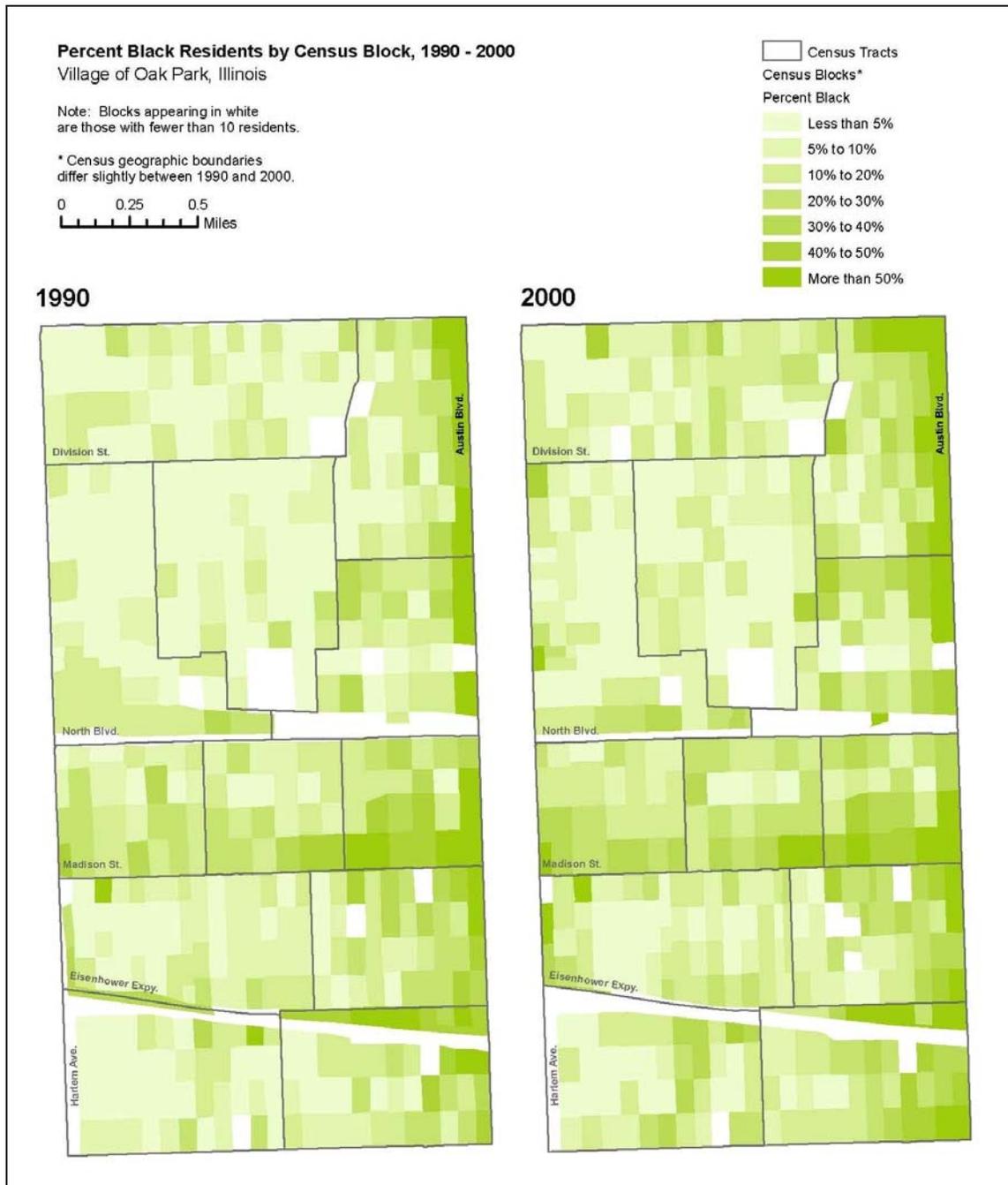


A more detailed analysis of the degree to which Black residents are moving into Oak Park can be performed on a census block basis for 1990 and 2000, as shown in the following graphic. In 1990, there were significantly more Blacks residing in the census blocks immediate along the north-south Austin Boulevard thoroughfare. Concentrations of Black residents are also noted along the North Boulevard and Eisenhower Expressway corridors.

During the 1990s, more Black residents began moving westward into the Village, particularly along North Boulevard and Madison Street, and in the Village blocks between these two primary thoroughfares. However, an increasing number of census blocks indicating a higher percentage of Black residents are evident in every census tract in Oak Park. Census tract areas that were primarily home to Whites began to experience higher rates of Blacks moving in.

Overall, there were fewer census blocks where less than 5% of the residents were Black in 2000, indicating a marked move toward integration of these areas. And, there were more census blocks where Blacks comprised 30% or more of the population. This latter trend may be an indication of some Village blocks becoming totally segregated, particularly along Austin Boulevard and Madison Street and south of Madison Street.

**Figure 3-8**  
**Distribution of Black Residents by Census Block – 1990-2000**



Of the 79 municipalities with populations exceeding 25,000 in Illinois, Oak Park is among the least segregated, as shown in Figure 3-9. This is especially noteworthy given that the percentage of Black residents in Oak Park is 22.2% which is significantly higher than the percentage of Black residents in all cities with a lower dissimilarity index. The Village's 2000 dissimilarity index for White persons and Black persons, 38.4, ranks 65th out of 79, and

indicates that White persons and Black persons in Oak Park are less segregated than they are in more than 80% of the state's most populated areas.<sup>2</sup>

**Figure 3-9  
 Illinois Dissimilarity Index Rankings – 2000**

Rank	City	Black Population	White Population	Total Population	Dissimilarity Index
1	Pekin	857	32,088	33,857	92.4
2	Chicago	1,053,739	907,166	2,896,016	87.3
3	Park Ridge	85	35,307	37,775	74.4
4	Elmwood Park Village	129	21,490	25,405	71.1
5	Joliet	19,125	64,811	106,221	70.1
6	Mt. Prospect Village	979	41,548	56,265	68.2
7	Evanston	16,449	46,444	74,239	68.1
8	Glenview Village	646	34,778	41,847	68.1
9	Oak Forest	1,006	24,297	28,051	66.5
10	Northbrook Village	190	29,346	33,435	64.9
<b>65</b>	<b>Oak Park Village</b>	<b>11,685</b>	<b>34,767</b>	<b>52,524</b>	<b>38.4</b>
66	Belleville	6,377	33,341	41,410	36.9
67	Wheeling Village	799	22,892	34,496	36.0
68	Naperville	3,828	106,386	128,358	35.6
69	Hanover Park Village	2,243	20,474	38,278	35.0
70	Normal	3,460	39,121	46,386	33.8
79	Dolton Village	20,973	3,390	25,614	18.8

Source: CensusScope

Dissimilarity index data for Oak Park exclusively appear in Figure 3-10 and indicates that in order to achieve full integration among White and Black persons in the Village, 38.4% of Black residents would have to move to a different location.

The indices above show that in addition to a White/Black index of 38.4, Oak Park has a White/Asian index of 26.3, a White/multi-race index of 28.1 and a White/Hispanic index of 20.8, indicating that these subpopulations are all relatively integrated. Perfect integration would receive an index score of 0. Indices for the other groups cannot be as reliably interpreted, as their populations are less than 1,000. In cases where subgroup population is small, the dissimilarity index may be high even if the group's members are evenly dispersed.

<sup>2</sup> According to Douglas S. Massey, an index under 30 is low, between 30 and 60 is moderate, and above 60 is high. (See Douglas S. Massey, "Origins of Economic Disparities: The Historical Role of Housing Segregation," in *Segregation: The Rising Costs for America*, edited by James H. Carr and Nandinee K. Kutty (New York: Routledge 2008) p. 41.)

**Figure 3-10  
 Oak Park Dissimilarity Indices – 2000**

	DI with White Population**	Population	% of Total Population
White	-	34,767	66.2%
<b>Black</b>	<b>38.4</b>	<b>11,685</b>	<b>22.3%</b>
American Indian/Alaska Native*	69.0	61	0.1%
<b>Asian</b>	<b>26.3</b>	<b>2,171</b>	<b>4.1%</b>
Hawaiian*	88.2	16	0.0%
Other*	51.9	185	0.4%
<b>Two or more races</b>	<b>28.1</b>	<b>1,265</b>	<b>2.4%</b>
Hispanic***	<b>20.8</b>	2,374	4.5%
TOTAL	-	52,524	100.0%

\* In these cases, sample size is too small to reliably interpret the DI. Caution should be exercised in interpreting results for subpopulations of fewer than 1,000.

\*\* Each dissimilarity index indicates the percentage of one of the two population groups compared that would have to move to different geographic areas to create a completely even demographic distribution in Oak Park.

\*\*\* Hispanic ethnicity is counted independently of race.

Source: CensusScope

### iii. Race and Income

Household income is one of several factors used to determine a household's eligibility for a home mortgage loan. A review of median household income reveals a stark contrast between races and ethnicity in Oak Park. The median household incomes in 2000 for Blacks and Hispanics were equivalent to only 66% and 65%, respectively, of the median household income for Whites. Asians also were at a disadvantage with a median household income of only 85% of Whites. Significant differences in poverty are evident as well with Blacks and Hispanics experiencing poverty rates equal to three times that of Whites in 2000.

**Figure 3-11  
 Median Household Income and Poverty Rates by Race/Ethnicity – 2000-2007**

	2000		2007	
	Median Household Income	Poverty Rate	Median Household Income	Poverty Rate
<b>Village</b>	\$59,183	5.6%	\$74,614	4.9%
Whites	\$65,932	3.5%	\$89,075	3.8%
Blacks	\$43,828	10.9%	\$41,657	8.3%
Asians	\$55,929	9.0%	\$94,815	n/a
Hispanics	\$42,563	10.5%	\$54,375	n/a

Sources: U.S. Census Bureau, Census 2000, (SF 3-P53, P152A, P152B, P152D, P152H, P87, P159A, P159B, P159D, P159H); 2005-2007 American Community Survey Three-Year Estimates (B19013A, B19013B, B19013D, B19013I, C17001, C17001A, C17001B)

By 2007, it is estimated that Black households were faring even worse with a median household income equivalent to only 46% of that for White households. The rate of poverty among Blacks decreased, but a falling median household income places Black households at a significant financial disadvantage than other households as it relates to home ownership. Asians surpassed Whites in median household income by 2007, while Hispanics experienced a 6% increase even after adjusting for inflation.

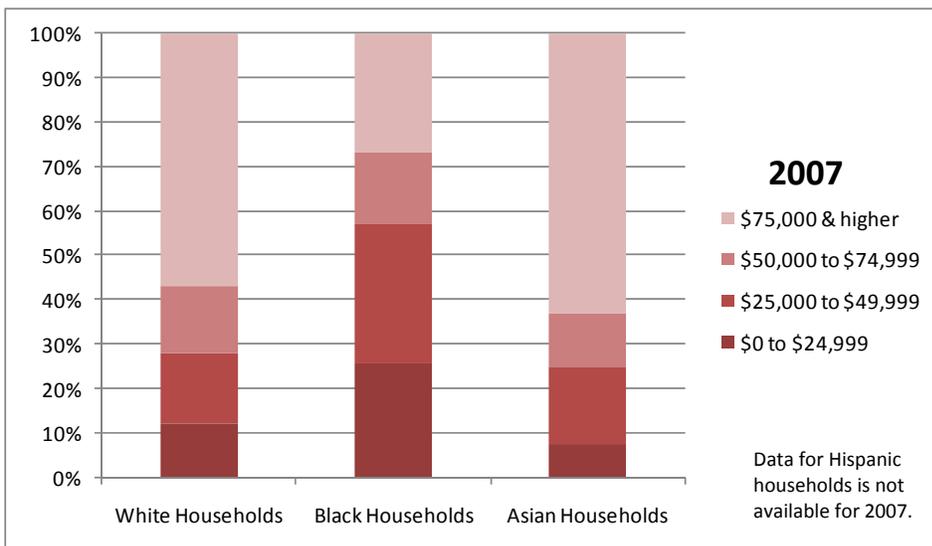
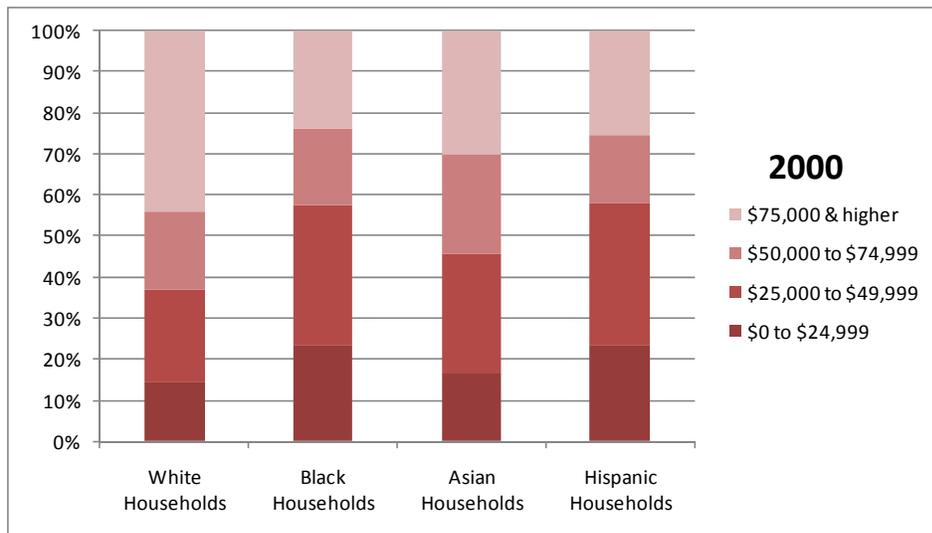
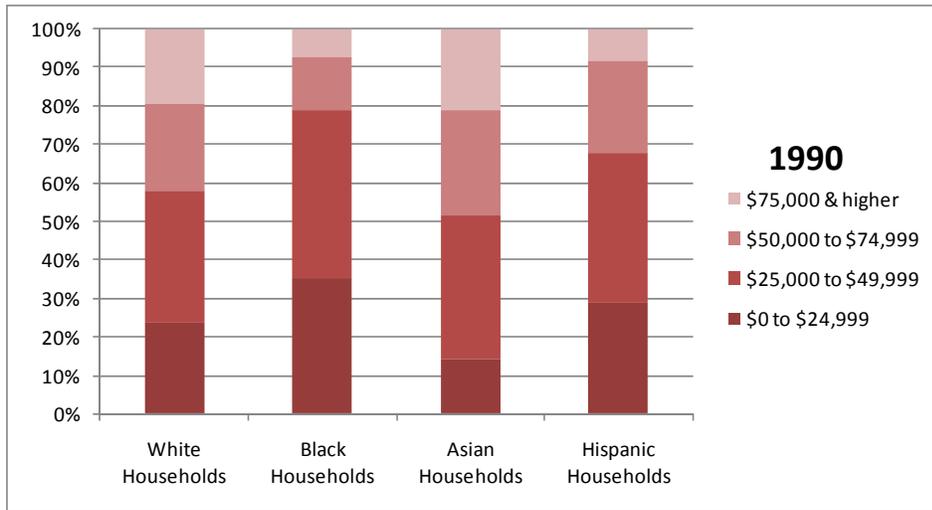
The distribution of household income among races varies significantly with a majority of Blacks and Hispanics most likely to have lower incomes. In 1990, for example, almost 80% of all Black households had incomes below \$50,000 compared to 68% of Hispanics, 58% of Whites and 51% of Asians. In 2000, more than half of all Black households and all Hispanic households had incomes of less than \$50,000 compared to 37% of all White households and 46% of all Asian households. Estimates for 2007 reveal an ever widening income gap. More than half of all Black households continue to have incomes below \$50,000 compared to only one-fourth of White all Asian households. The following series of charts illustrate this trend.

Notably, a significant segment of the new residents moving to Oak Park are lower-income households. The 2007 ACS data reported that 6,617 persons who were living in the Village that year had lived in a different location in 2006. Of these, 1,553 persons (or 23.5%) had incomes below 150% of the poverty level.<sup>3</sup>

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<sup>3</sup> A “different location” included moving from a different housing unit in the Village, moving from somewhere else in Cook County, moving from a different county in Illinois, moving from a different state, and moving from abroad to Oak Park. Source: 2005-2007 American Community Survey Three-Year Estimates (B07012).

**Figure 3-12**  
**Household Income Distribution by Race and Ethnicity – 1990-2007**



**iv. Disability and Income**

The Census Bureau reports disability status for non-institutionalized disabled persons age 5 and over. As defined by the Census Bureau, a disability is a long-lasting physical, mental or emotional condition that can make it difficult for a person to do activities such as walking, climbing stairs, dressing, bathing, learning or remembering. This condition can also impede a person from being able to go outside the home alone or to work at a job or business.

The Fair Housing Act prohibits discrimination based on physical, mental or emotional handicap, provided “reasonable accommodation” can be made. Reasonable accommodation may include changes to address the needs of disabled persons, including adaptive structural (e.g., constructing an entrance ramp) or administrative changes (e.g., permitting the use of a service animal).

In Oak Park, 6.2% of the population 5 years and older reported at least one type of disability in 2000.

**Figure 3-13  
 Persons with Disabilities – 2000**

	Civilian non-institutionalized population ages 5 and up	With at least one type of disability	%
<b>Village Total</b>	<b>48,670</b>	<b>3,011</b>	<b>6.2%</b>
Tract 8121	4,462	296	6.6%
Tract 8122	3,542	170	4.8%
Tract 8123	5,862	416	7.1%
Tract 8124	3,149	103	3.3%
Tract 8125	3,371	236	7.0%
Tract 8126	3,533	168	4.8%
Tract 8127	3,128	223	7.1%
Tract 8128	5,122	327	6.4%
Tract 8129	4,261	234	5.5%
Tract 8130	3,801	313	8.2%
Tract 8131	4,488	311	6.9%
Tract 8132	3,951	214	5.4%

Source: U.S. Census Bureau, Census 2000, Summary File 3, (PCT26)

According to the National Organization on Disabilities, a significant income gap exists for persons with disabilities, given their lower rate of employment. In Oak Park, persons with disabilities are much more likely than persons without disabilities to live in poverty. In 2000, 14.2% of persons with disabilities lived in poverty compared to 4.6% of persons without disabilities who were living in poverty.<sup>4</sup>

**v. Familial Status and Income**

The Census Bureau divides households into family and non-family households. Family households are married couple families with or without

<sup>4</sup> U.S. Census Bureau, Census 2000 (SF 3, PCT34)

children, single-parent families and other families made up of related persons. Non-family households are either single persons living alone, or two or more non-related persons living together.

Women have protection under Title VIII of the Civil Rights Act of 1968 against discrimination in housing. Protection for families with children was added in the 1988 amendments to Title VIII. Except in limited circumstances involving elderly housing and owner-occupied buildings of one to four units, it is unlawful to refuse to rent or sell to families with children.

Female-headed households have remained a relatively consistent 12% of all households since 1990, while female-headed households *with children* have been slowly increasing from 7% to 8.3%. In contrast, married couple family households with children have declined from 22.6% to 19.5%.

Female-headed households with children often experience difficulty in obtaining housing, primarily as a result of lower incomes and the unwillingness of landlords to rent their units to families with children. In 2000, female-headed households with children accounted for 56% of the families who were living below the level of poverty compared to only 11% of families who were living above the level of poverty.<sup>5</sup> By 2007, the rate of female-headed households with children living in poverty had climbed to 80%.<sup>6</sup>

**Figure 3-14**  
**Female-headed Households and Households with Children**

	1990		2000		2008	
	#	%	#	%	#	%
Total Households	22,607	100.0%	23,079	100%	21,948	100%
Family Households	13,364	59.1%	12,980	56.2%	11,979	54.6%
Married-couple family	10,059	44.5%	9,716	42.1%	8,648	39.4%
With Children	5,107	22.6%	5,139	22.3%	4,288	19.5%
Without Children	4,952	21.9%	4,577	19.8%	4,360	19.9%
<b>Female-Headed Households</b>	<b>2,718</b>	<b>12.0%</b>	<b>2,676</b>	<b>11.6%</b>	<b>2,646</b>	<b>12.1%</b>
<b>With Children</b>	<b>1,580</b>	<b>7.0%</b>	<b>1,764</b>	<b>7.6%</b>	<b>1,813</b>	<b>8.3%</b>
Without Children	1,138	5.0%	912	4.0%	833	3.8%
Male-Headed Household	587	2.6%	588	2.5%	685	3.1%
With Children	229	1.0%	292	1.3%	334	1.5%
Without Children	358	1.6%	296	1.3%	351	1.6%
Non-family and 1-person Households	9,243	40.9%	10,099	43.8%	9,969	45.4%

Sources: U.S. Census Bureau, 1990 (SFT-3, DP-1), Census 2000 (SF-3, H16); DemographicsNow

#### vi. Ancestry and Income

It is illegal to refuse the right to housing based on place of birth or ancestry. Census data on native and foreign-born populations in Oak Park revealed that 10.4% of Village residents in 2007 were foreign-born.<sup>7</sup>

<sup>5</sup> U.S. Census Bureau, Census 2000 (SF 3, P90)

<sup>6</sup> U.S. Census Bureau, 2005-2007 American Community Survey 3-Year Estimates (B17006)

<sup>7</sup> U.S. Census Bureau, 2005-2007 American Community Survey 3-Year Estimates (C05002)

Among families with children who were living with one or more foreign-born parents, 9.5% were living in households with incomes of less than 200% of the poverty level. This is in contrast to the 15.7% of families with children who were living with one or more foreign-born parents in households with incomes above 200% of the poverty level.<sup>8</sup>

**vii. The Relationship between Protected Class Status and Unemployment**

Minorities and females were more likely to be unemployed than White residents and males in Oak Park. Overall unemployment in 2007 was 5.1% among the civilian labor force. This was significantly lower than Cook County's unemployment rate of 8.8%. Female workers in the Village had a significantly higher unemployment rate of 5.9% than male workers at 4.3%. And, the unemployment rate among Black workers was more than three times higher than among White workers. Higher unemployment, whether temporary or permanent, will mean less disposable income for housing expenses.

**Figure 3-15  
 Civilian Labor Force – 2007**

	Cook County		Oak Park	
	Total	%	Total	%
<b>Total Civilian Labor Force (CLF)</b>	<b>2,690,520</b>	<b>100%</b>	<b>30,688</b>	<b>100%</b>
Employed	2,454,503	91.2%	29,118	94.9%
Unemployed	236,017	8.8%	1,570	5.1%
<b>Male CLF</b>	<b>1,428,605</b>	<b>100.0%</b>	<b>14,913</b>	<b>100.0%</b>
Employed	1,306,113	91.4%	14,273	95.7%
Unemployed	122,492	8.6%	640	4.3%
<b>Female CLF</b>	<b>1,261,915</b>	<b>100.0%</b>	<b>15,775</b>	<b>100.0%</b>
Employed	1,148,390	91.0%	14,845	94.1%
Unemployed	113,525	9.0%	930	5.9%
<b>White CLF</b>	<b>1,503,790</b>	<b>100%</b>	<b>21,297</b>	<b>100%</b>
Employed	1,417,323	94.3%	20,605	96.8%
Unemployed	86,467	5.7%	692	3.2%
<b>Black CLF</b>	<b>599,943</b>	<b>100%</b>	<b>6,656</b>	<b>100%</b>
Employed	495,634	82.6%	5,893	88.5%
Unemployed	104,309	17.4%	763	11.5%
<b>Asian CLF</b>	<b>162,645</b>	<b>100%</b>	<b>n/a</b>	<b>n/a</b>
Employed	153,689	94.5%	n/a	n/a
Unemployed	8,956	5.5%	n/a	n/a
<b>Hispanic CLF</b>	<b>569,437</b>	<b>100%</b>	<b>n/a</b>	<b>n/a</b>
Employed	519,573	91.2%	n/a	n/a
Unemployed	49,864	8.8%	n/a	n/a

Source: U.S. Census Bureau, 2005-2007 American Community Survey Three-Year Estimates (C23001, C23002A, C23002B, C23002D, C23002I)

<sup>8</sup> U.S. Census Bureau, 2005-2007 American Community Survey 3-Year Estimates (C05010)

## **C. The Housing Market**

The market for housing in Oak Park is competitive, with prevailing prices for single-family properties out of reach for many lower income homebuyers. A detached single-family home in the Village may be purchased for about \$200,000. Condominiums and townhouses are somewhat more affordable, starting at \$150,000 for a small one-bedroom unit. Currently, more than 400 condominium units are for sale in Oak Park, creating a surplus of empty homes that has contributed to the Village's increasing vacancy rate.

A review of sales trends over the past eight years shows that an extended period of increasing home values in the Village has been interrupted by the current recession. This indicates that the Village's market, though competitive, was not entirely insulated from the large-scale correction in the real estate market that began to affect much of the state and country in 2008. The average sales price of single-family homes in Oak Park increased by an inflation-adjusted 46.8% between 2000 and 2007 then declined by \$41,100 (7.8%) between 2007 and 2008. The jump in average sales price of condo/townhouse properties between 2000 and 2007 was even more dramatic at an inflation-adjusted increase of 89.9%. However, the average price of these properties also fell between 2007 and 2008 by \$35,900 (13%).

A residential market analysis completed for Oak Park in early 2008 acknowledged that market recovery will not mean a return to the accelerated housing demand of 2003-2005, but will probably equate to the levels of the mid to late 1990s, "when housing demand stepped in time with overall economic growth." Current instability in appreciation rates and equity positions will likely stall the purchase decisions of those who would otherwise be in the market, which means that Oak Park's housing market will not see a steep rebound in the short term. However, the Village's strong community assets, including its proximity to transportation and major employment centers as well as its exceptional services, community character and diversity, will continue to make Oak Park an attractive place to live, ensuring that the local real estate market will retain its comparatively high value in the long term.

### **i. Housing Inventory**

The total housing inventory has remained relatively stable since 1990 as a result of the lack of developable land in the Village. Between 1990 and 2008, the housing stock increased by a net of 664 units, equivalent to an annual average increase of only 36 units over the past 18 years. The majority of new housing development has occurred in census tracts 8123, 8125 and 8130.

**Figure 3-16**  
**Trends in Total Housing Units – 1990 to 2008**

Census Tract	1990		2000		2008		Change 1990-2008	
	#	%	#	%	#	%	#	%
<b>Village Total</b>	<b>23,571</b>	<b>100.0%</b>	<b>23,723</b>	<b>100.0%</b>	<b>24,235</b>	<b>100.0%</b>	<b>664</b>	<b>2.7%</b>
Tract 8121	1,779	7.5%	1,771	7.5%	1,782	7.4%	3	0.0%
Tract 8122	1,396	5.9%	1,401	5.9%	1,406	5.8%	10	0.0%
Tract 8123	3,191	13.5%	3,473	14.6%	3,430	14.2%	239	1.0%
Tract 8124	1,265	5.4%	1,237	5.2%	1,334	5.5%	69	0.3%
Tract 8125	1,802	7.6%	1,822	7.7%	1,985	8.2%	183	0.8%
Tract 8126	1,909	8.1%	1,948	8.2%	1,916	7.9%	7	0.0%
Tract 8127	1,789	7.6%	1,746	7.4%	1,737	7.2%	(52)	-0.2%
Tract 8128	3,267	13.9%	3,270	13.8%	3,325	13.7%	58	0.2%
Tract 8129	1,948	8.3%	1,858	7.8%	1,954	8.1%	6	0.0%
Tract 8130	1,552	6.6%	1,548	6.5%	1,669	6.9%	117	0.5%
Tract 8131	1,976	8.4%	1,969	8.3%	1,924	7.9%	(52)	-0.2%
Tract 8132	1,697	7.2%	1,680	7.1%	1,773	7.3%	76	0.3%

Source: DemographicsNow

**ii. Types of Housing Units**

Of the 23,723 housing structures in 2000, 43.3% were single family units. Most of the remaining units were in multi-family properties of all sizes. Notably, the distribution of housing types is uneven among the Village's census tracts. As shown in the following table, multi-family structures are more predominant in census tracts 8123, 8125, 8126, 8127 and 8128.

**Figure 3-17**  
**Trends in Housing Units in Structures – 2000**

	Total Units	Single-family units (detached and attached)	Multi-family units					Mobile home	Boat, RV, van, etc
			2 to 4	5 to 9	10 to 19	20 or more	Total		
<b>Village Total</b>	<b>23,723</b>	<b>10,279</b>	<b>2,845</b>	<b>2,031</b>	<b>2,509</b>	<b>6,029</b>	<b>13,414</b>	<b>30</b>	<b>0</b>
Tract 8121	1,771	1,348	160	53	115	89	417	6	0
Tract 8122	1,401	1,291	13	43	54	0	110	0	0
Tract 8123	3,473	810	342	244	312	1,765	2,663	0	0
Tract 8124	1,237	1,003	109	19	55	51	234	0	0
Tract 8125	1,822	493	269	281	272	497	1,319	10	0
Tract 8126	1,948	338	236	204	335	835	1,610	0	0
Tract 8127	1,746	378	189	279	279	621	1,368	0	0
Tract 8128	3,270	278	448	398	647	1,499	2,992	0	0
Tract 8129	1,858	1,202	285	102	130	139	656	0	0
Tract 8130	1,548	956	286	120	61	111	578	14	0
Tract 8131	1,969	1,152	262	183	142	230	817	0	0
Tract 8132	1,680	1,030	246	105	107	192	650	0	0

Source: U.S. Census Bureau, Census 2000 (SF 3, H30)

**iii. Vacancy Status**

The 2000 Census reported that 644 of the 23,723 housing units were vacant in Oak Park, thus creating a vacancy rate of 2.7%. Of these 644 vacant units,

278 were rentals and 110 were dwelling units for sale. Ninety-three of the units were listed as rented or sold but not yet occupied.

By 2007, the number of vacant housing units had climbed to 1,966 and represented 8.2% of the 24,086 total units in the inventory. According to interviews conducted with local Realtors, rental agents, and property owners, approximately 400 condominium units may be included in the vacancy rate. Typically, a significant inventory of vacant rental units can exert downward pressure on local rental rates and make more units affordable to households who could not previously afford them. The current recession may be preventing even these households from renting.

#### iv. The Relationship between Protected Class Status and Homeownership

The value in home ownership lies in the accumulation of wealth as the owner's share of equity increases with the property's value. Paying a monthly mortgage instead of rent is an investment in an asset that is likely to appreciate. According to one study, "a family that puts 5 percent down to buy a house will earn a 100 percent return on the investment every time the house appreciates 5 percent."<sup>9</sup>

Historically, minorities tend to have lower home ownership rates than Whites. Among Blacks in 1990, the rate of home ownership was less than half the rate among Whites and Asians. And, even though the rate of Black home ownership rose significantly from 25.9% to 35.8% during the 1990s, Blacks still lagged far behind Whites and Hispanics in owning their homes.

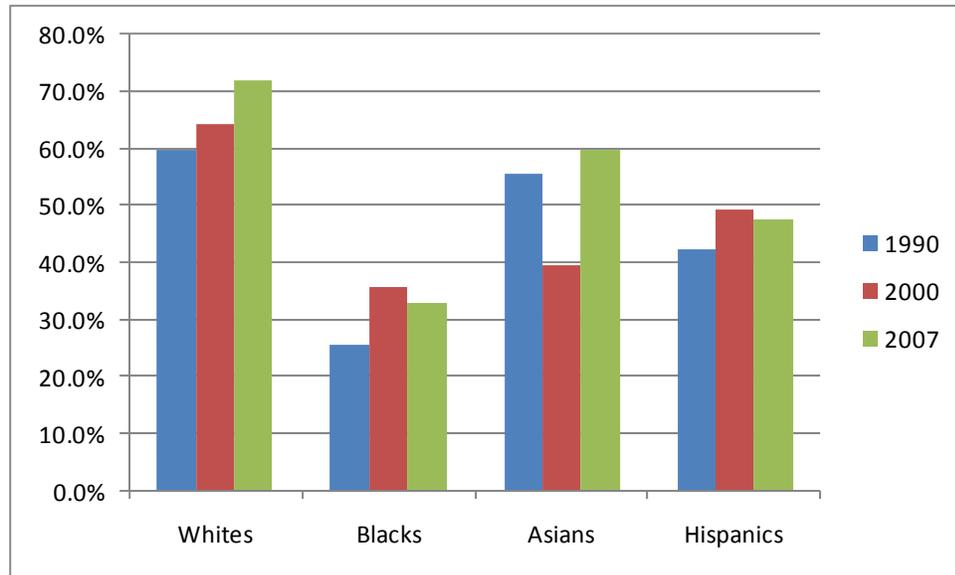
In 2000, the overall rate of homeownership in Oak Park was 56.3%. White households had the highest ownership rate at 64.3% and were much more likely to own their homes than any other race or ethnicity. Hispanic households had the second-highest rate at 49.5%. Notably, in census tracts 8121 and 8122, Hispanic households achieved a home ownership rate of 100%. Asian households had the third-highest home ownership rate at 39.6% and Black households had a rate of 35.8%.

By 2007, home ownership among Whites had continued to increase, surpassing 70%. Asian households experienced an even greater increase to almost 60%. But for Blacks and Hispanics, home ownership declined.

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<sup>9</sup> Kathleen C. Engel and Patricia A. McCoy, "From Credit Denial to Predatory Lending: The Challenge of Sustaining Minority Homeownership," in *Segregation: The Rising Costs for America*, edited by James H. Carr and Nandinee K. Kutty (New York: Routledge 2008) p. 82.

**Figure 3-18**  
**Trends in Home Ownership by Race and Ethnicity of Householder – 1990-2007**



Source: U.S. Census Bureau, 1990 Census (STF3-H008, H010, H012); Census 2000, (SF 3-H7, H11, H12); 2005-2007 American Community Survey Three-Year Estimates (B25003, B25003A, B25003B, B25003D, B25003I)

As discussed previously in this report, median household income is generally lower among minority groups in Oak Park than among White households. This factor, more than any other, likely contributes to the low rates of home ownership among minorities in the Village.

**v. The Tendency of the Protected Classes to Live in Larger Households**

Larger families may be at risk for housing discrimination on the basis of race and the presence of children (familial status). A larger household, whether or not children are present, can raise fair housing concerns. If there are policies or programs that restrict the number of persons that can live together in a single housing unit, and members of the protected classes need more bedrooms to accommodate their larger household, there is a fair housing concern because the restriction on the size of the unit will have a negative impact on members of the protected classes.

In Oak Park, persons of Two or More Races were most likely to live in families of three or more persons. Black, Hispanic, and families of Some Other Race Alone also were more likely than White and Asian families to live in larger families.

**Figure 3-19**  
**Families with Three or More Persons – 2000**

Race	Percent of Families with 3 or more persons
White	32.9%
Black	35.0%
Asian	31.7%
Some Other Race Alone	34.3%
Two or More Races	37.7%
Hispanic	34.3%

Source: U.S. Census Bureau, Census 2000 (SF 4, PCT17)

To adequately house larger families, a sufficient supply of larger dwelling units consisting of three or more bedrooms is necessary. In Oak Park, only 2.3% of the rental housing stock contained three or more bedrooms as reported in a 2008 housing needs assessment study, compared to almost 70% of the owner housing stock.

**Figure 3-20**  
**Housing Units by Number of Bedrooms – 2000**

Size of Housing Units	Rental Housing Stock		Owner Housing Stock	
	Number of Units	Percent of Total Housing Units	Number of Units	Percent of Total Housing Units
Studio	2,041	20.6%	---	---
1 bedroom	6,265	63.3%	90	0.7%
2 bedrooms	1,364	13.8%	3,011	23.2%
3 or more bedrooms	230	2.3%	9,067	69.8%
<b>Total</b>	<b>9,900</b>	<b>100.0%</b>	<b>12,988</b>	<b>100.0%</b>

Sources: Rental inventory from "A Housing Needs Assessment" prepared by Tracy Cross & Associates, Inc. (2008) for the Village of Oak Park; Owner inventory from U.S. Census Bureau, Census 2000 (SF 3, H42)

**vi. Cost of Housing**

Increasing housing costs are not a direct form of housing discrimination. However, a lack of affordable housing does constrain housing choice. Residents may be limited to a smaller selection of neighborhoods because of a lack of affordable housing in other areas.

The median housing value in Oak Park increased more than 77% since 1990, after adjusting for inflation.<sup>10</sup> This was in stark contrast to the median gross rent, which increased only 11.6% during the same period. By comparison, real household income increased almost 16%.

<sup>10</sup> Housing value is the Census respondent's estimate of how much the property (house and lot, mobile home and lot, or condominium unit) would sell for if it were for sale. This differs from the housing sales price which is the actual price that the house sold for.

**Figure 3-21**  
**Trends in Housing Value, Rent and Income – 1990-2007**

	1990	2000	2005-2007 Estimate	Change 1990-2007
<b>Median Housing Value</b>				
Actual Dollars	\$138,012	\$229,525	\$388,800	181.7%
2007 Dollars	\$218,942	\$276,366	\$388,800	77.6%
<b>Median Gross Rent</b>				
Actual Dollars	\$494	\$677	\$875	77.1%
2007 Dollars	\$784	\$815	\$875	11.6%
<b>Median Household Income</b>				
Actual Dollars	\$40,584	\$59,245	\$74,614	83.9%
2007 Dollars	\$64,382	\$71,336	\$74,614	15.9%

Sources: DemographicsNow for 1990 and 2000 date; U.S. Census Bureau, 2005-2007 American Community Survey Three-Year Estimates (B19013, B25064, B25077)

**vii. Rental Housing**

Ideally, if household income increased faster than median rents, it should have been easier for households to find affordable rental housing units. In reality, Oak Park has lost a substantial number of affordable rental units since 2000. Between 2000 and 2007, the number of affordable rental units renting for less than \$500 per month decreased by 472; units renting for \$500 to \$699 decreased by over 2,800. At the same time, the number of higher-rent units (\$700 per month or higher) increased by 1,536.<sup>11</sup>

**Figure 3-22**  
**Loss of Affordable Rental Housing Units – 2000-2007**

Units Renting for:	2000	2007	Change 2000-2007	
			#	%
Less than \$500	1,104	632	-472	-42.8%
\$500 to \$699	3,684	839	-2,845	-77.2%
\$700 to \$999	3,433	3,776	343	10.0%
\$1,000 or more	1,731	2,924	1,193	68.9%

Sources: U.S. Census Bureau, Census 2000 (SF3, H62), 2005-2007 American Community Survey Three-Year Estimates (B25063)

The National Low Income Housing Coalition provides annual information on the Fair Market Rent (FMR) and affordability of rental housing in each county in the U.S. for 2009. In Cook County, the current Fair Market Rent (FMR) for a two-bedroom apartment is \$1,004. In order to afford this level of rent and utilities, without paying more than 30% of income on housing, a household must earn \$3,347 monthly or \$40,160 annually. Assuming a 40-hour work week, 52 weeks per year, this level of income translates into a housing wage of \$19.31.

<sup>11</sup> Rental rates obtained from U.S. Census Bureau.

In Illinois, a minimum wage worker earns an hourly wage of \$7.75. In order to afford the FMR for a two-bedroom apartment in Cook County, a minimum wage earner must work 100 hours per week, 52 weeks per year. Or, a household must include 2.5 minimum wage earners working 40 hours per week year-round in order to make the two-bedroom FMR affordable.

In Cook County, the estimated average wage for a renter is \$18.64 an hour. In order to afford the FMR for a two-bedroom apartment at this wage, a renter must work 41 hours per week, 52 weeks per year. Or, working 40 hours per week year-round, a household must include 1.0 worker earning the average renter wage in order to make the two-bedroom FMR affordable. Extreme caution must be used when interpreting the estimated average hourly wage for a renter household, however, as this rate (\$18.64) includes all renter households in all of Cook County, including all higher-end renters in luxury units. According to interviews with local housing providers, there is a lack of decent, accessible and affordable rental units, particularly for persons with special needs (e.g. persons with disabilities, victims of domestic violence, persons who are homeless or at risk for homelessness, households on the waiting list for Section 8 vouchers, etc.).

Monthly Supplemental Security Income (SSI) payments for an individual are \$674 in Illinois. If SSI represents an individual's sole source of income, \$202 in monthly rent is affordable, while the FMR for a one-bedroom unit in Cook County is \$894.

**a. Sales Housing**

To assess how increases in housing costs have affected available housing choice in Oak Park, recent home sales data were used to determine the number of homes affordable at the median household income for Whites, Blacks, Asians and Hispanics in 2000 and 2008. Given the median household income, it is possible to determine the maximum purchase price of a home affordable to that household and the percentage of home sales (single family and condominium units) that were at or below that price in a calendar year. To determine affordability, the following assumptions were made:

- The mortgage was a 30-year fixed rate loan at 5.5%
- The buyer made a 10% down payment on the sales price
- Principal, interest, property taxes and mortgage insurance (PITI) equaled no more than 30% of gross monthly income
- Total consumer debt payments were \$250/month, and
- The debt-to-income ratio was 35%.

**Figure 3-23**  
**Sales Housing Available and Affordable by Race, Ethnicity and Income – 2000 and 2008**

	Whites	Blacks	Asians	Hispanics
<b>2000</b>				
Median Household Income	\$65,932	\$43,828	\$55,929	\$42,563
Maximum Affordable Purchase Price	\$172,000	\$102,000	\$140,000	\$98,000
Number of Homes Available in Price Range	< 457	102	< 457	102
<b>2008</b>				
Median Household Income	\$89,075	\$41,657	\$94,815	\$54,375
Maximum Affordable Purchase Price	\$248,000	\$95,000	\$262,000	\$135,000
Number of Homes Available in Price Range	< 267	8	< 267	< 126

Sources: U.S. Census Bureau, Census 2000 (SF3, P152A, P152B, P152D, P152H); 2005-2007 American Community Survey Three-Year Estimates (B19013A, B19013B, B19013D, B19013I); Oak Park Area Board of Realtors; Cook County Clerk's Office for property tax rates in Oak Park; Affordability calculations by Mullin & Lonergan Associates, Inc.

Based on these assumptions, Black and Hispanic households would have had very limited opportunities to purchase homes compared to White and Asian households. With median household incomes of less than \$45,000, both Black and Hispanic homebuyers would have been able to purchase homes for approximately \$100,000. In 2000, the Oak Park Area Realtors reported only 102 housing units sold within this price range, representing 11% of all the units sold that year. By comparison, a White homebuyer with the median household income of \$65,932 would have been able to afford a house selling for no more than \$172,000. In 2000, there were 457 units that sold for less than \$200,000. This number represented 49% of the total number of homes sold through the multiple list service in 2000. An Asian homebuyer with a median household income of \$55,929 could have afforded to purchase a home costing no more than \$140,000 and would have had slightly fewer options.

By 2008, the situation was far worse for Black homebuyers. The median household income for Blacks had fallen to \$41,657, thus decreasing the maximum purchase price for a home to \$95,000; only 8 units sold in this price range representing only 1% of total sales that year. The median household income for Hispanics was slightly higher at \$54,375, thus increasing their home purchasing power to a maximum of \$135,000. There were 126 units that sold for less than \$200,000, equivalent to 21% of the total units sold. Median household incomes for Whites and Asians increased significantly by 2008 with a commensurate increase in their potential home buying options.

**Figure 3-24  
 Housing Units Sold In Oak Park by Sales Price – 2000 and 2008**

Sales Price Range	Single Family Units	Condominiums /Townhouses	Total	Percent of Total Units Sold
<b>2000</b>				
Up to \$100,000	2	100	102	11.0%
\$100,000 to \$199,999	148	207	355	38.3%
\$200,000 to \$299,999	216	45	261	28.1%
\$300,000 to \$399,999	101	20	121	13.0%
\$400,000 to \$499,999	48	2	50	5.4%
\$500,000 and higher	39	0	39	4.2%
<b>Total Units</b>	<b>554</b>	<b>374</b>	<b>928</b>	<b>100.0%</b>
<b>2008</b>				
Up to \$100,000	0	8	8	1.3%
\$100,000 to \$199,999	14	104	118	19.9%
\$200,000 to \$299,999	53	88	141	23.7%
\$300,000 to \$399,999	80	30	110	18.5%
\$400,000 to \$499,999	69	18	87	14.6%
\$500,000 and higher	123	7	130	21.9%
<b>Total Units</b>	<b>339</b>	<b>255</b>	<b>594</b>	<b>100.0%</b>

Source: Oak Park Area Board of Realtors

**viii. The Relationship between Protected Class Status and Housing Problems**

Lower income minority households tend to experience housing problems at a higher rate than lower income White households.<sup>12</sup> However, in Oak Park, the reverse is true among renters. Among all renter households with incomes below 80% of the median family income in 2000, 53.9% of White households experienced housing problems compared to 50.8% of Black households and 48.9% of Hispanic households. White elderly renter households and All Other Households also experienced housing problems at greater rates than minorities.

Among owners, White households were far less likely to experience housing problems than minorities of any household type.

<sup>12</sup> HUD defines housing problems as (1) cost burden of 30% or more (i.e. paying more than 30% of gross income on monthly housing expenses), and/or (2) lacking complete kitchen or plumbing facilities, and/or (3) overcrowding of more than 1.01 persons per room.

**Figure 3-25  
 Lower Income Households with Housing Problems – 2000**

	All Households 0-80% of MFI		Elderly Households 0-80% of MFI		Small and Large Households 0-80% of MFI		All Other Households 0-80% of MFI	
	Total	% with a Housing Problem	Total	%	Total	%	Total	%
<b>Renters</b>								
White Non-Hispanic	2,560	53.9%	750	57.3%	435	55.2%	1,375	51.6%
Black Non-Hispanic	1,778	50.8%	304	47.4%	720	56.9%	754	46.4%
Hispanic	235	48.9%	15	0.0%	95	63.2%	125	44.0%
<b>Total</b>	<b>4,573</b>	<b>52.4%</b>	<b>1,069</b>	<b>54.8%</b>	<b>1,250</b>	<b>56.9%</b>	<b>2,254</b>	<b>49.6%</b>
<b>Owners</b>								
White Non-Hispanic	1,693	62.0%	895	50.3%	479	81.4%	319	65.8%
Black Non-Hispanic	377	81.7%	99	74.8%	225	82.2%	53	92.4%
Hispanic	98	89.8%	39	74.4%	45	100.0%	14	100.0%
<b>Total</b>	<b>2,168</b>	<b>66.7%</b>	<b>1,033</b>	<b>54.8%</b>	<b>749</b>	<b>83.0%</b>	<b>386</b>	<b>72.4%</b>

Source: HUD Comprehensive Housing Affordability Strategy data

## **4. EVALUATION OF CURRENT FAIR HOUSING PROFILE**

This section provides a review of the past and current fair housing planning initiatives, and the existence of fair housing complaints or compliance reviews where a charge of a finding of discrimination has been made. Additionally, this section will review the existence of any fair housing discrimination suits filed by the United States Department of Justice or private plaintiffs in addition to the identification of other fair housing concerns or problems.

A lack of filed complaints does not necessarily indicate a lack of a problem. Some persons may not file complaints because they are not aware of how to go about filing a complaint or where to go to file a complaint. Discriminatory practices can be subtle and may not be detected by someone who does not have the benefit of comparing his treatment with that of another home seeker. Other times, persons may be aware that they are being discriminated against, but they may not be aware that the discrimination is against the law and that there are legal remedies to address the discrimination. Finally, households may be more interested in achieving their first priority of finding decent housing and may prefer to avoid going through the process of filing a complaint and following through with it. Therefore, education, information, and referral regarding fair housing issues remain critical to equip persons with the ability to reduce impediments.

### **A. Existence of Fair Housing Complaints**

#### **i. Illinois Department of Human Rights**

In communication dated July 14, 2009, the Illinois Department of Human Rights (IDHR) provided to the Village a summary of housing complaints filed in Oak Park dating back to 1997 when the previous AI was completed. Because 26 of the 28 cases were dual-filed with HUD, IDHR provided a summary of the remaining two cases that had not been reported or filed with HUD.

Of the two cases reported by the IDHR, both were closed by the department due to lack of substantial evidence. Both cases alleged discrimination on the basis of race; one involved failure to rent and the other involved denial of service.

#### **ii. U.S. Department of Housing and Urban Development**

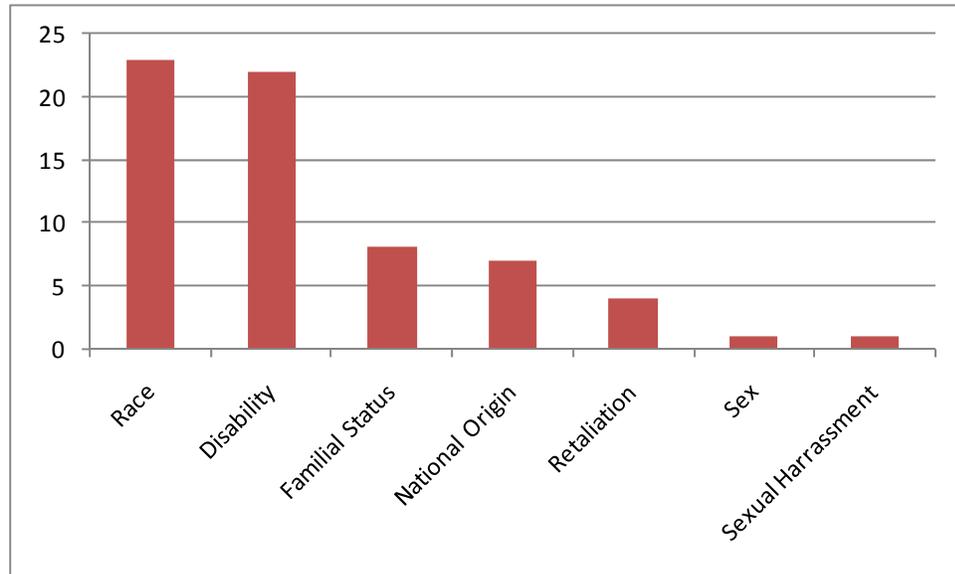
In a letter dated June 24, 2009, HUD provided reports listing 52 housing complaints filed in the Village between September 1, 1997 and June 15, 2009. A summary of these reports is included below.

The 52 cases filed involved a total of 74 complaints because a complainant could file a case alleging discrimination in one or more areas of fair housing law. Furthermore, a complainant could allege discrimination of more than one protected class (for example, discrimination based on race and disability). As a result, the 52 cases involved 66 allegations with race (35%)

and disability (33%) the most frequently cited reasons. Of the 52 cases, 38 (58%) were related to rental housing transactions.

HUD reports that 70% of fair housing complaints nationwide are related to rental transactions. While race is still the primary basis of discriminatory complaints, HUD finds that more complaints are being filed on the basis of disability. HUD also notes that if current trends continue, in the near future fair housing complaints based on disability will exceed those based on race.

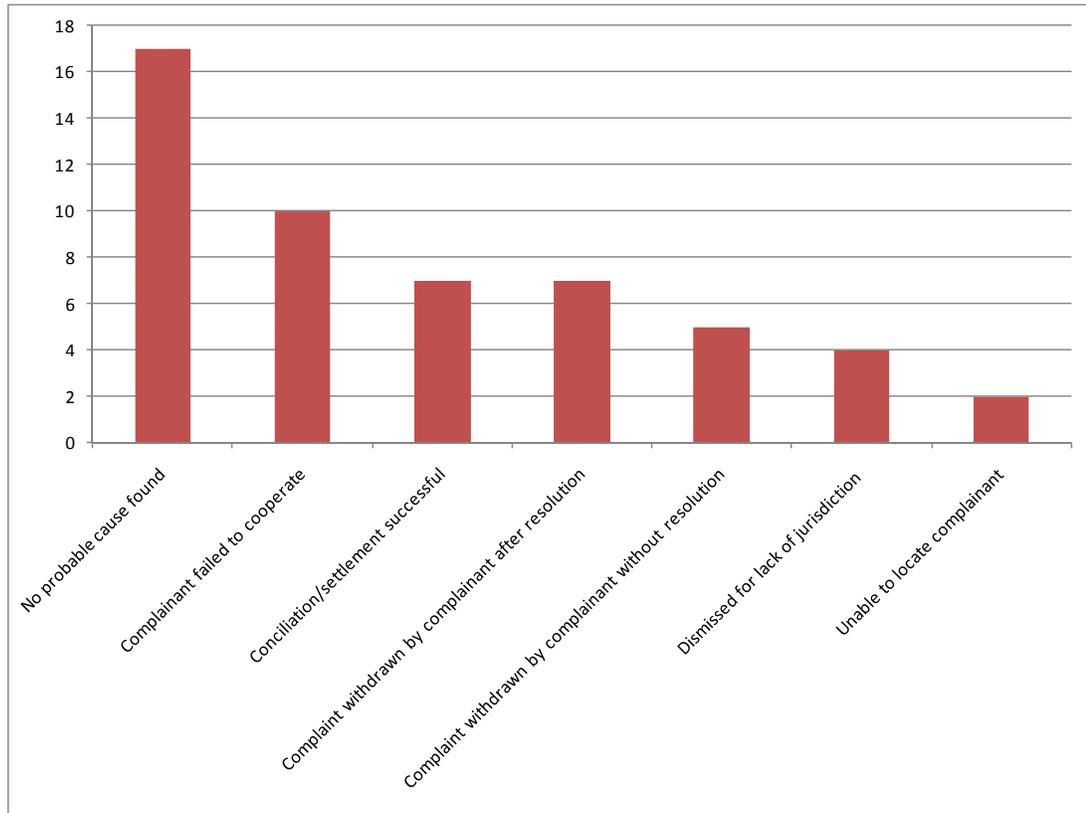
**Figure 4-1**  
**Bases for Fair Housing Complaints Filed in Oak Park – 1997-2009**



Source: U.S. Department of Housing & Urban Development

Of the 52 cases, 7 (13%) were conciliated and/or settled successfully. The remaining 87% were closed for a variety of reasons with a “no probable cause” determination issued in 33% of the cases.

**Figure 4-2**  
**Resolution of Fair Housing Complaints Filed – 1997-2009**



Source: U.S. Department of Housing & Urban Development

### iii. Oak Park Community Relations Department

A total of three fair housing complaints were filed with the Oak Park Community Relations Department between 1997 and June 2009. Two of the complaints involved rental transactions and one involved the purchase of a residential dwelling.

The first complaint, filed in February 2006, involved the denial of a rental lease renewal. The complainant alleged discrimination based on “other.” The complaint was closed once the complainant obtained an attorney to pursue action outside of the Community Relations Department.

The second complaint was filed in May 2006 and involved the denial of a sale to a single mother with two children. The complainant alleged housing discrimination based on race, color, sex, and familial status. The investigation by the Community Relations Department ended when the complainant failed to cooperate and the Department was unable to complete the investigation.

The third complaint was filed in May 2006 and involved the denial of a rental unit by a single mother with one child. The complainant alleged

discrimination based on race, color, and “other.” The Department investigated the complaint and determined that the complainant was untruthful on her application and had a poor credit history. No evidence of discrimination was found.

### **B. Patterns and Trends in Fair Housing Complaints**

During the period of September 1, 1997 to June 15, 2009, a total of 57 fair housing complaints in Oak Park were filed with HUD, the IDHR and the Oak Park Community Relations Department.

Of the 57 complaints, 50 (88%) were closed without settlement for various reasons (e.g., lack of cooperation from the complainant, unable to locate complainant, no probable cause, etc.). A total of seven complaints (filed with HUD) progressed to conciliation and ultimately resulted in a successful settlement. While some information was provided by HUD, the summary did not include sufficient details on the results of particular cases, so it is difficult to determine if any particular type of complaint was more likely to result in settlement. However, five of the seven cases that resulted in conciliation and settlement involved rental transactions. In addition, three of the seven cases alleged discrimination on the basis of familial status, two on national origin and one each on race and disability.

### **C. Existence of Fair Housing Discrimination Suit**

There are no fair housing discrimination suits that have been filed and/or are pending in the Village of Oak Park.

### **D. Determination of Unlawful Segregation**

There are no unlawful segregation suits or court orders that have been filed and/or are pending in the Village of Oak Park.

## **5. EVALUATION OF PUBLIC AND PRIVATE SECTOR POLICIES**

The analysis of impediments is a review of impediments to fair housing choice in the public and private sector. Impediments to fair housing choice are any actions, omissions, or decisions taken because of race, color, religion, sex, disability, familial status, or national origin that restrict housing choices or the availability of housing choices, or any actions, omissions, or decisions that have the effect of restricting housing choices or the availability of housing choices on the basis of race, color, religion, sex, disability, familial status, or national origin. In Illinois, protection is also extended to persons based on ancestry, age, marital status, military status, sexual orientation, or unfavorable discharge from military service. And in Oak Park, protection is further extended to persons based on creed, sexual orientation, and gender identity.

Policies, practices or procedures that appear neutral on their face but which operate to deny or adversely affect the provision of housing to members of these protected classes may constitute such impediments.

### **A. Public Sector**

An important element of the analysis includes an examination of public policy in terms of its impact on housing choice. This section evaluates the public policies in Oak Park to determine opportunities for furthering the expansion of fair housing choice.

#### **i. Investment of Federal Entitlement Grants**

From a budgetary standpoint, housing choice can be affected by the allocation of staff and financial resources to housing related programs and initiatives. The decline in federal funding opportunities for affordable housing for lower income households has shifted much of the challenge of affordable housing production to state, county, and local government decision makers.

The Community Development Block Grant (CDBG) entitlement funds received from HUD are used for a variety of public services, planning, street improvements, clearance, rehabilitation, code enforcement, and economic development initiatives. The CDBG program serves to benefit primarily low and moderate income persons in agreement with the statutory requirements.

The following description includes data submitted by the Village to HUD in its Consolidated Annual Performance and Evaluation Report (CAPER) for program year 2008. Only CDBG-funded housing activities which the Village reported to HUD as completed are included.

The percentage of Black residents that received housing-related assistance through the CDBG Program was 53%. Blacks comprised 24.8% of the total population in Oak Park in 2008.

The percentage of Asian residents that received housing-related assistance was 13%. Asians and Pacific Islanders comprised 5.5% of the total population in Oak Park in 2008.

The percentage of female-headed households that received housing-related assistance through the CDBG Program in 2008 was 18%. Female-headed households comprised 12.1% of total households in Oak Park in 2008.

Based on the CDBG funds invested in 2008, the Village of Oak Park has demonstrated a commitment to assisting low and moderate income households who are members of the protected classes with affordable housing assistance.

Notably, the Village is not eligible to receive HOME Program funds as an entitlement. This is another primary source of funds from HUD which could be used to increase affordable housing opportunities in Oak Park through new construction and rehabilitation activities, and for home ownership and rental assistance projects.

## ii. **Appointed Citizen Boards and Commissions**

A community's sensitivity to housing issues is often determined by people in positions of public leadership. The perception of housing needs and the intensity of a community's commitment to housing related goals and objectives are often measured by board members, directorships and the extent to which these individuals relate within an organized framework of agencies, groups, and individuals involved in housing matters. The expansion of housing choice requires a team effort and public leadership and commitment is a prerequisite to strategic action.

### a. **Building Codes Advisory Commission**

The Building Codes Advisory Commission, established in 1999, advises and makes recommendations on Code amendments, updates, and interpretations to the Village Director of Building and Property Standards. The Commission's seven members each serve three-year terms. Membership includes a registered architect, licensed plumber, licensed electrician, HVAC contractor and fire protection contractor or a design professional with experience in one of those subjects.

Of the seven commissioners currently serving on the Commission, one is female, none are minorities, and four are members of families with children.

### b. **Community Design Commission**

The Community Design Commission studies ways to enhance the attractiveness of the Village, including walkways and other public property. Its tasks and projects include mini-gardens, the Cavalcade of Pride, providing design advice and developing resource materials to aid in private property development. The Commission hears the requests for

sign regulation variations. There are 13 members who each serve three-year terms.

Of the nine commissioners currently serving on the Commission, one is female, none are minorities, and five are members of families with children.

**c. Community Development Citizens Advisory Committee**

The Community Development Citizens Advisory Committee evaluates funding requests and formulates recommendations to the Village Board for the annual allocation of CDBG funds for public service, administration, property and infrastructure improvements, and economic revitalization activities targeted to low and moderate income individuals. The Committee also evaluates requests and makes recommendations for Emergency Shelter Grants, which funds services intended to ameliorate or eliminate homelessness. The committee has nine members who each serve three-year terms.

Of the nine members currently serving on the Committee, four are female, one is Black, one is Asian, one has a disability and one is a member of a family with children.

**d. Community Relations Commission**

The Community Relations Commission was created in 1963 to assure all residents of equal service and treatment. The Commission works to improve inter-group relations without regard to race, color, religion, ancestry, national origin, veteran status, sexual orientation, age, marital status, familial status or disability. The Commission acts as a hearing panel for resolution of discrimination issues. The Commission's 15 members each serve three-year terms.

Of the eight members currently serving on the Commission, none are female, two are Black, and three are members of families with children.

**e. Historic Preservation Commission**

The Historic Preservation Commission, established in 1972, evaluates proposals affecting the Village's landmarks and historic districts. The Commission considers compatibility of development with long-range preservation of historical sites and recommends sites for historic landmark designation. The Commission also reviews building permit applications affecting properties in the Village's three historic districts and historic landmarks throughout the community. The Commission's 11 members each serve three-year terms.

Of the 11 members currently serving on the Commission, three are female, none are minorities, and four are members of families with children.

**f. Housing Programs Advisory Committee**

The Housing Programs Advisory Committee reviews applications for the Village's multi-family incentives grant and rental reimbursement program and the Village's single-family housing loan programs. The committee is comprised of seven members who each serve three-year terms.

Of the five members currently serving on the Committee, four are female, none are minorities, and one is a member of a family with children.

**g. Plan Commission**

The Plan Commission makes on-going revisions to the Village's comprehensive plan and provides direction and control for growth and development in Oak Park. The Commission serves as the Zoning Commission relative to amendments, rezoning and special use permits requested pursuant to the Village zoning ordinance. The Commission's nine members each serve three-year terms.

Of the nine members currently serving on the Commission, four are female, none are minorities, and four are members of families with children.

**h. Transportation Commission**

The Transportation Commission hears parking and traffic concerns and makes recommendations for improvements. The Commission addresses issues related to the administration and enforcement of traffic regulations and for public education about traffic safety. In addition, the Commission reviews proposals and makes recommendations for placement of cul-de-sacs and diverters. The Commission is comprised of seven members who each serve three-year terms.

Of the six members currently serving on the Commission, one is female, none are minorities, and two are members of families with children.

**i. Universal Access Commission**

The Universal Access Commission advises the Village in facilitating full participation in community activities by disabled persons, to bring disabled persons into the mainstream of Oak Park life by recognizing that disabled persons can lead proud and productive lives, to promote universal access throughout the Village, and to heighten public awareness to the needs of Villagers with disabilities. There are nine members who each serve three-year terms. The Chief Building Inspector/Access Advisor for the Village of Oak Park is an ex-officio member of the Commission.

Of the five members currently serving on the Commission, two are female, one is Black, one is Hispanic, and three have disabilities.

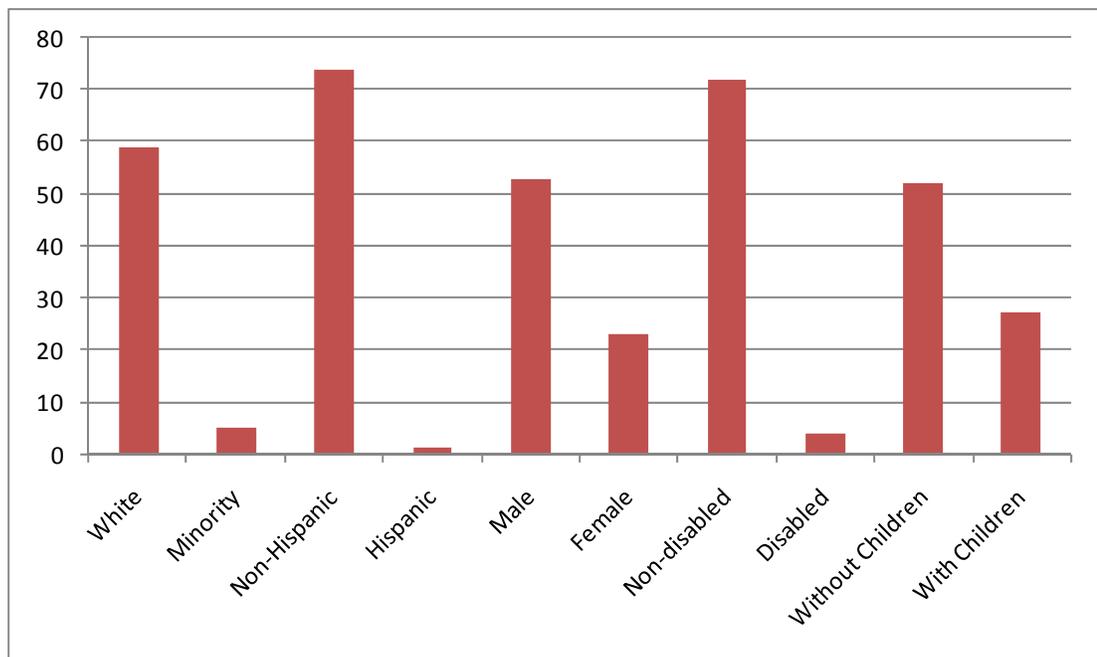
**j. Zoning Board of Appeals**

As authorized by state statute, the Zoning Board of Appeals rules on zoning variance petitions, special use permits, and appeals of interpretations of the zoning ordinance. There are seven members who each serve five-year terms.

Of the seven members currently serving on the Board, three are female, none are minorities, and three are members of families with children.

The following chart illustrates the relative lack of minority persons, Hispanics and persons with disabilities on the various appointed boards and commissions in Oak Park. Lower representation is also noted among females and families with children younger than 18 years of age. The experiences and perspectives of members of the protected classes can enhance the decision-making processes in the Village and offer the opportunity for advancing fair housing choice in all aspects of Village government.

**Figure 5-1  
Member Composition of Appointed Citizen Boards and Commissions – 2009**



Source: Village of Oak Park

**iii. Accessibility of Residential Dwelling Units**

From a regulatory standpoint, local government measures to control land use (such as zoning regulations) define the range and density of housing resources that can be introduced in a community. Housing quality standards are enforced through the local building code and inspections procedures.

**a. Private Housing Stock**

The Building and Property Standards Department administers the Village's construction and property maintenance standards. The department issues construction related permits, conducts inspections of all construction projects at specific stages of progress, and performs regular property maintenance standards inspections of all multi-family buildings containing four or more units and exterior inspections of all properties, including single family homes in the Village.

Oak Park regulates housing construction through a range of national and international codes. Effective April 1, 2004, the Oak Park Building Codes and Standards include the 2003 edition of the following International Code Council Codes and the 2002 edition of the National Electrical Code:

- *2003 International Building Code (IBC)* with local amendments
- *2003 International Residential Code (IRC)* for one- and two-family dwellings and their accessory structures with local amendments
- *2003 International Electric Code (IEC)* with local amendments and the *2002 National Electric Code (NEC)* with local amendments
- *2003 International Energy Conservation Code (IECC)* with local amendments
- *2003 International Fuel Gas Code (IFGC)* with local amendments
- *2003 International Mechanical Code (IMC)* with local amendments
- *2003 International Fire Code (IFC)* with local amendments.

The Village also administers the *2004 Illinois State Plumbing Code* with local amendments, the *1997 Illinois Accessibility Code*, the Americans with Disabilities Act (ADA) and the Fair Housing Act (FHA). Code enforcement for residential structures with 4 or more units occurs on a regular basis.

Whenever a building permit is submitted to the Village for review, it is checked to ensure that the proposed construction work complies with local, state and federal laws designed to ensure accessibility to individuals with disabilities, including the Americans with Disabilities Act. The Village also works to promote voluntary upgrades of properties to make them accessible. Many accessibility improvements are readily achievable with minimal cost. Upon request, the Chief Building Inspector will advise property owners who wish to obtain a free and voluntary assessment of their existing building, and make recommendations on ways to accomplish accessibility goals. Still, the

vast majority of housing units in the Village are not handicapped accessible.

According to the director of the Building and Property Standards Department, the Village is very proactive in reviewing plans for accessibility requirements of residential units. The Village of Oak Park employs an ADA Coordinator and complies with the state mandate for communities with a population of 50,000 or more. In the Village, townhouses are required to be accessible on the first floor, which is beyond what most communities require.

**b. Public Housing Stock**

Section 504 of the Rehabilitation Act of 1973 and 24 CFR Part 8 requires that 5% of all public housing units be accessible to persons with mobility impairments. Another 2% of public housing units must be accessible to persons with sensory impairments. In addition, an Authority's administrative offices, application offices and other non-residential facilities must be accessible to persons with disabilities. The Uniform Federal Accessibility Standards (UFAS) is the standard against which residential and non-residential spaces are judged to be accessible.

There is one public housing development in Oak Park. Mills Park Tower is a 19-story building located approximately three blocks south of downtown Oak Park and the Metra and CTA (Green Line) train stations. Mills Park Tower provides 198 one-bedroom apartments for elderly residents who are maintaining their own personal and financial needs. The results from the most recent Section 504 Physical Needs Assessment of Mills Park Tower, completed in 1995, demonstrate that the building is accessible. Plans for FY2010 involve improvements to accessibility features, including the modernization of nine units to UFAS standards.

**c. Advocacy Organizations for Person with Disabilities**

Several nonprofit organizations were interviewed and/or submitted written responses to surveys on fair housing issues faced by their clients. A summary of the information provided by each of these organizations is included below.

*National Alliance on Mental Illness (NAMI)*

The local NAMI chapter in Oak Park assists persons with mental illness who require supportive services. Affordable housing is the organization's greatest need. Non-supported mentally ill persons who do not remain on their medications end up revolving in and out of nursing homes, committing crimes, going to jail, and facing homelessness. For this segment of the population, independent apartments are much more preferable to group homes as persons with mental illness generally prefer to live alone.

Currently, there are about 30 apartments in Oak Park with supervision that are associated with mental health agencies which screen and select

eligible tenants. However, there is a severe shortage of supervised housing units. Many clients rely on the Section 8 Housing Choice Voucher Program but the waiting list for vouchers is extremely long.

#### *Vital Bridges*

Vital Bridges serves more than 2,000 economically disadvantaged people living with HIV/AIDS in metropolitan Chicago. Two program sites are located in Oak Park. These include a home in which six individuals or family members can live and scattered site transitional housing. The challenge for the organization is to house persons with HIV/AIDS for a longer period of time inasmuch as they are living longer due to medical advances. Most clients receive SSI benefits. If employable, they may earn less than subsistence wages since most have sixth or eighth grade education levels. In addition to housing, clients require a significant level of supportive services due to poverty, substance abuse, joblessness, etc.

#### *Oak-Leyden Developmental Services*

Oak-Leyden assists persons with developmental disabilities to meet life's challenges and achieve their highest potential. Begun in 1956, the organization focuses on adults exiting school programs. The group's workshop provides employment training and placement for persons with developmental disabilities. Oak-Leyden advances opportunities for their clients to access life through group therapy, speech and hearing therapy, and occupational therapy for infants.

The organization operates two group homes in Oak Park. Its greatest challenge is to obtain housing and employment for clients, especially in circumstances where aging parents can no longer care for their disabled adult children.

#### *Seguin Services*

Seguin Services is an award-winning not-for-profit agency offering programs that integrate, enrich, and empower adults and children with developmental disabilities and other special needs so they can be productive, valued members of society. Seguin annually provides support to 535 adults and children in 45 west suburban communities and Chicago. For adults with developmental disabilities, Seguin offers community employment, living skills enhancement services, and neighborhood homes to help adults live more independently in their communities. For abused and neglected children, they offer foster care, adoption, and educational services regardless of the severity of emotional, behavioral, or medical challenges.

The Adult Residential Services Program, begun in 1979, annually provides a supportive, family-home environment for 218 adults with disabilities who live in 60 neighborhood homes in 21 communities. They also provide in-home supportive services to 30 adults living

independently in their own homes or with their families, as well as Weekend Respite services to 20 adults in a family-style home.

In its adult programs, Seguin serves persons with developmental disabilities, all of who are considered low-income. Many of these adults also have other conditions, such as autism, seizure disorder, hearing impairments, vision impairments, cerebral palsy, physical mobility challenges, behavioral challenges, and a variety of medical conditions. For the adults with disabilities served by Seguin, about two-thirds of them are receiving housing and supportive services within the Residential Services Program. In the past year, 218 persons were served in these homes, which serve anywhere from 2 to 8 individuals. These residential services are provided on a 24-hour, 365-day a year basis, except for when residents are receiving employment or day training services also provided through Seguin.

Seguin has 250 individuals on a waiting list for Residential Services/housing, of which three are Oak Park residents. This number could increase in the future as the parents of clients age or pass away. In addition, with the impending closure of Howe Developmental Center (a state-operated facility in Tinley Park), Seguin anticipates receiving many referrals for 24-hour residential services, some of whom may have roots in Oak Park.

The major unmet service need for the Village of Oak Park is two-fold. First, individuals with developmental disabilities and their families need additional respite care to eliminate the need for comprehensive 24-hour housing and supportive services. Second, individuals with developmental disabilities in Oak Park need additional 24-hour housing, in single family homes preferably, that are handicapped accessible. This need is anticipated to increase significantly over the next three to ten years.

#### **iv. Immigrants and Persons with LEP**

Immigrants and persons with Limited English Proficiency (LEP) may encounter obstacles to fair housing by virtue of language and cultural barriers within their new environment. To assist these individuals, it is important that a community recognizes their presence and the potential for discrimination, whether intentional or inadvertent, and establishes policies to eliminate barriers.

In Oak Park, the Community Relations Department is the first stop for many persons who are new to the Village. Even the department's location proximate to the main entrance of Village Hall re-enforces its critical role in the acclimation of new residents.

According to American Community Survey data provided by the Census Bureau, there are 1,475 persons who speak English less than "very well" in

Oak Park.<sup>13</sup> This is equivalent to 3% of the population 5 years and older for whom this rate is determined. To assist these individuals, the Community Relations Department coordinates a Language Bank to ensure that the diverse population of the Village can access all services. Currently, the department can provide interpreting assistance in more than 14 different languages. In addition, the Universal Access Commission is working to have more Village forms translated into languages that are common to a higher percentage of residents. And, the Community Development Division of the Community Development and Planning Department works to translate HUD documents into Spanish.

#### v. Comprehensive Plan

In Illinois, the power behind land use decisions resides with municipal governments through the formulation and administration of local controls. These include comprehensive plans and zoning ordinances.

The Village's Comprehensive Plan was adopted in September 1990. Current plans call for an update to be initiated by 2010. Within the 1990 plan, there were three primary goals, one each for housing, transportation and parking, and public facilities and services. The housing goal promoted affordable and fair housing ideals: "to preserve and enhance Oak Park's stable residential environment so persons of all ages, races and income levels can continue to live here in sound, affordable housing."

To achieve this, the Village adopted six objectives, three of which spoke directly to affordable and fair housing principles. These three objectives and the correlating policies include the following:

- Objective A: To support racial integration throughout Oak Park and prevent re-segregation in any part of the Village.
  - Policy 1: Promote strong multi-racial demand for housing in all parts of the Village.
  - Policy 2: Promote an open, unitary housing market throughout the metropolitan area to expand choice for homeowners.
  - Policy 3: Support effort to improve services in and revitalize the Austin neighborhood.
  - Policy 4: Review all major proposed governmental actions, including but not limited to, zoning, development, schools, and public works proposals, to identify their impacts on promoting integration and preventing re-segregation.
- Objective B: To support an economically diverse housing stock for all income and age groups living or working in Oak Park.

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<sup>13</sup> U.S. Census Bureau, 2005-2007 American Community Survey Three Year Estimates (B06007)

- Policy 5: Preserve and expand a variety of housing types to help meet the shelter needs of existing income groups living and working in Oak Park.
- Policy 6: The Village shall maintain a Housing Assistance Plan for the benefit of its residents.
- Policy 7: Encourage the provision of equal housing opportunities for all residents of the Village.
- Objective C: To enhance and maintain the quality of housing stock for all income and age groups living or working in Oak Park.
  - Policy 8: Continue the Housing Code Enforcement Program for multiple-family and single-family dwelling units.
  - Policy 9: Continue the Village's active role in encouraging the rehabilitation of multiple-family and single-family housing.
  - Policy 10: Support high-quality management practices, and create an understanding of the rights and options of tenants.

It is evident that Oak Park, through its Comprehensive Plan, has taken a very strong stand in favor of protecting and sustaining a diverse community with equal housing opportunities for persons of all income levels.

#### vi. Zoning

The Oak Park zoning ordinance was reviewed to identify provisions that may potentially impede fair housing choice. The analysis was based on topics raised in HUD's Fair Housing Planning Guide, which include:

- The opportunity to develop various housing types (including apartments and housing at various densities)
- The opportunity to develop alternative designs (such as cluster developments and planned residential developments)
- The treatment of mobile or modular homes, and if they are treated as stick-built single family dwellings
- Minimum lot size requirements
- Dispersal requirements and regulatory provisions for housing facilities for persons with disabilities (i.e. group homes) in single family zoning districts
- Restrictions on the number of unrelated persons in dwelling units based on the size of the unit or the number of bedrooms.

It is important to consider that the presence of inclusive zoning does not necessarily guarantee the fairness of a zoning ordinance.

#### a. Date of Ordinance

Generally speaking, the older a zoning ordinance, the less effective it will be. Older zoning ordinances have not evolved to address changing land uses, lifestyles, and demographics. However, the age of the zoning

ordinance does not necessarily mean that the regulations impede housing choice by members of the protected classes.

The Oak Park zoning ordinance was adopted in 2002 and has been amended through 2009.

**b. Residential Zoning Districts**

The number of residential zoning districts is not as significant as the characteristics of each district, including permitted land uses, minimum lot sizes, and permitted housing types. However, the number of residential zoning districts is indicative of the municipality's desire to promote and provide a diverse housing stock for different types of households at a wide range of income levels.

The Village has a total of four single family and three multi-family residential zoning districts. These include:

- R-1, Single Family District
- R-2, Single Family District
- R-3, Single Family District
- R-4, Single Family District
- R-5, Two-Family District
- R-6, Multiple-Family District, and
- R-7, Multiple-Family District.

The Village also permits residential units in the following non-residential zoning districts:

- B-1 and B-2, General Business Districts
- B-3, Central Business District
- B-4, Downtown Business District, and
- C, Commercial District.

**c. Permitted Residential Lot Sizes**

Because members of the protected classes are often also in low income households, a lack of affordable housing may impede housing choice by members of the protected classes. Excessively large lot sizes may deter development of affordable housing. A balance should be struck between areas with larger lots and those for smaller lots that will more easily support creation of affordable housing. Finally, the cost of land is an important factor in assessing affordable housing opportunities. Although small lot sizes of 10,000 square feet or less may be permitted, if the cost to acquire such a lot is prohibitively expensive, then new affordable housing opportunities may be severely limited, if not non-existent.

There are very limited opportunities for new housing development in Oak Park other than in commercial districts as a mixed use project. In most cases, existing homes must be demolished before new single family dwelling units can be built. Development of new large, multi-family

residential developments also can be very difficult to achieve due to the necessity of acquiring adjacent parcels of land in a built-out urbanized community.

When new single family housing development is possible, construction can occur on lots as small as 3,500 square feet in the R-4 districts. Slightly larger minimum lot sizes of 5,000 and 6,200 square feet are required in the R-3 and R-4 districts, respectively, for the same type of dwelling. The largest minimum lot size required in the Village is 10,000 square feet in the R-1 district. In terms of size, strictly speaking, this range of minimum lot sizes is relatively accommodating for a variety of housing needs. However, the cost of residential lots (whether vacant or improved) in Oak Park, is a barrier to affordable housing.

In the multi-family zoning districts, the minimum lot size ranges from 3,500 to 10,000 square feet in each of the three districts. The smaller minimum lot size per dwelling unit in the multi-family residential districts is sufficient to provide affordable housing opportunities if cost were not a factor.

**Figure 5-2  
 Oak Park Residential Zoning Districts**

Residential Zoning Districts	Minimum Lot Sizes for Residential Uses	Residential Dwelling Unit Types Permitted
<b>Single Family Districts</b>		
R-1	10,000 square feet	Family Residential-Care Home, Foster Home, Single-family Detached Dwelling, Two-Family Dwelling. Special Uses include Group Residential-Care Home, Parish House, School Housing Facility, Single-family Attached Dwelling.
R-2	6,200 to 10,000 square feet	
R-3	5,000 to 10,000 square feet	
R-4	3,500 to 10,000 square feet	
<b>Multiple-Family Districts</b>		
R-5	3,500 to 10,000 square feet	Family Residential-Care Home, Foster Home, Single-family Detached Dwelling. Special Uses include Group Residential-Care Home, Parish House, School Housing Facility, Single-family Attached Dwelling.
R-6	3,500 to 10,000 square feet	Family Residential-Care Home, Foster Home, Single-family Detached Dwelling, Multiple-Family Dwelling, Two-Family Dwelling. Special Uses include Group Residential-Care Home, Parish House, School Housing Facility.
R-7	3,500 to 10,000 square feet	Family Residential-Care Home, Foster Home, Group Quarters, Long-term Care Facility & Assisted Living Facility, Single-family Detached Dwelling, Multiple-Family Dwelling, Two-Family Dwelling. Special Uses include Parish House, Senior Citizen Multiple-Family Dwelling.

Source: Village of Oak Park Zoning Ordinance

**d. Alternative Design**

Allowing alternative designs provides opportunities for affordable housing by reducing the cost of infrastructure spread out over a larger parcel of land. Alternative designs may also increase the economies of scale in site development, further supporting the development of lower cost housing. Alternative designs can promote other community development objectives, including agricultural preservation or protection of environmentally sensitive lands, while off-setting large lot zoning and supporting the development of varied residential types. However, in many communities, alternative design developments often include higher-priced homes. Consideration should be given to alternative design developments that seek to produce and preserve affordable housing options for working and lower income households.

Oak Park allows alternative design through its Planned Development District regulations. As stated in the zoning ordinance, the purpose of this district is to “promote the effective use of land and resources, thereby fostering greater community sustainability and efficiency in public and utility services.” Specific objectives desired within Planned Developments include, among other things, “creative design, landscape, and/or architectural features” and “enhancement of the existing character and property values.” However, affordable housing is not mentioned specifically as a desired objective.

**e. Permitted Residential Types**

Similar to excessively large lots, restrictive forms of land use that exclude any particular form of housing, particularly multi-family housing, discourage the development of affordable housing. Allowing varied residential types reduces potential impediments to housing choice by members of the protected classes.

In addition to allowing residential development on small lots, Oak Park also provides for a variety of dwelling unit types. Detached single family dwelling units are permitted by-right in all single family residential districts. Two-family dwelling units are permitted by-right in the multiple family districts, and attached single family dwellings are permitted by Special Use in all single family districts. Multiple family structures are permitted by-right in the R-6 and R-7 districts.

**f. Definition of Family**

Restrictive definitions of family may impede unrelated individuals from sharing a dwelling unit. Defining family broadly advances non-traditional families and supports the blending of families who may be living together for economic purposes. Restrictions in the definition of family typically cap the number of unrelated individuals that can live together. These restrictions can impede the development of group homes, effectively impeding housing choice for the disabled. However, in some cases, caps on unrelated individuals residing together may be

warranted to avoid overcrowding, thus creating health and safety concerns.

Oak Park defines family as “either a) Two or more persons, each related to the other by blood, marriage, or adoption, together with usual domestic servants and not more than one *bona fide* guest, all living together as a single housekeeping unit and using common kitchen facilities (that is, a related family); or b) Four or fewer persons, all of whom are not necessarily related to each of the others by blood, marriage, or adoption, all living together as a single housekeeping unit and using common kitchen facilities (that is, an unrelated family). For purposes of this Zoning Ordinance, however, an unrelated family shall not include persons living together in a Residential-Care Home or Nursing Home.”

**g. Regulations for Group Homes for Persons with Disabilities**

Group homes are residential uses that do not adversely impact a community. Efforts should be made to ensure group homes can be easily accommodated throughout the community under the same standards as any other residential use. Of particular concern are those that serve members of the protected classes such as the disabled. Because a group home for the disabled serves to provide a non-institutional experience for its occupants, imposing conditions are contrary to the purpose of a group home. More importantly, the restrictions, unless executed against all residential uses in the zoning district, are an impediment to the siting of group homes in violation of the Fair Housing Act.

Oak Park classifies a group home as either a Family Residential-Care Home or a Group Residential-Care Home. Both definitions refer to a group of individuals with disabilities living together as a single housekeeping unit with supervisory personnel. A Family Residential-Care Home is limited to six persons with disabilities while a Group Residential-Care Home is allowed to shelter seven to 15 persons with disabilities.

Family Residential-Care Homes are permitted by-right in all residential districts in the Village. Group Residential-Care Homes are permitted by-right in the R-7 district and by Special Use permit in all other residential districts. The Special Use permitting process requires a public hearing and an ordinance approved by the Village Board.

**h. Consistency between the Zoning Ordinance and the Comprehensive Plan**

The Comprehensive Plan espouses very progressive affordable and fair housing ideals, which the Village attempts to implement through a series of well-thought objectives and policies. However, nowhere in the Village Zoning Ordinance was the stated intent or purpose advocating the concept of “affordable housing” found. Although there are

development standards that permit residential development on smaller lots, for example, no statement was found that specifically stated the provision of affordable housing was a primary goal to be achieved through the implementation of the local zoning ordinance. While this omission in and of itself would not constitute an impediment to fair housing, clearly stating the Village's intent to provide affordable housing would eliminate the inconsistency.

**vii. Public Housing**

Oak Park Housing Authority owns and manages one public housing development, Mills Park Tower, a 198-unit complex. Mills Park Tower operates under a HUD-approved Designated Housing Plan (DHP), which permits 188 of the units to be designated for occupancy by elderly residents and the remaining 10 units made available for occupancy by non-elderly persons with disabilities.

OPHA also administers 427 Section 8 Housing Choice vouchers. The waiting list for vouchers also is extremely lengthy and persons with disabilities are not granted a preference. According to OPHA, one third of the applicants waiting for Section 8 vouchers have disabilities.

Two policy documents utilized by OPHA were reviewed for this analysis. A summary of the reviews of the administrative plans for both public housing and the Section 8 Housing Choice Voucher Program are included below.

**a. Section 8 Housing Choice Voucher Admin Plan**

Section C(2) of Chapter 1 the Section 8 Admin Plan includes a fair housing policy in which OPHA states its anti-discrimination policy. The list of protected classes includes race, color, sex, religion, creed, national or ethnic origin, age, familial or marital status, handicap or disability and sexual orientation. As a matter of policy, civil rights and fair housing information is provided to clients during the family briefing session and as part of the voucher holder's briefing packet.

Fair housing orientation for OPHA staff is also a stated policy. Staff is required to attend fair housing training, including training on the provision of reasonable accommodation to persons with disabilities.

OPHA's policy relative to reasonable accommodations is set forth in Section 3(a) of Chapter 1 the Plan. Participants with a disability must request a special accommodation in order to be treated differently than other (non-disabled) voucher holders. OPHA has created a form for this purpose. In order to be considered as a person with a disability, the applicant or voucher holder must certify that they meet the ADA definition of disability, i.e., a physical or mental impairment that substantially limits one or more of the major life activities, a record of such impairment or being regarded as having such impairment. OPHA will then utilize reliable, knowledgeable and professional representatives to verify the disability.

In Section 3(b) of Chapter 1, OPHA's policy relative to translation of documents is stated. OPHA will consider translating documents into other languages based on the number of applicants and participants who do not speak English. In cases where only one family speaks a language other than English, OPHA will arrange for an interpreter.

In Chapter 7 of the Plan, OPHA states that it will not deny Section 8 vouchers on the basis that the applicant is or has been a victim of domestic violence, dating violence or stalking. In Chapter 1, Section 6 of the Plan, OPHA states its policy to keep confidential any information provided by victims of domestic violence, dating violence or stalking. OPHA will release such information only in limited circumstances, such as when the victim authorizes the release, as part of an eviction proceeding or when it is otherwise compelled by law to release the information. OPHA will provide victims with contact information for the National Domestic Violence Hot Line as well as local advocacy organizations.

In order to be eligible to receive a Section 8 Housing Choice Voucher, the applicant must be a "family". In Chapter 2 of the Admin Plan, OPHA defines "family" as a single person or a group of persons consisting of two or more elderly persons or disabled persons living together. Family also includes one or more elderly or disabled persons living with one or more live-in aides. A child that is temporarily away from home because of placement in foster care is considered a member of the family. At least one member of the family must be a U.S. citizen or have eligible immigration status. There are a number of other circumstances which are covered in the discussion of family, such as cases where two families live together as a single family unit.

Chapter 2(c) makes it clear that OPHA will not consider certain factors when evaluating the eligibility of Section 8 applicants including the address of the applicant prior to the admission to the Section 8 Program, unwed parents, recipients of public assistance or children born out of wedlock.

In Chapter 3(c), OPHA establishes a waiting list preference for families who live or work more than 30 hours per week in the Village of Oak Park. Persons with disabilities who are unable to work are not considered to be at a disadvantage with this preference since an equal preference is given to individuals who either live or work in the Village.<sup>14</sup>

Any applicant or participant who feels that he or she has been treated unreasonably is entitled to an informal review by OPHA staff. A notice of the findings of the informal review is provided to the appellant in

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<sup>14</sup> According to OPHA, of the 535 Section 8 vouchers in use at the time of this Analysis, 249 (47%) were held by persons with disabilities. As a result, OPHA concluded that there is no discriminatory impact on persons with disabilities due to the lack of a specific preference for persons with disabilities.

writing. Furthermore, OPHA must always provide the opportunity for an informal hearing before terminating Section 8 assistance. OPHA's policies recognize that the presence of a disability may be treated as a mitigating circumstance during the hearing process. Examples of mitigating circumstances include persons with cognitive disorders that may not have fully understood conditions of continued Section 8 assistance.

In Chapter 9 of the Section 8 Admin Plan, OPHA states its commitment to encouraging the participation of landlords in all areas of the Village and to avoid concentration of voucher holders in any one area of the Village. OPHA has established an official policy of performing outreach to landlords in all areas of the Village and providing Section 8 applicants with information about apartments in all areas of Oak Park. OPHA also pledges to affirmatively further fair housing by providing participants with a broad range of housing options, including "porting out" to other jurisdictions when such measures promote the goals of racial integration and deconcentration of poverty.

Also in Chapter 9, OPHA states that it will consider a payment standard higher than 110% when a reasonable accommodation is required for a family that includes a person with disabilities. In order to assist larger families, HUD has authorized OPHA to establish a payment standard of 120% of FMR for all 3-bedroom units and higher.

Section 8 assistance for "mixed" families is covered in Chapter 10 of the Section 8 Admin Plan. A "mixed" family is a family that includes at least one U.S. citizen or eligible immigrant and any number of ineligible members. Mixed families are eligible for continued assistance provided that at least one member of the family is a U.S. citizen or has eligible immigrant status.

**b. Public Housing Administrative Plan**

Oak Park Housing Authority owns and operates only one public housing development known as Mills Park Tower. This is a 19-story, 198-unit elderly residential facility that was constructed in 1975. All 198 units are one-bedroom units. Applicants must be 62 years of age or older in order to be considered for residency at Mills Park Tower. This elevator building is accessible to persons with disabilities.

Chapter 1, Section E of the Public Housing Admin Plan includes a fair housing policy in which OPHA states its anti-discrimination policy. The list of protected classes includes race, color, sex, religion, creed, national or ethnic origin, age, familial or marital status, handicap or disability and sexual orientation.

Section F of Chapter 1 includes a reasonable accommodation policy for persons with disabilities. Such persons will be provided with reasonable accommodations when the Authority verifies that the proposed accommodation meets the need presented by the disability.

Modifications that cost \$300 or less may be approved by the Director. The Board of Directors must approve modifications involving costs in excess of \$300. Reasonable accommodation will be provided for persons with a disability who require an advocate. All OPHA mailings will be made available in an accessible format upon request.

Translation of documents is covered in Section G of Chapter 1. OPHA will consider translating documents into other languages based on the number of applicants and participants who do not speak English. In cases where only one family speaks a language other than English, OPHA will arrange for an interpreter.

Chapter 2 defines the Authority's admission procedures. All applicants must qualify as a family. A family may be a single person or a group of persons. It is the stated policy of OPHA that discrimination on the basis of familial status is prohibited. This means that a group of persons may not be denied residency solely on the basis that they are not related by blood, marriage or operation of law. The term "family" is defined as two or more persons who are not related by blood, marriage, adoption, guardianship or operation of law, but are regularly living together, can verify shared income or resources and will live together in OPHA housing. The term "family" also includes an elderly person or persons living with one or more live-in aides. A family may include a live-in aide provided that the aide is determined to be essential to the care and well-being of an elderly person or a person with a disability. OPHA restricts tenancy in Mills Park Tower to one or two persons per unit.

Chapter 4 of the Public Housing Admin Plan establishes waiting list preferences. There are several ranking preferences at Mills Park Tower, including applicants residing with friends or relatives on a temporary basis and those paying more than 50% of their income for rent. A third preference involves applicants currently living or working in Oak Park and/or former residents of the Village of Oak Park who have lived in the Village for at least ten continuous years at one given time. This latter preference supersedes all other preferences.

Chapter 6 defines OPHA's public housing pet policy. Pets must be registered with OPHA. The registration fee is \$50. The pet owner must enter into a Pet Agreement with the Authority. A person with a disability may be excluded from the pet policy if the animal has been trained to assist with a specified disability and the animal actually assists the person with the specified disability.

Chapter 8 establishes a procedure for residents to present complaints and grievances. Applicants that feel they have been unduly denied admission may request an informal hearing. Residents may file a grievance when they feel that an OPHA action or inaction has adversely affected their rights, duties, welfare or status. The family may appeal the decision of the hearing officer to OPHA's Board of Directors.

**viii. Taxes**

Taxes impact housing affordability. While not an impediment to fair housing choice, real estate taxes can impact the choice that households make with regard to where to live. Tax increases can be burdensome to low-income homeowners, and increases are usually passed on to renters through rent increases. Tax rates for specific districts and the assessed value of all properties are the two major calculations used to determine revenues collected by a jurisdiction. Determining a jurisdiction's relative housing affordability, in part, can be accomplished using tax rates.

However, straight comparison of tax rates to determine whether a property is affordable or unaffordable gives an incomplete and unrealistic picture of property taxes. Local governments with higher property tax rates, for example, may have higher rates because the assessed values of properties in the community are low, resulting in a fairly low tax bill for any given property. In all of the communities surrounding a jurisdiction, comparable rates for various classes of property (residential, commercial, industrial, etc.) are assigned to balance each community's unique set of resources and needs. These factors and others that are out of the municipality's control must be considered when performing tax rate comparisons.

State legislation also directly affects a jurisdiction's ability to levy taxes. In Illinois, property tax caps are in place in the collar counties around Chicago (DuPage, Grundy, Kane, Kendall, Lake, McHenry, and Will counties) and suburban Cook County in an attempt to curb high increases in property taxes. Tax increases had resulted from rapid increases in assessed housing value, a direct result of a booming housing market. These areas are now limited to yearly increases in local government collections to 5%, or the rate of inflation, whichever is less. This restriction can hamper the ability of local governments to match service needs with revenue.

Although most revenues in Illinois are traditionally raised through four main taxing agencies (county, township, municipality and school district), smaller taxing districts with specific functions – such as providing funds for fire protection, mosquito abatement, or libraries – are increasing in popularity. In response to particular neighborhood needs, the Village of Oak Park has established various Special Service Areas where additional rates apply. Few, if any, residential properties currently fall into these areas, which are focused on the downtown business district and along the Eisenhower Expressway. Therefore, most residential property owners in Oak Park pay the uniform composite tax rate of 9.242. A breakdown of rates by agency appears in Figure 5-3.

In order to achieve uniform property assessment across all counties, Illinois calculates a yearly equalization factor, or multiplier, that is part of the property tax equation. In 2007, Cook County's factor was 2.8439, up from 2.7076 in 2006. Equalization is calculated by comparing a county's market value (actual selling price) with assessed values (assigned by the county). In

Cook County, properties are not assessed at 100% of market value – instead, residential properties with fewer than six units are assessed at 16%, as of 2007. Different percentages apply to other property categories. Property tax in Oak Park is equal to the assessed value (0.16 \* MV) multiplied by the equalization value (2.8439) and the applicable composite tax rate (0.09242). Therefore, an Oak Park residential property with an estimated market value of \$300,000 with no exemptions would incur a total property tax bill of approximately \$12,616 per year, or \$1,051 per month.

**Figure 5-3  
 Oak Park Millage Rates by Taxing Body – 2006-2007**

Taxing Agency	2007 Rate	2006 Rate	% Change
Cook County	0.446	0.5	-10.8%
County Forest Preserve District	0.053	0.057	-7.0%
Consolidated Elections	0.012	-	-
Oak Park Township	0.124	0.126	-1.6%
Oak Park General Assistance	0.03	0.028	7.1%
Oak Park Mental Health District	0.084	0.087	-3.4%
School District 97	3.059	3.136	-2.5%
Cons. High School District 200	2.848	2.905	-2.0%
Community College District 504	0.224	0.24	-6.7%
Village of Oak Park	1.13	1.119	1.0%
Village Library Fund	0.51	0.521	-2.1%
Village Special Service Area 1	1.369	1.39	-1.5%
Village Special Service Area 2	-	-	-
Village Special Service Area 3	-	-	-
Village Special Service Area 4	-	-	-
Village Special Service Area 5	0.451	0.463	-2.6%
Village Special Service Area 6	0.133	0.137	-2.9%
Park District of Oak Park	0.447	0.435	2.8%
Metro Water Reclamation District	0.263	0.284	-7.4%
DPV Mosquito Abatement District	0.012	0.012	0.0%
Suburban TB Sanitarium District	-	0.005	-
<b>Sample Composite Rate*</b>	<b>9.242</b>	<b>9.455</b>	<b>-2.3%</b>

\* Rates differ within the Village depending on tax code, or which agencies have jurisdiction. Oak Park has 12 tax codes. This composite rate is for a Village taxpayer who has a Special Service Area rate of 0.

Source: Cook County Clerk's Office

Property tax rates in Oak Park are high. According to Oak Park Township, Oak Park residents typically demand high levels of municipal and educational services. Since the Village's tax base does not include large commercial or industrial properties, most of the taxes that pay for these services are generated by residential properties. A comparison of composite rates in Oak Park and nearby townships appears in the following table. Some areas, such as Cicero and Stickney, have tax rates higher than in Oak Park, but the assessed value of properties is much lower in those areas, meaning that Oak Park residents still pay more in taxes.

**Figure 5-4  
 Property Tax Rates within Area Townships – 2007**

Area Townships	Range of FY07 Sample Composite Rates
Berwyn	8.643 - 9.427
Cicero	10.270 - 10.382
Evanston	6.541 - 6.916
Jefferson	4.994 - 5.376
Lake	4.994 - 5.376
Leyden	5.955 - 8.559
Lyons	5.367 - 11.040
Norwood Park	5.085 - 6.511
Oak Park	9.242
River Forest	8.611
Riverside	6.249 - 7.266
Rogers Park	4.994 - 5.376
Stickney	6.685 - 10.394
West	4.994 - 5.376

Source: Cook County Clerk's Office

The significance of higher property taxes on residential properties is that the amount of taxes must be factored into the question of affordability. If a property owner is considering the purchase of a home, estimating the monthly mortgage payment must include the mortgage principal and interest, property taxes and homeowner's insurance.

In some local governments where property taxes are used as a main source of school district funding, decision makers have intentionally or indirectly advanced policies to limit the growth of housing for families with children to avoid the cost of paying for their schooling. This has not been the case in Oak Park, where there is a steady supply of family housing and potential residents continue to be attracted by a high-performing educational system.

The latest property reassessment for Oak Park occurred in 2008. The next assessment is scheduled for 2011. Illinois' policy of requiring reassessment every four years (every three years in Cook County) minimizes inequity in the system of taxation, as changes in assessed value keep pace with changes in market value across the board. In states that do not require periodic reassessment, the assessed values of years long past continue to apply to 1) neighborhoods that are in decline, resulting in over-taxation on poorer residents, and 2) neighborhoods where values have increased, resulting in under-taxation on those who are prospering. This is not the case in Oak Park, where assessments are generally accurate. However, rapid shifts in the local housing market over the past decade, including ballooning home values that in many cases have recently deflated, have added room for inequity.

Illinois law provides property tax relief for targeted policy outcomes and special-needs populations through a number of exemptions and credits, including an Alternative General Homestead Exemption (Cook County only), Long-Time Occupant Homestead Exemption (Cook County only) and exemptions for disabled veterans, returning veterans and homestead improvement. Programs for seniors include a tax deferral program, senior

homestead exemption and an assessment freeze. It is the property owner's responsibility to apply for these as provided by law.

The Alternative General Homestead credit, designed to encourage home ownership among residents at all income levels in Cook County, effectively reduces equalized assessment by \$4,500, resulting in about \$450 in tax savings each year. A 2007 assessment of this policy in Chicago and suburban Cook County concludes that the exemption shifts the real estate burden to non-residential taxpayers. While this incentivizes home purchase in the County, it has the potential effect of chasing business activity away. The Long-Time Occupant exemption protects lower-income homeowners from large tax increases due to reassessment.

According to recent data from the Illinois Comptroller's office, most local governments and school districts in the state lean heavily on real estate tax revenues. Dependency varies from less than one-third of revenues for counties and municipalities to half of revenues for school districts and more than half of revenues for some special districts. The Property Tax Extension Limitation Law (PTELL) is one effort to limit the impact of rising property taxes. However, further diversification remains a desirable aim in restructuring the funding systems of local governments and school districts.

Much has been written about the structurally regressive nature of property taxes, which are not adjusted to reflect a taxpayer's ability to pay. The generally accepted policy effects of heavy reliance on property taxes in a system of fragmented local governments are:

Fiscal zoning, as some jurisdictions, often rural, selectively develop expensive properties with low service needs for the purpose of attracting affluent residents and businesses. A pool of high assessed values allows these jurisdictions to keep taxes low, but excludes affordable housing and the low-income people who buy it.

Incentivizing sprawl, as wealthier residents and businesses are often attracted to the lower property tax rates in such communities and move, leaving behind urban core areas with greater social needs (which, given the resulting population loss, must raise tax rates to achieve the same revenue, thus becoming even less competitive), and

Slower rates of local housing production in areas with comparatively high rates, as developers are less likely to invest in less attractive tax environments, especially if taxes are less burdensome in neighboring communities.

The application of these principles to the Village of Oak Park is somewhat limited, as the Village has enjoyed steady rates of housing production and an ongoing demand for property, despite its relatively high property tax rates. However, the Village exists in a larger environment of regional competition in which these principles do apply. As a jurisdiction's tax climate affects its

competitive position within the region and larger, systemic reliance on property taxes ensures that the above factors are in play across the metropolitan region, tax policy becomes not only a matter of balancing the burden of taxation among residents, businesses and visitors, but also one of sound and sustainable community planning.

**ix. Public Transit**

Households without a vehicle, which in many cases are primarily low-moderate income households, are at a disadvantage in accessing jobs and services, particularly if public transit is inadequate or absent. Access to public transit is critical to these households. Without convenient access, employment is potentially at risk and their ability to remain housed is greatly impacted. In 2000, there were 2,884 transit-dependent households in Oak Park, comprising 12.5% of all households. Renters were far more likely to be transit-dependent than homeowners, as 22.1% of renter households did not have access to a vehicle, compared to 5% of owner households.

**Figure 5-5  
 Means of Transportation to Work – 2000**

	#	%
Total Sample	29,484	100.0%
<b>Car, truck or van</b>	<b>20,166</b>	<b>68.4%</b>
Drove alone	17,920	60.8%
Carpooled	2,246	7.6%
<b>Public transportation</b>	<b>6,417</b>	<b>21.8%</b>
Bus	892	3.0%
Taxicab	77	0.3%
Streetcar/trolley	40	0.1%
Subway/elevated	4,492	15.2%
Railroad	916	3.1%
Walked	1,181	4.0%
Worked at home	1,514	5.1%
Bicycle	147	0.5%
Motorcycle	10	0.0%
Other means	49	0.2%

Source: U.S. Census Bureau, Census 2000 (SF3, P30)

In Oak Park, however, convenient access to vast systems of public transportation is a major community asset and it remains a primary way for residents who use public transit to get to work. According to Village estimates, Oak Park is within reasonable commuting distance of 1.6 million jobs. And, according to a study issued in 2000 by the Center for Neighborhood Technology and the Surface Transportation Policy Project, Oak Park residents have the lowest estimated transportation costs of any suburb in the Chicago region, due to the Village’s location, design, and access to transportation options.

In 2000, 21.8% of residents used public transportation to commute. Of the 6,417 people who reported using public transit, rapid rail was the most common form, used by 70% of riders. The traditional rail and bus systems were used by 14.3% and 13.9% of riders, respectively.

The map on the following page includes route information for transit service in Oak Park. Primary modes are operated by the three Regional Transportation Authority (RTA) providers: Chicago Transit Authority (bus and “El,” or heavy rail rapid transit), Metra (the suburban rail system) and Pace (the suburban bus system). A variety of routes run through the Village, ensuring service within reasonable walking distance of all of the area’s residential neighborhoods. The transportation network under the aegis of RTA is the second largest in the nation, serving more than 40 communities.

### *CTA*

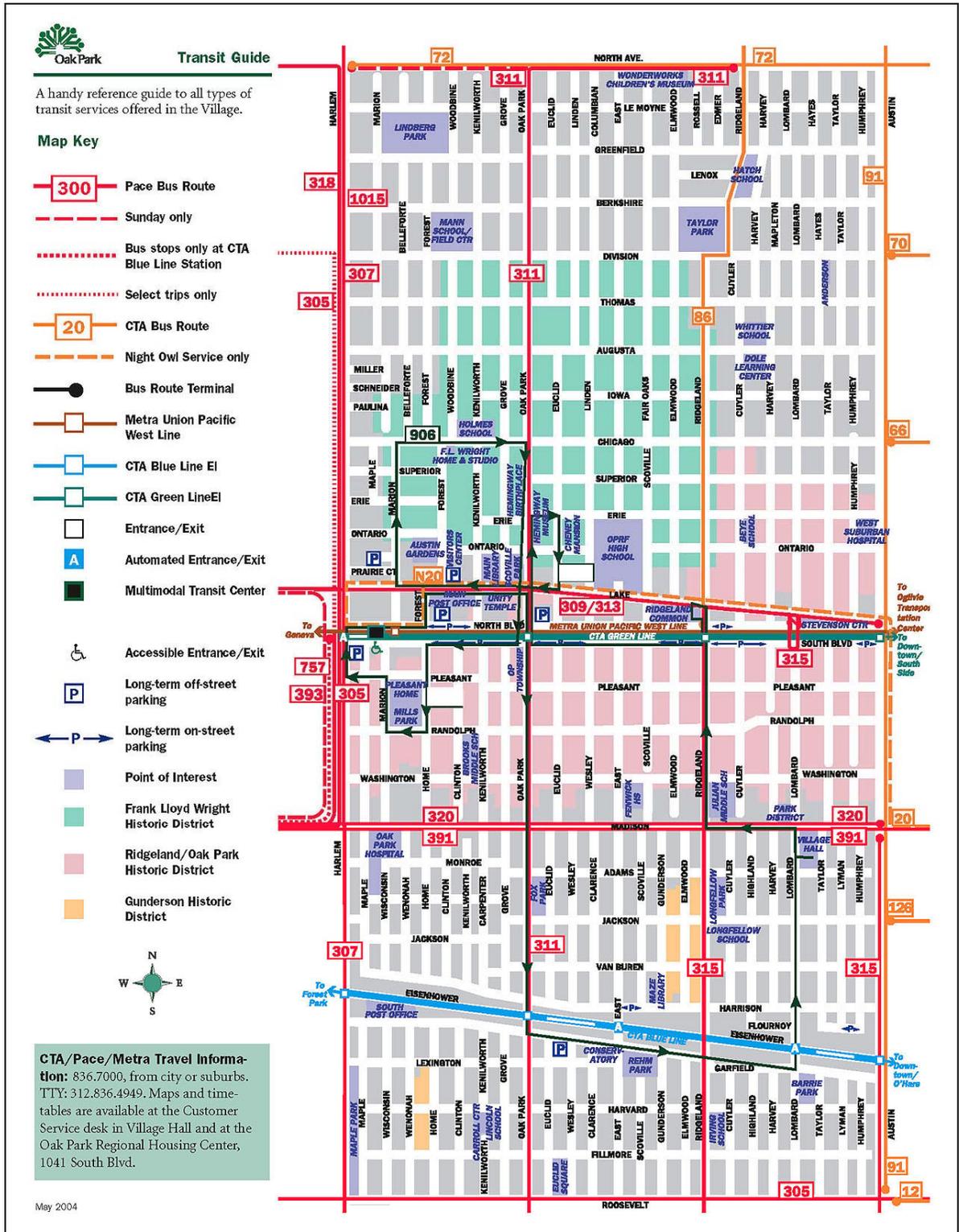
Oak Park is served by nine CTA bus lines that connect to destinations throughout the Chicago metropolitan region. Service runs 24 hours a day, seven days a week, affording Oak Park residents access to work any shift. All of CTA’s 153 bus routes are fully accessible to riders with disabilities, as all buses are equipped with lifts and ramps that are available for use upon request by anyone who has difficulty using steps. Seniors over age 65 qualify for free service from CTA, Metra and Pace.

CTA rapid rail service (the “El”) running through Oak Park includes the Green Line, service between Harlem in Forest Park and Oak Park to 63rd Street on Chicago's South Side, and the Blue Line, service between Chicago-O’Hare International Airport via downtown Chicago. The Green Line runs from 4 a.m. to 12:30 a.m., and the Blue Line runs 24 hours daily. Many rail stations along the Green and Blue lines are accessible to persons with disabilities, but six of the seven Oak Park stations do not meet ADA standards, due to the lack of elevators.

### *Metra*

Metra, the commuter rail system serving the Chicago area, currently runs 11 lines with 239 stations covering the six-county area of Northeast Illinois. The Oak Park Metra station links riders to service east to the Ogilvie Transportation Center in downtown Chicago and as far west as Elburn. Average travel time to Chicago is under 20 minutes. Trains between Oak Park and downtown Chicago run from 5:50 a.m. to 11:30 p.m. on weekdays and 9:30 a.m. to 11:30 p.m. on Sundays and holidays, providing relatively limited service to residents working the third shift.

Figure 5-6  
 Public Transit Routes through and within Oak Park – 2009



### *Pace*

Pace Suburban Bus operates fixed-route bus service that carries commuters throughout more than 220 communities in the six-county metropolitan region. Oak Park is currently served by nine Pace routes, providing service to points throughout the Village and nearby areas of interest, including employment centers, shopping centers, transportation hubs, college campuses and other attractions. Pace recently discontinued a night-shift route serving workers at UPS Addison. Hours of operation for Pace lines are generally more limited than CTA buses, as most lines do not run overnight. The average Pace bus serving Oak Park runs from 7 a.m. to 9 p.m. on weekdays and from 9 a.m. to 7 p.m. on Sundays. Therefore, Pace route options are limited for persons working third-shift hours. Pace has a comprehensive set of accessibility policies, ensuring that all routes serve persons with disabilities.

### *System Analysis and Planning*

The Chicago Metropolitan Agency for Planning (CMAP) is the metropolitan planning organization (MPO) for the Chicago Metropolitan Urbanized Area, which includes the Village of Oak Park. As the region's designated MPO, CMAP updated the 2030 Regional Transportation Plan for Northeastern Illinois in 2008. The long-range plan is required by the U.S. Department of Transportation for all jurisdictions receiving federal funding under SAFETEA-LU (Safe Accountable Flexible Efficient Transportation Equity Act – A Legacy for Users).

The long-range CMAP plan expresses the Chicago region's adopted vision for its transportation future, including goals, objectives, strategies, systems and projects to improve the efficiency and effectiveness of the regional surface transportation system. The plan identifies three primary goals:

- To maintain the integrity of the existing transportation system through congestion management and the maintenance, reconstruction and replacement of infrastructure
- To improve the performance of the transportation system through establishing and achieving objectives for overall efficiency, interaction with land use, mobility/accessibility and commercial goods movement, and
- To employ transportation to sustain the region's vision and values through establishing and achieving objectives related to the natural environment, economic and community development, social equity, safety, security and public health.

In specific regard to public transportation, the plan recognizes a need for more coordination between and among transit service providers. The Regional Transit Authority is currently preparing a regional transit

coordination plan that will contain recommendations for service coordination elements, including:

- Providing real-time transit service information to travelers,
- Enhancing the physical layout of transit stations and transfer links,
- Improving and integrating transit schedules and itineraries, and
- Facilitating fare payment and collection, especially for patrons of multiple operations.

While many individual agencies have produced their own transportation management centers, such as IDOT's Traffic Systems Center, the Illinois Transit Hub and Metra's Consolidated Control Facility, the plan envisions more comprehensive multi-agency provisions.

To serve a similar end, RTA is now developing the region's first Human Services Transportation Plan, designed to provide strategies that will enable elderly individuals, persons with disabilities and low-income persons to increase their mobility and gain increased access to jobs, medical facilities and other services through more coordinated services. This plan intends to reduce service gaps and account for future increases in demand.

In 2008, the Oak Park Village Board unanimously approved the Village's first formal planning document for bicycle transportation. The 2008 bicycle plan recognizes and intends to enhance the Village's status as a bicycle-friendly community, with the ultimate goal of developing a "world-class" bicycling network and facilities that will be accommodating and safe for all users. Specifically, the 10-year bike plan involves developing a bikeway network of on-street facilities that would place every Oak Park resident and destination within two blocks of an east-west and a north-south bikeway. Suggested improvements include bike lanes, shared lane markings and bicycle boulevards. Expanded bicycle use promises many benefits for the Village, such as the reduction of traffic congestion and vehicle emissions, improved air quality and greater physical fitness. The plan asserts that bicyclists are an indicator of a healthy community: "The more bicyclists you see, the more vibrant and livable that community is."

Ongoing improvements such as these promise to strengthen the network of transportation available to the region's residents. This translates to more employment opportunities for lower income persons who rely on public and alternative transit options to access jobs, thus increasing the array of housing choices.

## **B. Private Sector**

### **i. Real Estate Practices**

Information for this section of the analysis was derived from an interview with representatives of the Oak Park Area Association of Realtors, which covers the area of Oak Park, River Forest, Forest Park and some additional

outlying areas. According to the Association, people who move to Oak Park are seeking out diversity because fair housing is viewed as a “given” in Oak Park; it’s what Oak Park is all about. The Association practices fair housing as a matter of policy. For many agents and brokers who grew up in Oak Park, fair housing is second nature to them.

Village representatives are regularly engaged to speak at the Association’s training sessions for new agents, who are provided with a history lesson of fair housing in Oak Park. Fair housing and ethics are core parts of the licensing and continuing education requirements for all Realtors licensed in Illinois. Agents and brokers are required to achieve 12 hours of continuing education hours every two years. Two 3-hour classes are dedicated to fair housing as part of the required continuing education curriculum. These lectures, which focus on the members of the protected classes, include role-playing and a HUD-produced film of a variety of fair housing scenarios. Additional information is available online on the Association’s website ([www.oakparkrealtors.org](http://www.oakparkrealtors.org)). The Association’s newsletter typically includes quizzes and legislative updates on fair housing issues.

If a grievance is filed against an Association member, the complaint is presented to the Grievance Committee, whose rotating membership will meet to review and discuss it. According to the Association, most grievances filed involve personality differences and no fair housing complaints have been filed.

Multi-List Service forms indicate whether a building has an elevator, but no other accessibility features are indicated on the form.

## ii. Newspaper Advertising

Under federal law, no advertising with respect to the sale or rental of a dwelling may indicate any preference, limitation, or discrimination because of race, color, religion, sex, handicap, familial status or national origin. Additionally, Illinois law provides protection from discrimination based on sexual orientation, gender identity, creed and pregnancy.

The real estate section of the June 3, 2009 print edition of *The Wednesday Journal* was reviewed to identify impediments to housing choice within the published advertisements for houses and other dwelling units held out for sale or for rent. Several major real estate firms placed the HUD fair housing logo in their banner ads. However, HUD’s fair housing logo was not prominently displayed within the publisher’s notice and the newspaper’s policies on accepting and printing real estate ads were not included in the real estate section. Following the public release of the draft Analysis of Impediments, the newspaper included both the HUD logo and the policy statement beginning on November 25, 2009.

No questionable language was noted in any of the for-sale ads. Within the approximately 50 rental ads, however, there were 9 references to “no pets” or

“pets negotiable.” For some persons with disabilities, service animals and therapeutic pets are necessary to achieve independent lives. Specifically, this statement prohibiting or limiting pets discourages persons with disabilities that require service or therapeutic animals from applying for these units. Discussions with the newspaper should be initiated with the recommendation that its policy be modified to require that all future rental real estate ads that state “no pets” (or seek to restrict the type of pet allowed) include the phrase or agree to the following: “except companion/service animals permitted under fair housing laws.” Following the public release of the draft Analysis of Impediments on November 25, 2009, the newspaper included the service animal phrase in its policy statement.

In addition, the real estate section of the June 4, 2009 print edition of *Oak Park Oak Leaves* was reviewed. HUD’s fair housing logo was prominently displayed within the publisher’s notice and the newspaper’s policy on accepting and printing real estate ads, as stated below, was included:

*All real estate advertising in this newspaper is subject to the Fair Housing Act, which makes it illegal to advertise any preference, limitation, or discrimination based on age, race, color, religion, sex, handicap, familial status or national origin, or intention to make any such preferences, limitations or discrimination.*

*The Illinois Human Rights Act prohibits discrimination in the sale, rental or advertising of real estate based on factors in addition to those protected under federal law.*

*This newspaper will not knowingly accept any advertising for real estate which is in violation of the law. All persons are hereby informed that all dwellings advertised in this newspaper are available on an equal opportunity basis.*

*To complain of discrimination, call HUD toll-free at 1-800-669-9777.*

No questionable language was noted in any of the for-sale ads. Within the approximately 120 rental ads, there were 10 references to “no pets,” or “may consider small dog with extra deposit.” Discussions with the newspaper should be initiated with the recommendation that its policy be modified to require that all future rental real estate ads that state “no pets” (or seek to restrict the type of pet allowed) include the phrase or agree to the following: “except companion/service animals permitted under fair housing laws.”

### **iii. Building Owners and Managers Association of Oak Park**

The Building Owners and Managers Association of Oak Park (BOMA) is a trade organization in the Village with 125 members, operating since the mid-1970s. Members include owners and managers of apartment and condominium buildings.

BOMA has a history of working with the Village to ameliorate problems related to renting housing in Oak Park. For example, BOMA supported and

encouraged Village initiatives to create overnight parking spaces on residential streets to accommodate renters. The Village also constructed parking garages to accommodate the parking needs of rental units.

Some BOMA members are Realtors and some are leasing agents. As a result, these individuals receive fair housing training through the Realtor or State leasing agent licensing programs. In addition, owners of buildings with four or more dwelling units pay an annual licensing fee to the Village and are required to attend an annual management seminar. As part of this process, the Village requires the property owners to provide the following data on their properties: the race and ethnicity of all tenants, the number of vacancies and the turnover of units. The race and ethnicity data assist the Village in tracking the degree to which local integration initiatives are effective.

BOMA members who were interviewed for the AI stated their desire to see the Village re-institute the Multi-family Incentives Loan Program for property owners who need financial assistance to renovate and update their units. Due to budgetary constraints, the Village is only able to offer a small grant and Rental Reimbursement Program at this time. It was also stated by some BOMA representatives that the services of the Oak Park Regional Housing Center may no longer be needed, particularly with the younger generations coming into the rental housing market.<sup>15</sup> According to some BOMA representatives, tenants who rent units from the organization's members come to them without the assistance of the Housing Center.<sup>16</sup>

#### **iv. Private Financing**

##### **a. Introduction**

Under the terms of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (F.I.R.R.E.A.), any commercial lending institution that makes five or more home mortgage loans must report all residential loan activity to the Federal Reserve Bank under the terms of the Home Mortgage Disclosure Act (HMDA). The HMDA regulations require most institutions involved in lending to comply and report information on loans denied, withdrawn, or incomplete by race, sex, and income of the applicant. The information from the HMDA statements assists in determining whether financial institutions are serving the housing needs of their communities. The data also helps to identify possible discriminatory lending practices and patterns.

The most recent HMDA data available for Oak Park is dated 2007. Reviewing this data can determine the need to encourage area lenders, other business lenders, and the community at large to actively promote existing programs and develop new programs to assist residents in

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<sup>15</sup> According to the Housing Center, however, no research has documented that younger generations are, or would be, significantly more or less likely to consider race in their housing search. Moreover, the Housing Center's anecdotal experience suggests that younger renters are just as likely to consider race in their housing search.

<sup>16</sup> The Housing Center was responsible for over 1,000 moves to Oak Park in 2008.

securing home mortgage loans for home purchase. The data focuses on the number of homeowner mortgage applications received by lenders for home purchase of one- to four-family dwellings and manufactured housing units. The information provided by race and sex is for the primary applicant only. Co-applicants were not included in the analysis. In addition, where no information is provided or categorized as not applicable, no analysis has been conducted due to lack of information. The following tables outline HMDA data by loan type, loan purpose, applicant race, and sex as well as by action taken on the application, with detailed information to follow.

The statistical data presented below reflects the mortgage lending environment in Oak Park in 2007. Regardless of how these trends may compare to similar regional, state or national trends, the information is noteworthy.

**b. Households by Race**

In 2007, 1,732 mortgage applications were made for the purchase of either a one- to four-family owner-occupied unit or a manufactured housing unit in the Village of Oak Park. Of these applications:

- 63.4% (1,098) were submitted by White households
- 9.2% (160) were submitted by Black households
- 4.9% (85) were submitted by Hispanic households<sup>17</sup>
- 1% (17) were submitted by Asian/Pacific Islander households
- 0.5% (8) were submitted by Hawaiian households
- 0.2% (4) were submitted by American Indian/Alaskan Native households
- Race/ethnicity data was not included for 393 applications (22.7%).

<sup>17</sup> HMDA data classifies Hispanics as an ethnic group and not a race. Therefore, this data overlaps with persons classified under a specified race.

**Figure 5-7  
HMDA Summary of Mortgage Loan Activity – 2007**

Loan Type	Total Applications*		Originated		Approved Not Accepted		Denied		Withdrawn/Incomplete	
	Number	%	Number	%	Number	%	Number	%	Number	%
<b>Loan Type</b>										
Conventional	1,719	99.2%	883	51.4%	94	5.5%	137	8.0%	605	35.2%
FHA	10	0.6%	4	40.0%	-	0.0%	2	20.0%	4	40.0%
VA	3	0.2%	1	33.3%	-	0.0%	-	0.0%	2	66.7%
<b>Loan Purpose: Home Purchase</b>										
One to four-family unit	1,731	99.9%	888	51.3%	94	5.4%	138	8.0%	611	35.3%
Manufactured housing unit	1	0.1%	-	0.0%	-	0.0%	1	100.0%	-	0.0%
<b>Applicant Race</b>										
American Indian/Alaska Native	4	0.2%	1	25.0%	-	0.0%	-	0.0%	3	75.0%
Asian/Pacific Islander	17	1.0%	6	35.3%	6	35.3%	3	17.6%	2	11.8%
Hawaiian	8	0.5%	5	62.5%	1	12.5%	-	0.0%	2	25.0%
Black	160	9.2%	79	49.4%	13	8.1%	39	24.4%	29	18.1%
Hispanic**	85	4.9%	45	52.9%	5	5.9%	19	22.4%	16	18.8%
White	1,098	63.4%	681	62.0%	63	5.7%	74	6.7%	280	25.5%
No information	141	8.1%	80	56.7%	12	8.5%	18	12.8%	31	22.0%
Not applicable	252	14.5%	-	0.0%	-	0.0%	-	0.0%	252	100.0%
<b>Applicant Sex</b>										
Male	883	51.0%	531	60.1%	61	6.9%	68	7.7%	223	25.3%
Female	529	30.5%	319	60.3%	28	5.3%	58	11.0%	124	23.4%
No information	67	3.9%	37	55.2%	5	7.5%	13	19.4%	12	17.9%
Not applicable	253	14.6%	1	0.4%	-	0.0%	-	0.0%	252	99.6%
<b>Total</b>	<b>1,732</b>	<b>100.0%</b>	<b>888</b>	<b>51.3%</b>	<b>94</b>	<b>5.4%</b>	<b>139</b>	<b>8.0%</b>	<b>611</b>	<b>35.3%</b>

Source: Federal Financial Institutions Examination Council, 2007

Note: Percentages in the Approved, Approved Not Accepted, Denied, and Withdrawn/Incomplete categories are calculated for each line item with the corresponding Total Applications figures. Percentages in the Total Applications categories are calculated from their respective total figures.

Note: Total applications do not include loans purchased by another institution.

Note: There were no FSA/RHS loans in 2007.

\*\* Hispanics are classified as an ethnic group, not a race.

**c. Households by Sex**

The HMDA data reports include the sex of the primary applicant. Females submitted 30.5% (319) of the applications. The rate of applications either originated or approved but not accepted was slightly higher for male applicants at 67%, or a total of 592 applications. Applications submitted by females that were originated or approved but not accepted were 65.6%, resulting in a total of 347 applications.

**d. Conventional Loans versus Government Backed Loans**

Loan types included conventional mortgage loans and a variety of government-backed loans, including FHA, VA, and FSA/RHS. Comparing these loan types helps to determine if the less stringent underwriting standards and lower down payment requirements of government-backed loans expand home ownership opportunities. In the Village of Oak Park:

- 0.7% (13) of the households that applied for a mortgage loan applied for a government-backed loan. Only 2, or 15.4%, of these loan applicants were minority households.
- The denial rate for FHA loans was slightly higher than the denial rate for conventional loans, with the exception of VA and FSA/RHS loans.

- The denial rate for FHA loans was 20.0% (2 of 10), while the denial rate for VA-guaranteed loans was 0% (0 of 3).
- The denial rate for conventional loans was 8.0%.

**e. Denial of Applications**

The mortgage applications of 139 households (8%) in the Village of Oak Park were denied. Denial reasons were provided for 123 of the 139 applications and are summarized in the following chart. Incomplete credit applications and unsatisfactory debt-to-income ratios were the major reasons for denial.

**Figure 5-8  
 Reasons for Denial of Mortgage Loans – 2007**

Primary Reason for Denial	#	%
Credit application incomplete	26	21.1%
Debt-to-income ratio	22	17.9%
Other	20	16.3%
Credit history	16	13.0%
Collateral	15	12.2%
Unverifiable information	15	12.2%
Insufficient cash	5	4.1%
Employment history	4	3.3%
Mortgage insurance denied	0	0.0%
<b>Total</b>	<b>123</b>	<b>100.0%</b>

**f. Applications Denied by Race**

Black and Hispanic households were more likely to have their applications denied. Among Black applicants, the rate was 24.4%; among Hispanics, it was 22.8%. Asian households had a lower denial rate of 17.6%. Hawaiian and American Indian households had mortgage application denial rates of 0% though there were only 12 applications combined for the two groups. The denial rate for White households was 6.7%, or 74 of 1,098 applications submitted.

**Figure 5-9  
 Denial of Mortgage Loans by Race and Ethnicity – 2007**

Race/Ethnicity	Total Applications	# of Applications Denied	Denial Rate
Black	160	39	24.4%
Hispanic	85	19	22.4%
Asian/Pacific Islander	17	3	17.6%
No information	141	18	12.8%
White	1,098	74	6.7%
Hawaiian	8	0	0.0%
AIAN	4	0	0.0%
<b>All applications</b>	<b>1,732</b>	<b>139</b>	<b>8.0%</b>

**g. Applications Denied by Income**

The median family income (MFI) in Oak Park was \$69,700 in 2007. For this analysis, lower-income households include those households with incomes between 0%-80% of MFI, while upper-income households include households with incomes above 80% of MFI.

Loan applications made by lower-income households numbered 382, of which 41 were denied. This resulted in a denial rate of 10.7%. Loan applications made by upper-income households numbered 1,159 and only 94 of these were denied, representing 8.1% of the applications for this income group.

**Figure 5-10  
 Denial of Mortgage Loans by Income Level – 2007**

Income Level	Total Applications	Denials	Denial Rate
Below 80% MFI	382	41	10.7%
At least 80% MFI	1,159	94	8.1%
No information	191	4	2.1%
<b>Total</b>	<b>1,732</b>	<b>139</b>	<b>8.0%</b>

**h. Denial Data by Income Level and Race**

Among lower-income applicant households in Oak Park, the denial rate for home mortgages was highest for Black households at 27.3% even though Blacks submitted less than 16% of the applications in this income group. Lower-income Hispanic households accounted for less than 8% of the applications and experienced a denial rate at 24.2%. Notably, White households represented more than 57% of all lower-income applicants but experienced a denial rate of only 5.9%.

**Figure 5-11  
 Denial of Mortgages among Lower Income Applicants by Race/Ethnicity – 2007**

Lower-Income Applicants			
Race/Ethnicity	Total Applications	Denials	Denial Rate
American Indian/Alaska Native	0	0	-
Black	66	18	27.3%
Hispanic	33	8	24.2%
No information/NA	65	9	13.8%
White	237	14	5.9%
Asian/Pacific Islander	10	0	0.0%
Hawaiian	4	0	0.0%
<b>Total</b>	<b>415</b>	<b>49</b>	<b>11.8%</b>

Among applications submitted by upper-income households, denial rates were also higher for minorities. Hispanic households and Black Households were denied at rates of 22.9% and 21.3%, respectively, compared to the rate of 6.9% for White households. Most importantly,

however, is that the rate of denial for upper-income Hispanic households (22.9%) and Black households (21.3%) was significantly higher than the rate of denial for lower-income White households (5.9%).

**Figure 5-12**  
**Denial of Mortgages among Upper Income Applicants by Race/Ethnicity – 2007**

Upper-Income Applicants			
Race/Ethnicity	Total Applications	Denials	Denial Rate
Hispanic	48	11	22.9%
Black	94	20	21.3%
Asian/Pacific Islander	58	8	13.8%
White	839	58	6.9%
No information/NA	160	8	5.0%
American Indian/Alaska Native	4	0	0.0%
Hawaiian	4	0	0.0%

**i. Denial Data by Census Tract**

The HMDA data for the Village of Oak Park was analyzed to determine if a pattern of loan denials exists by census tract. The following table provides the summary data.

**Figure 5-13**  
**Denial of Mortgage Loans by Census Tract – 2007**

Census Tract	Loan Applications Denied		Minority % in Census Tract
	#	%	
8121	18	11.5%	45.36%
8122	21	13.0%	21.09%
8123	12	4.1%	26.07%
8124	1	1.1%	14.02%
8125	2	2.0%	41.38%
8126	0	0.0%	46.60%
8127	7	4.5%	37.20%
8128	10	4.1%	35.95%
8129	1	0.8%	23.63%
8130	5	6.0%	38.56%
8131	12	10.0%	47.87%
8132	2	1.8%	27.56%
<b>Village Total</b>	<b>139</b>	<b>8.0%</b>	

There is no apparent correlation between the percentage of minorities residing in a census tract and the loan application denial rate. The four tracts with the highest percentages of minorities (8121, 8125, 8126, and 8131) include two of the lowest denial rates (8125 and 8126) and two of the highest denial rates (8121 and 8131).

**j. Financial Institutions: Denials by Race, Ethnicity, and Sex**

A review of financial institutions that denied applications was conducted in order to determine if a pattern of denial existed by race, ethnicity or sex. Upon reviewing the data provided by HMDA on denial rates by financial institution, no discernable pattern of denials was found.

**v. High-Cost Lending**

The widespread housing finance market crisis of recent years has brought a new level of public attention to lending practices that victimize vulnerable populations. Subprime lending, designed for borrowers who are considered a credit risk, has increased the availability of credit to low-income persons. At the same time, subprime lending has often exploited borrowers, piling on excessive fees, penalties and interest rates that make financial stability difficult to achieve. Higher monthly mortgage payments make housing less affordable, increasing the risk of mortgage delinquency and foreclosure and the likelihood that properties will fall into disrepair.

Some subprime borrowers have credit scores, income levels and down payments high enough to qualify for conventional, prime loans, but are nonetheless steered toward more expensive subprime mortgages. This is especially true of minority groups, which tend to fall disproportionately into the category of subprime borrowers.<sup>18</sup> The practice of targeting minorities for subprime lending qualifies as mortgage discrimination.

Since 2005, Housing Mortgage Disclosure Act data has included price information for loans priced above reporting thresholds set by the Federal Reserve Board. This data is provided by lenders via Loan Application Registers and can be aggregated to complete an analysis of loans by lender or for a specified geographic area. HMDA does not require lenders to report credit scores for applicants, so the data does not indicate which loans are subprime. It does, however, provide price information for loans considered “high-cost.”

A loan is considered high-cost if it meets one of the following criteria:

- A first-lien loan with an interest rate at least three percentage points higher than the prevailing U.S. Treasury standard at the time the loan application was filed. The standard is equal to the current price of comparable-maturity Treasury securities.

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<sup>18</sup> HMDA analyses in larger metropolitan areas across the United States have provided conclusive evidence that minority groups pay more for their mortgages. For example, a 2007 analysis by New York University’s Furman Center for Real Estate and Urban Policy found that black- and Hispanic-majority neighborhoods were more likely to borrow from a subprime lender than white-majority neighborhoods with similar income levels. Also in 2007, the NAACP sued two of the nation’s largest mortgage lenders, HBC and Wells Fargo, for “systematic, institutionalized racism” in lending, including giving subprime rates to black customers who qualified for better rates while giving better rates to white customers. This type of mortgage discrimination has been alleged in a growing number of cities.

- A second-lien loan with an interest rate at least five percentage points higher than the standard.

Not all loans carrying high APRs are subprime, and not all subprime loans carry high APRs. However, high-cost lending is a strong predictor of subprime lending, and it can also indicate a loan that applies a heavy cost burden on the borrower, increasing the risk of mortgage delinquency.

In 2007, 7.8% of the 883 home purchase loans that were originated for one-to-four family structures in Oak Park were high-cost loans. The following chart shows the distribution of high cost loan originations by race and by income.

**Figure 5-14**  
**Distribution of High-Cost Mortgage Loans by Race/Ethnicity and Income – 2007**

	Lower Income			Upper Income		
	Total Originations	High-Cost Originations	% High-Cost	Total Originations	High-Cost Originations	% High-Cost
American Indian/Alaska Native	0	0	-	1	0	0.0%
Asian/Pacific Islander	7	2	28.6%	35	1	2.9%
Black	31	7	22.6%	46	12	26.1%
Hispanic	13	1	7.7%	27	5	18.5%
No information	26	2	7.7%	54	1	1.9%
White	147	4	2.7%	512	30	5.9%
Hawaiian	3	0	0.0%	2	0	0.0%
<b>Total</b>	<b>227</b>	<b>16</b>	<b>7.0%</b>	<b>677</b>	<b>49</b>	<b>7.2%</b>

*Note: Does not include 10 high-cost loans for which no income data was reported. Of these, two were for Black households and eight were for White households.*

A total of 227 applications were received from lower-income households, of which 16 were determined to be high-cost loans. While the number of high-cost loans among upper-income households was higher, the rate was comparable at 7.2%.

An analysis of high-cost loans approved in 2007 in Oak Park reveals that minorities are over-represented in high-cost lending. Of the 49 high-cost loans originated for upper-income applicants, Black households represented 26.1% of these but only 7% of all loan originations. For lower-income applicants, Black households represented 22.6% of high-cost loans, but only 13.6% of all originations. Upper-income Hispanic households also received high-cost loans at a higher rate (18.5%) than White and Asian households in the same income group. The data suggests that minority households tend to receive high-cost mortgage loans at significantly higher rates than White households.

Analyzing high-cost lending by census tract can identify areas where there are disproportionately larger numbers of high-cost loans. The following table provides a list of census tracts where high-cost loans were originated in 2007.

**Figure 5-15**  
**Origination of High-Cost Mortgage Loans by Census Tract – 2007**

Census Tract	High-Cost Loans		% Minority in Census Tract
	#	%	
8121	7	9.5%	45.4%
8122	7	9.3%	21.1%
8123	11	7.4%	26.1%
8124	-	0.0%	14.0%
8125	3	7.5%	41.4%
8126	10	16.7%	46.6%
8127	8	10.4%	37.2%
8128	2	1.6%	36.0%
8129	5	6.8%	23.6%
8130	8	17.0%	38.6%
8131	6	9.7%	47.9%
8132	2	3.8%	27.6%
<b>Total</b>	<b>69</b>	<b>7.8%</b>	

Census tract 8130, an area where minorities represent 38.6% of the total population, had the highest rate of high-cost loans. Other census tracts with high rates of minority populations (8126 and 8127) also have higher rates of high-cost loans (16.7% and 10.4%, respectively). However, the sample size is too small to reliably conclude that minority concentration is correlated with high-cost lending in Oak Park.

**C. Public and Private Sector**

**i. Fair Housing Advocacy Organizations**

**a. Oak Park Regional Housing Center**

The Housing Center is a nonprofit organization founded in 1972 offering free services to housing seekers. As part of the Multi-Family Incentives Program, the Village of Oak Park supports the Housing Center by subsidizing the cost for buildings with a marketing services agreement. Building owners that do not participate in the Multi-Family Incentives Program make a donation for each unit rented. The Housing Center serves the Chicago region with a focus on Oak Park and western Cook County. Services provided include apartment referrals, technical assistance to property owners and managers, home ownership counseling, foreclosure mitigation, credit counseling, and fair housing training and education.

Specifically related to fair housing, the Housing Center promotes diversity in rental referrals through an aggressive affirmative marketing strategy. Prospective tenants who utilize the services are required to engage in a 20-minute counseling session which includes a strong fair housing component. The Housing Center assists approximately 3,000 households annually, of which 50% are Black. About one-third of the 3,000 actually move into the Village with 60% of these considered

“affirmative moves,” that is, minority households moving into predominantly White neighborhoods or vice versa. The Housing Center works diligently to achieve these results, striving to overcome long-held preconceived ideas about where Whites and Blacks should live in Oak Park.

The Center receives rental availability listings through the Village’s Multi-Family Housing Incentives Program (in operation since 1984) wherein the Village may pay 80% of the rent for months 2 and 3 that a unit remains vacant while the Center markets the unit. There are currently 19 active participants/rental buildings. Participation is also achieved through the availability of a grant up to \$10,000 per building given by the Village to improve the marketability and public safety of the property. Taking the grant obligates the owner to a five-year commitment to use the services of the Center. Currently, there are 25 buildings still obligated under the terms of the grant agreement. The Center has 200-300 listings available at any time.

The Center received Fair Housing Initiative Program (FHIP) funds from HUD about three years ago for education and outreach. These funds were used to supplement existing work and increase capacity. The Center anticipates applying for additional FHIP funds in 2009.

The Center prefers to view itself primarily as an integrator and not a fair housing enforcement agency. However, according to the Housing Center’s director, there is a need for limited fair housing enforcement in the Village (i.e. for the protection of families with children and persons with disabilities). Fair housing issues are an integral part of the 20-minute counseling session. For example, tenants are counseled about their rights as single parents with children, persons with disabilities, etc. and a potential landlord’s responsibility toward them. They are also instructed on how to identify discriminatory behavior. As a result, the Center’s experience with housing discrimination reveals issues with familial status and handicapped accessibility.

The Housing Center refers all potential housing complaints to the Community Relations Department in Village Hall. This information also is provided via brochures and the Center’s website.

The Housing Center receives CDBG funds from the Village which are geared toward the prospective clients and cover the Center’s counseling staff. The Housing Center also receives general revenue funding from the Village for participating in the Multi-Family Incentives Program, which the Center uses for general operating support.

The Housing Center manages a home ownership program as a HUD-certified housing counselor, assisting approximately 200 households annually, and this number is rising. About 50% of the prospective homebuyers are Black and about 40% are Hispanic. Homebuyer counseling focuses on pre-purchase, foreclosure mitigation, financial

literacy, credit repair and post-purchase counseling. Homebuyers are given a list of Realtors who they can contact for a list of available homes within their price range. Affirmative moves are advocated and the Center follows up with homebuyers to identify the address of the purchased home to determine success.

As a HUD-certified housing counselor, the Housing Center is part of the Illinois Predatory Lending Database. If a mortgage applicant (applying through a broker rather than a banker) hits one of three triggers (is a first time homebuyer or refinances a primary residence and the loan permits interest-only payments, may result in negative amortization, has points and fees payable at or before closing totaling more than 5%, includes prepayment penalty, or is an adjustable rate mortgage which allows adjustments to the interest rate in the first three years), the homebuyer is required to receive pre-purchase housing counseling and provide proof of attendance at closing in order to close on the loan.

**b. Oak Park Community Relations Department**

A description of the Community Relations Department in Oak Park is the history of a unique community whose leaders and residents have worked aggressively to keep the Village integrated against a national tide of White flight to the suburbs.

The Community Relations Department was created in 1971 to monitor and enforce the Village's Fair Housing Ordinance, which was adopted in 1968. The Village was one of the first communities in the U.S. to confront diversity issues and conduct testing. This progressive environment was further advanced when, in 1972, the Village established the Equity Assurance Program and guaranteed that if a homeowner moved into Oak Park, the Village would re-purchase their home and pay the difference in the equity lost due to White flight. While fewer than 150 homeowners enrolled in the program, mostly prior to 1980, the Village has never had to pay a claim.

In 1973, the Village adopted a Diversity Statement which has since been re-affirmed by every succeeding Board of Trustees. A copy of the statement is provided at the end of this section.

Between 1971 and 2000, housing was the primary focus of the department. Since 2000, however, the department has begun viewing housing in a more holistic way, that is, access to housing is not as much an issue, but managing the different cultural groups living together in Oak Park remains a critical issue. This is achieved through mediation between tenants and landlords, neighbors, etc. In 2006, when the current director began his tenure, the department began focusing even more intensely on neighborhood harmony and diversity.

The department enforces the Village's Human Rights Ordinance and Fair Housing Policy, as well as promotes the Racial Diversity Policy and enforcement activities including investigating complaints. The

department encourages block organizing, community safety and multi-cultural training by linking community agencies and groups. Other services include providing general information and referral services to residents, conducting training for block organizing, mediating landlord/tenant and neighbor disputes, responding to neighborhood quality of life issues, providing resident training in community outreach, and coordinating block parties. The Oak Park Regional Housing Center refers tenant/landlord complaints to the department.

The department continues to perform rental testing on a complaint-driven basis as it has done for the last fifteen years. This testing also applies to public accommodations, which is included in the Village's Human Rights Ordinance. The department continues its service of providing diversity counseling to current, new and prospective residents of both multi-unit and single family housing throughout the Village. Through longstanding collaboration, the department has provided specific diversity counseling to recipients of Section 8 Housing Choice Vouchers through Oak Park Housing Authority for the last fifteen years. Management seminars are conducted as required by the Human Rights Ordinance. Two sessions are offered annually on the same date to accommodate owners who can attend morning sessions and those who require evening sessions. The Village's Housing Programs Division and the Community Relations Department staff collaborate on this initiative.

Real estate testing may also be conducted by the department on an informal basis as part of the investigation into a fair housing complaint to determine if discrimination may have occurred. In 2005, the Leadership Council conducted fair housing testing in Oak Park. No blatant discrimination was found.

The department also coordinates the Village Language Bank to ensure that the diverse population of Oak Park can access all services. This initiative is being coordinated with the Universal Access Commission, which is working to get more Village forms translated.

The department director is a certified mediator. One example of the need for such services involves working to correct stereotyping against Section 8 Housing Choice Voucher tenants. Annually, the department receives about 4,000 inquiries for assistance.

The department serves as staff to the Community Relations Commission, which was created in 1963 to assure all residents of equal service and treatment. The commission works to improve inter-group relations without regard to race, color, religion, ancestry, national origin, veteran status, sexual orientation, age, marital status, familial status or disability. It also acts as a hearing panel for resolution of discrimination. The commission meets monthly and is comprised of 15 appointed members who each serve three-year terms.

When someone inquires about filing a fair housing complaint, the individual is invited to come to the Community Relations Department and complete the required forms. If a person cannot physically get to the office, the department will accommodate them by permitting a social worker or caretaker to complete the forms on behalf of the complainant. This precaution is taken to ensure that the complainant is the person completing the form. The complaint is processed in accordance with the Fair Housing ordinance, and the department makes contact with both parties and investigates the complaint. Conciliation is attempted. Both parties are notified of the findings. For many years, no complaints have been forwarded from the department to the Community Relations Commission.

As part of its mandate, the department provides public education and fair housing outreach, landlord/tenant seminars for licensing ordinances for buildings with 4+ units (two sessions annually), and a twice yearly Realtors' indoctrination consisting of a one-hour session. Topics discussed include the Village's Fair Housing ordinance and any new state developments of interest to realtors or building owners and managers.

The department continues to function as the enforcement arm of fair housing issues as required by the Village's Human Rights Ordinance. Multi-unit housing complaints, inquiries and disputes are handled by the department which works in concert with Building and Property Standards and as appropriate, the Housing Programs Division, to mitigate complaints and issues that arise. The department provides residents with education on discrimination and information on the services of the Illinois Department of Human Rights and other entities as a referral if they choose to contact those agencies. The department is a member of Illinois Municipal Human Relations Association (IMHRA).

According to the director, fair housing issues tend to focus on the need for continued public education (what is and what is not discrimination) and stereotyping against racial and ethnic groups. Towards this end, the Community Relations Department coordinates up to 400 block parties annually as part of its diversity enhancement initiatives. During National Fair Housing Month in April, public service announcements are replayed on local cable television.

The department has the ability to train and provide training to municipal employees, boards, commissions, and committees on fair housing issues. And the department provides an orientation session for all new Section 8 Housing Choice Voucher tenants at Oak Park Housing Authority, emphasizing Oak Park's diversity and fair housing issues.

**Figure 5-16**  
**Village of Oak Park Diversity Statement**

**Village of Oak Park Diversity Statement**

*The people of Oak Park choose this community, not just as a place to live, but as a way of life. Oak Park has committed itself to equality not only because it is legal, but because it is right; not only because equality is ethical, but because it is desirable for us and our children. Ours is a dynamic community that encourages the contributions of all citizens, regardless of race, color, ethnicity, ancestry, national origin, religion, age, sex, sexual orientation, gender identity or expression, marital and/or familial status, mental and/or physical impairment and/or disability, military status, economic class, political affiliation, or any of the other distinguishing characteristics that all too often divide people in society.*

*Oak Park's proud tradition of citizen involvement and accessible local government challenge us to show others how such a community can embrace change while still respecting and preserving the best of the past. Creating a mutually respectful, multicultural environment does not happen on its own; it must be intentional. Our goal is for people of widely differing backgrounds to do more than live next to one another. Through interaction, we believe we can reconcile the apparent paradox of appreciating and even celebrating our differences while at the same time developing consensus on a shared vision for the future. Oak Park recognizes that a free, open, and inclusive community is achieved through full and broad participation of all its citizenry. We believe the best decisions are made when everyone is represented in decision-making and power is shared collectively.*

*Oak Park is uniquely equipped to accomplish these objectives, because we affirm all people as members of the human family. We reject the notion of race as a barrier dividing us and we reject prejudicial behavior towards any group of people.*

*We believe residence in this Village should be open to anyone interested in sharing our benefits and responsibilities.*

*To achieve our goals, the Village of Oak Park must continue to support the Board's fair housing philosophy that has allowed us to live side-by-side and actively seek to foster unity in our community. We believe that mutual understanding among individuals of diverse backgrounds can best be attained with an attitude of reciprocal good will and increased association.*

*The Village of Oak Park commits itself to a future ensuring equal access, full participation in all of the Village's institutions and programs, and equality of opportunity in all Village operating policies. The success of this endeavor prepares us to live and work in the twenty-first century.*

*It is our intention that such principles will be a basis for policy and decision making in Oak Park. The President and Board of Trustees of the Village of Oak Park reaffirm their dedication and commitment to these precepts.*

*Revised 11.19.07*

## 6. ASSESSMENT OF CURRENT FAIR HOUSING PROGRAMS AND ACTIVITIES

### A. Progress since the Previous AI

The Village of Oak Park completed its previous Analysis of Impediments in 1997. Three issues were noted as potential impediments to fair housing choice. These included:

- Members of the protected classes are under-represented on appointed boards and commissions.
- The home ownership rate among minorities is less than the rate among Whites.
- Random real estate testing is not conducted.

As a result, a series of recommendations were made and accepted by the Village for the purpose of eliminating housing discrimination in Oak Park. These recommendations are listed below along with a brief summary of the progress achieved since 1997, as described in the Village's annual Consolidated Annual Performance and Evaluation Reports (CAPERs) submitted to HUD.

- *Continue a program of random real estate testing.* The Village continues to investigate fair housing complaints filed under the Oak Park Fair Housing Ordinance. Community Relations Department staff conducts thorough investigations of all fair housing complaints brought to its attention. Conciliation is attempted and records of all complaints are maintained. In most cases, the Department staff has conducted informal testing if warranted by the type of complaint filed. Interviews conducted with the Community Relations staff confirmed these activities. Currently, informal testing is being conducted only when a fair housing complaint warrants such a response. In 2005, the Village partnered with the Leadership Council of Metropolitan Open Communities to conduct limited random testing. Testing did not reveal any instances of discrimination. While complaint-based testing may confirm or disprove that housing discrimination has occurred relative to that specific complaint, without formal random testing it is unknown if and to what degree discrimination may be occurring and remaining unreported on a larger scale. Interviews conducted with other organizations indicate a need for additional random formal real estate testing.
- *Continue efforts to broaden representation among members of the protected classes on Village boards and commissions.* The Village continues to work diligently to recruit members of the protected classes to serve on appointed boards and commissions.
- *Identify and pursue ways to increase minority home ownership.* Increasing the rate of minority home ownership is a cornerstone of the Village's fair housing initiatives. The Village has partnered with the Illinois Housing Development Authority to establish a first time homebuyer program which

provides reduced interest mortgages, limited closing cost and downpayment assistance and federal mortgage tax credits. Staff from the Village's Housing Programs Division and the Oak Park Regional Housing Center regularly counsel prospective homeowners about pro-integration choices in housing location. Extensive education efforts reached over 200 first-time homebuyers. Between 1990 and 2000, the home ownership rate among Blacks rose from 25.9% to 35.8% and from 42.3% to 49.5% among Hispanics.

- *The Community Relations Department should continue to evaluate compliance with the federal Community Reinvestment Act (CRA).* The Village's Housing Programs Division continues to work with local banks to provide home mortgage loans in conjunction with the Illinois Housing Development Agency. This is an important step towards linking eligible homebuyers from among the protected classes to subsidized mortgage products.
- *Continue to be vigilant to prevent pockets of disinvestment.* The Village continues to operate its Equity Assurance Program that guarantees the resale value of single family homes in Oak Park. This program has increased buyer confidence in the Village and prevented disinvestment as evidenced by the lack of participation in the program.
- *Continue to evaluate Village housing programs to determine whether additional measures are needed to prevent discrimination.* The Oak Park Housing Programs Advisory Committee (HPAC), comprised of appointed residents, evaluated the Village's fair housing programs in 2003. The committee then made recommendations for improvement, which were integrated into Village housing programs.

## **B. Current Fair Housing Programs and Activities**

There are many programs and initiatives undertaken in the Village of Oak Park to promote diversity. Of these, the Multi-family Incentives Program is certainly the most significant in terms of promoting integrated living and fair housing choice in the Village. It is also one of the most unique programs in the country for its focus on integrating individual apartment buildings in addition to city blocks and entire neighborhoods.

### **i. Multi-family Incentives Program**

The Village of Oak Park established the Multi-family Incentives Program<sup>19</sup> in 1984 for multi-family buildings of four or more units. The program has two purposes: to upgrade the physical condition of aging multi-family structures and to expand housing choice for renters in the Village by encouraging affirmative moves. An affirmative move is one in which a White household moves to any location east of Ridgeland Avenue and South of Harvard Street, and a non-White household moves to a location in the remainder of the Village. As part of the licensing process, each building with 4 or more units must report on the racial occupancy of each unit and the map in Figure 6-1 is

<sup>19</sup> The program was originally named the Diversity Assurance Program (DAP).

a composite of tenant characteristics for the 2008 reporting cycle. The Village intends to use a similar mapping process to further define counseling locations within each geographic area as stated above with the intent being that no single block contains a racial majority.

There are three program options available to eligible participants. Grant funds up to \$1,000 per unit, or a maximum of \$10,000, may be provided to the building owner, who must match the funds 2:1. Funds can be invested in common area improvements, security improvements, or individual unit improvements. In exchange for the financial assistance, the property owner is required to enter into a five-year Marketing Services Agreement to affirmatively market their rental units with the cooperation and assistance of the Village and its designated marketing agent.

The second option provides the building owner with a one-year contract to receive rental reimbursement payments from the Village for vacant units within a building enrolled in the program. Rental reimbursement payments begin on the 31<sup>st</sup> day of a vacancy and continue until the 90<sup>th</sup> day of a vacancy, and are capped at 80% of the rent last paid for the unit. A one-year Marketing Service Agreement is also required.

The third option available is a Marketing Services Agreement only. Building owners may enter into a one-year agreement to make a good faith effort to affirmatively market their units. In exchange for this service, the Village's designated marketing agent will waive all fees to the building owner for their marketing services.

As one program participant recently stated, this program "gives me confidence to invest in Oak Park because I know that I am not alone. I have the Village of Oak Park behind me and my investment."<sup>20</sup>

In December 2000, the Village Board revised the program to increase the number of buildings and units. As a result, the number of participating buildings increased from about 35 to more than 80 and the number of units almost doubled from about 800 to more than 1,500. These changes were implemented to support apartment buildings (identified as the weakest housing market) and to sustain diversity in the Village.

By August 2006, there were 78 buildings with 1,539 units in the program, representing 20% of the total apartment buildings and 23% of the total rental units in buildings with four or more units in the Village.

The Housing Programs Advisory Commission conducted an evaluation of the Multi-family Incentives Program for program year 2007. The purpose of the evaluation was to determine how well the program was performing and what actions, if any, were needed to improve or maintain diversity in a particular census tract. The evaluation was conducted for each census tract and

<sup>20</sup> Multi-family Incentives Program/Diversity Assurance Program, 2007 Program Assessment, provided by the Housing Programs Division of the Village of Oak Park.

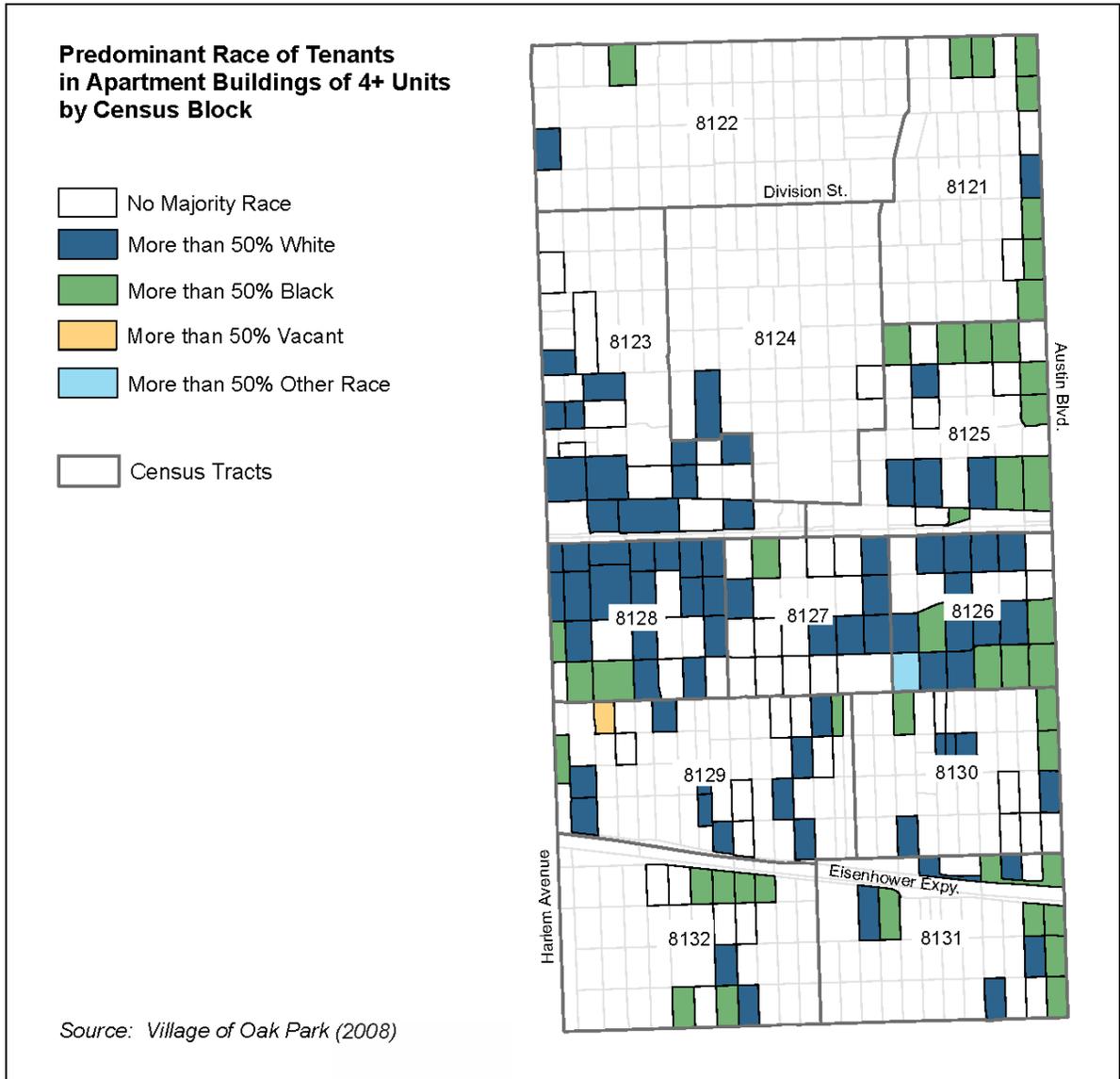
included each participating property. A summary of the evaluation is included below. The map that follows the summary illustrates the tenant characteristics of all multi-family structures of four or more units in the Village that are participating in the program.

- Census Tract 8121: This tract exhibited the least amount of diversity among rental apartments in the Village. The location of this tract away from major public transit routes may contribute to the difficulty in attracting tenants to the area. The report suggested that special action would be needed to improve diversity in this area, which has a higher percentage of Black residents (34% in 2000).
- Census Tract 8122: This tract has the least rental apartments in the Village. For this reason, the program would have little, if any, impact.
- Census Tract 8123: This tract contains almost equal numbers of rental and owner housing units. Diversity in the rental housing stock has continually improved since 2000. Blacks represent 19% of the population, Hispanics 9.1% and Asians 7.3%.
- Census Tract 8124: Due to the low number of rental units in this tract, there is little, if any, opportunity for program participation.
- Census Tract 8125: Diversity in participating buildings has steadily increased since 2000. Blacks accounted for 33% of residents in 2008, Hispanics 7.9% and Asians 4%.
- Census Tract 8126: The program evaluation reported that participating buildings in this tract were more integrated than others. With renters outnumbering owners by 2 to 1, this census tract is an important indicator of the program's overall success. Nearly half of the rental units in the tract are participating but additional recruitment and retention efforts are needed to continue the success experienced since 2000.
- Census Tract 8127: The number of rental units in this tract has significantly decreased with the development of new condominium units. However, participating buildings have achieved greater diversity than others. It was noted that recruitment of additional properties will offer opportunities to improve diversity in this tract.
- Census Tract 8128: This tract appears to be one of the best program success stories. Participation has increased since 2000. This tract has achieved a higher level of diversity as a result. Contributing to the success may be new development, convenient public transit and the proximity to the downtown areas in both Oak Park and Forest Park. Additional recruitment efforts were identified as necessary due to the potential rental market in the vicinity of Oak Park Hospital.
- Census Tract 8129: Limited rental units and the single participating building undergoing renovation limit the degree of impact in this tract.

- Census Tract 8130: Both participating and non-participating buildings are achieving desirable diversity levels in this tract, which have consistently improved since 2000. It was recommended that consideration be given to removing this tract from the Counseling Area.
- Census Tract 8131: The level of diversity in participating buildings located in this tract is almost identical to others. The report recommended that this tract remain in the Counseling Area.
- Census Tract 8132: Participating buildings in this tract were noted to be slightly more diverse than others with a slightly higher rate of Hispanic households. Continued improvement could lead to removal of this tract from the Counseling Area.

In light of the results demonstrated by the Multi-family Incentives Program, and the level of racial integration revealed through recent Census reports, it would be highly advisable to continue the program. This will insure that re-segregation does not occur in areas of the Village that have experienced higher influxes of Black residents. If the primary goal of the diversity initiatives implemented in Oak Park is to achieve and preserve integrated neighborhoods throughout the Village, then census blocks that have experienced higher increases in Black residents should be monitored to prevent further White flight and re-segregation, thereby wiping out the gains achieved over the past forty years in integrating Oak Park.

**Figure 6-1**  
**Multi-family Buildings with 4 or More Units**  
**Tenant Characteristics – 2008**



**ii. Additional Fair Housing Activities**

Additional fair housing activities have been initiated, or are currently underway, in the Village since 1968. Figure 6-2 lists these 24 activities.

**Figure 6-2  
Fair Housing Activities in the Village**

**VILLAGE PROGRAMS IN SUPPORT OF DIVERSITY**

NOTE: The following is a list<sup>1</sup> of Village programs that support diversity in one form or another. The list is not in any particular order of significance.

1. Financial and staff support for Oak Park Regional Housing Center Programs
2. Financial and staff support for Oak Park Residence Corporation and Oak Park Housing Authority programs
3. A Day In Our Village (annually in June)
4. Block Parties
5. July 4<sup>th</sup> Diversity Parade
6. Tenants Rights Addendum to apartment leases
7. Consultation to Realtors on ban of For Sale Signs
8. Tenant - landlord dispute resolutions
9. Community Relations investigations of discrimination complaints
10. Community Relations Fair Housing testing (complaint-driven)
11. Diversity Statement adopted by new Village Boards
12. Fair Housing Ordinance adopted in 1968
13. Cavalcade of Pride Awards
14. Realtor practice to market to all groups and show the entire Village
15. Realtor training in Fair Housing practices
16. Equity Assurance Program (no longer active)
17. Middle School Human Relations Award
18. Community Policing Program
19. Neighborhood Walk Program
20. Annual Rental and Condo Building Inspection Program
21. Annual Rental Building Management Seminar
22. Diversity counseling to existing, new and prospective residents
23. Diversity/educational program programming provided on VOP-TV for residents
24. Maintenance of anti-solicitation list

<sup>1</sup> Original list compiled by Rick Kuner; current edition updated by Housing Programs Division staff.

## 7. SUMMARY OF FINDINGS

Based on the primary research collected and analyzed, and the numerous interviews and focus group sessions conducted for this report, the following findings are noted. From these findings, the potential impediments to fair housing choice in Oak Park were identified and are included in the following section of the report.

### A. Findings

**1) The racial composition of Oak Park has changed dramatically since 1960.**

White households are leaving the community. Black, Asian and Hispanic households are moving into Oak Park. Overall, more people are leaving the community than are moving into it. Since 1960, total population has declined 13.2% and Whites have decreased almost 41%. Minorities have increased from 217 residents in 1960 to 17,006 in 2007, and now comprise nearly one-third of the total Village population.

Blacks are integrating all areas of Oak Park. Areas that were predominantly White in 1970 are now more integrated. While the percentage of White residents has fallen in all 12 of the Village's census tracts, there has been a commensurate increase in Black residents in eight of the census tracts. Geospatial analysis illustrates the westward migration of Black residents from Austin Boulevard and across the thoroughfare corridors of North Boulevard, Madison Street and the Eisenhower Expressway. As a result, Oak Park has become one of the most integrated cities in Illinois.

**2) Members of the protected classes residing in Oak Park have significantly lower incomes.**

In 2000, the median household income among Black households was equivalent to 66% of the median income for White households. By 2007, this had fallen to 46%. More than 14% of persons with disabilities were living in poverty compared to 4.6% of persons living in poverty without disabilities. And, among families living in poverty, female-headed households with children comprised 56% of this segment. Among families living above the level of poverty, female-headed households with children comprised only 11% of this group.

**3) Minorities and females are more likely to be unemployed.**

Overall unemployment in 2007 was 5.1% among the civilian labor force. Female workers in the Village had a significantly higher unemployment rate of 5.9% than male workers at 4.3%. The unemployment rate among Black workers was more than three times higher than among White workers.

**4) Minorities are less likely to own their homes in Oak Park.**

Among Blacks, the rate of home ownership in 1990 was less than half the rate among Whites and Asians. Although the rate of Black home ownership

rose significantly from 25.9% to 35.8% during the 1990s, Blacks still lagged far behind Whites and Hispanics in owning their homes. By 2000, White households had the highest ownership rate at 64.3% and were much more likely to own their homes than Hispanics (at 49.5%), Asians (at 39.6%) and Blacks (at 35.8%).

**5) Minority households tend to have larger households and require larger housing units.**

Persons of Two or More Races were most likely to live in families of three or more persons in 2000. Black, Hispanic, and families of Some Other Race Alone also were more likely than White and Asian families to live in larger families. To adequately house larger families, a sufficient supply of larger dwelling units consisting of three or more bedrooms is required; however, only 2.3% of the rental housing stock contained three or more bedrooms compared to almost 70% of the owner housing stock.

**6) The Village has lost over 3,300 affordable rental units since 2000.**

Between 2000 and 2007, the Village lost 3,317 affordable units from its rental housing stock, most through rental rates increasing above \$500 and \$700.

**7) Home buying opportunities are severely limited for Blacks and Hispanics.**

There were fewer than 102 sales housing units that sold in 2000 that would have been affordable to Black and Hispanic homebuyers compared to almost 457 units affordable to White and Asian homebuyers. By 2008, Black homebuyers earning the median household income for Blacks would have had fewer than eight homes from which to choose. This is in contrast to Hispanics whose housing choices improved slightly as median household income rose among this segment.

**8) Minority households are more likely to experience housing problems.**

Among home owners, minority households were much more likely to experience housing problems than White home owners. The situation was improved among renters with 53.9% of White households experiencing housing problems compared to 50.8% of Black households and 48.9% of Hispanic households.

**9) More than half of the housing complaints filed in Oak Park since 1997 involved rental transactions.**

Of the 52 cases, 38 involved rental housing transactions. The most often cited bases for alleging discrimination included race (35%) and disability (33%).

**10) The Village does not receive HOME Investment Partnership Program funding.**

While the Village is not a HUD HOME entitlement community, and therefore is not eligible to receive HOME funds directly from HUD, it does have the option to apply to the State of Illinois for HOME funds. HUD

Chicago encourages the Village to continue State applications as a strong source of potential HOME funds. The Village also has the option of joining the Cook County HOME Consortium to apply for HOME funds as a portion of the Consortium's annual allocation. HOME funds would provide new housing development financing for affordable housing projects in the Village. HOME funds could also provide tenant-based rental assistance to eligible households who are enduring lengthy waiting times with the Section 8 Housing Choice Voucher Program.

**11) Minorities are under-represented on appointed citizen boards and commissions.**

Of the 76 individuals currently serving on Village boards and commissions that are involved in the decision-making process for housing and housing-related issues, 22% are racial minorities, 30% are female, 5% have a disability, 36% are in families with children 18 years or younger, and only 1 person is Hispanic.

**12) Advocacy groups have very lengthy waiting lists for clients seeking affordable housing.**

Three advocacy groups interviewed during this process reported high demand for affordable units for their clients, particularly apartments, Section 8 assistance, and group homes. In addition, advocates for the physically disabled noted the lack of rental units that are handicapped accessible.

**13) The Village zoning ordinance does not clearly state the Village's emphasis on the provision of affordable housing.**

Although the zoning ordinance does include development standards that would permit various types of housing units at different densities, clearly stating the goal of providing affordable housing should be included in any future ordinance update.

**14) Public transit is excellent throughout most of Oak Park, however, the Oak Park CTA transit station is not handicapped accessible.**

For persons with disabilities, the ability to fully utilize public transit to access employment opportunities, medical facilities and cultural and commercial amenities is critical.

**15) Rental ads in one local newspaper stated "no pets."**

For some persons with disabilities, service animals and therapeutic pets are necessary to achieve independent lives. Specifically, this statement prohibiting or limiting pets discourages persons with disabilities that require service or therapeutic animals from applying for these units.

**16) Some building owners and management agents may not fully appreciate the need for regular fair housing training.**

Fair housing training should continue to be an integral part of the Village's interaction with building owners and management agents. Diversity is the economic and social lifeblood of the community. In Oak Park, knowledge of fair housing law cannot be left to chance. It is especially important for

landlords, building owners and management firms to affirmatively further fair housing in marketing, tenant selection, and management of rental units. These individuals serve as Oak Park's front line in terms of their contact with prospective residents of the community. It is critical for these individuals to be knowledgeable about fair housing and inviting to the new residents of Oak Park.

**17) Minorities were denied home mortgages at higher rates than Whites.**

The denial rate among Black mortgage applicants was 24.4% in 2007 even though Blacks represented only 9% of all applicants. Comparable rates were noted among Hispanics who accounted for only 5% of all applicants yet had a denial rate of 22.8%. More notably was the fact that upper-income minorities were denied mortgages at higher rates than lower-income Whites.

**18) Minorities were more likely to receive high-cost mortgage loans than Whites.**

Among lower-income applicants, the rate for high-cost loans was 28.6% for Asians and 22.6% for Blacks. This is in contrast to the low rate of only 2.7% for White households. For upper income households, the rate of high-cost loans was 26.1% for Blacks and 18.5% for Hispanics, but only 5.9% for Whites.

**19) The Oak Park Regional Housing Center, as the Village's designated marketing agent, provides the critical link between prospective renters and Oak Park's integration goals.**

The Housing Center serves 3,000 households annually. Of these, one-third move to Oak Park and 60% of these moves are affirmative moves. This level of performance has contributed to the success of the Village's Multi-Family Housing Incentives Program as demonstrated by the increasing rates of minorities residing throughout Oak Park. As a condition of receiving CDBG funding, and general fund revenues, the Housing Center should prepare and submit annual reports on its fair housing accomplishments.

**20) The Oak Park Community Relations Department is also an important link in the Village's efforts to achieve diversity and eliminate housing discrimination.**

The Department is responsible for receiving and processing all housing discrimination complaints filed with the Village. Notably, the Department's initiatives focus on cultural understanding and acceptance, which may work to prevent discriminatory actions.

**21) The Village's Multi-family Incentives Program administered by the Housing Programs Division appears to have successfully contributed to the integration of Oak Park.**

Significant shifts in residential segregation patterns have occurred in Oak Park since 1960. Much of this change has resulted from the affirmative marketing strategies implemented by the Oak Park Regional Housing Center. In addition to achieving integration in predominantly White neighborhoods, the program has also financially assisted building owners with making

renovations to aging multi-family apartment buildings, thus preserving the Village's rental housing stock.

## 8. FAIR HOUSING ACTION PLAN

Based on the findings and conclusions included in this report, the following ten potential impediments to fair housing choice in Oak Park were identified. Recommended actions to eliminate these impediments are also provided.

### i. Public Sector

#### a. Minority households and other members of the protected classes have difficulty securing affordable housing in Oak Park.

These households cannot afford to purchase a home and many cannot afford to rent either. For those who may be able to afford the rent, simply finding a dwelling unit that meets their accessibility needs can be difficult, if at all possible.

**Proposed Action 1:** Include source of income as a protected class to the Village's fair housing ordinance. Although there is no evidence of discrimination against Section 8 voucher holders, adding this as a protected class will maximize the ability of lower-income households to find affordable housing.

**Proposed Action 2:** Develop an Affordable Housing strategy for the Village which may include actions such as adopting an Inclusionary Zoning Ordinance and Affordable Housing Trust Fund. In 2003, the Board appointed an Affordable Housing Task Force which made specific recommendations. In 2008, the Housing Programs Advisory Committee reviewed the 2003 report and made additional recommendations. The 2008 report needs to be reviewed by the Board of Trustees and further direction needs to be provided to staff on Affordable Housing strategies that the Board would like to pursue.

#### b. There is an inadequate supply of handicapped accessible housing in Oak Park.

Disability advocates described the demand for affordable housing, which is accessible to persons with physical disabilities, in terms of clients spending months and years spent on waiting lists. For many, the wait is endless.

**Proposed Action 1:** Institute a requirement, by local ordinance, that all new multi-family developments are to provide a minimum percentage of accessible rental units. Similarly, building owners who participate in the Multi-family Incentives Program and receive financial assistance for unit renovations should be required to make 5% of their units handicapped accessible, if feasible. At the very least, require visitability design standards in all new and renovated rental units.

**Proposed Action 2:** Create and maintain a list of certified accessible private and public rental units. The Village Building and Property Standards Department could publicize the interior features that would

enable a rental property owner to receive a certification of accessibility. Village BPS staff could inspect the property free of charge and provide the certification. The listing could be maintained by the Housing Center and linked to the Village's website.

**Proposed Action 3:** Work with the Oak Park Area Association of Realtors to expand their listing form to include accessibility features of available units. The accessibility features should also be searchable on the Association's MLS database.

**Proposed Action 4:** The Village should work with disability advocates to sponsor workshops and other educational opportunities for housing planning staff, developers, architects, builders, Realtors, and other housing professionals to increase knowledge of various accessibility and visitability design features and cost-effective ways of incorporating such features into newly constructed or substantially rehabilitated housing units.

**c. Members of the protected classes are under-represented on appointed citizen boards and commissions.**

This situation was also identified in the 1997 Analysis of Impediments report. A greater effort must be initiated by the Village to recruit qualified individuals to fill the seats on local boards and commissions. The presence of minorities and other members of the protected classes sitting around the table during the decision-making process for various housing issues will further advance the Village's diversity goals.

**Proposed Action:** Annually the Village should schedule a recruitment period for new board and commission applicants with an emphasis on recruiting members of the protected classes. The period could last from two to four weeks during which time the need for applicants is advertised in the local newspapers, on the Village website and in its newsletter, and through other local media. Recruitment information should also be provided to local advocacy organizations that represent Asians, Hispanics, persons with disabilities, and other members of the protected classes.

**d. Affordable housing developers are being denied access to local HOME Program funds.**

The Village has the option to apply to the State for HOME funds or join the Cook County HOME Consortium.

**Proposed Action:** Access a flow of entitlement HOME funds by joining the Cook County HOME Consortium. Negotiate with the Consortium to receive annually the incremental entitlement increase resulting from Oak Park's participation. As an alternative, the Village could also pursue an application on the State level. HOME funding is an important tool to finance larger affordable housing developments.

**e. Any prospective developer of new single-room occupancy (SRO) units would require a parking variance for their project, resulting in the need for a public hearing.**

During the course of interviews conducted for this report, it became clear that any proposed SRO project could face serious public opposition. By definition, SRO housing addresses the needs of very low income renters, some of whom may be minorities and persons with disabilities.

**Proposed Action:** The Village should proactively address this issue to eliminate the potential for not-in-my-back-yard (NIMBY) public opposition to any such project. The need for off-street parking will be less than what is normally required for a multi-family apartment building because many, if not most, of the tenants will not have the financial means to own a car and will be dependent on public transit. If, however, the required parking spaces must be provided, the Village should collaborate with the developer to meet the zoning requirement. This could be achieved through a low-cost lease of a Village-owned parking facility in the vicinity. It could also be achieved through the provision of CDBG funds to provide parking spaces in a lot or garage that would be dedicated to the tenants' exclusive use.

**f. More than half of the housing complaints filed in Oak Park involved rental transactions.**

Of the 52 cases filed, 38 involved rental transactions. In addition, the most often cited bases for alleging discrimination were race (35%) and disability (33%). While 52 cases over the course of 12 years is not a high number of housing complaints, there may be many instances of discrimination that go undetected and unreported. As previously stated, a lack of filed complaints does not necessarily indicate a lack of a problem. Some persons may not file complaints because they are not aware of how to file or where to go to file a complaint. Discriminatory practices can be subtle and may not be detected by someone who does not have the benefit of comparing his treatment with that of another home seeker. Other times, persons may be aware that they are being discriminated against, but they may not be aware that the discrimination is against the law and that there are legal remedies to address the discrimination. Finally, households may be more interested in achieving their first priority of finding decent housing and may prefer to avoid going through the process of filing a complaint and following through with it. Therefore, education, information, and referral regarding fair housing issues remain critical to equip persons with the ability to reduce impediments.

**Proposed Action:** Proactively conduct testing of sale and rental properties in Oak Park at a scale commensurate with the Village's financial capacity. The Village should contract with an independent agency with experience in fair housing testing to conduct periodic testing of Realtors, building owners, and leasing agents. The results should be advertised locally to inform the public of fair housing law and the

consequences of housing discrimination. The results should also be used to determine the need for more fair housing education and outreach to Realtors, leasing agents and building owners.

**g. Only one of the seven Oak Park CTA transit stations is handicapped accessible.**

For persons with disabilities, the ability to fully utilize public transit to access employment opportunities, medical facilities and cultural and commercial amenities is critical.

**Proposed Action:** The Village should continue participating in the long-range planning efforts of the Chicago Metropolitan Agency for Planning, the metropolitan planning organization for the Chicago Metropolitan Urbanized Area, which includes the Village of Oak Park. Efforts should be aimed at making the transit station fully accessible.

**ii. Private Sector**

**a. Rental real estate advertisements in local newspapers that prohibit or limit pets may discourage persons with service animals from considering these units.**

For some persons with disabilities, service animals and therapeutic pets are necessary to achieve independent lives. Specifically, this statement prohibiting or limiting pets discourages persons with disabilities that require service or therapeutic animals from applying for these units.

**Proposed Action:** Discussions with the remaining local newspaper where this remains an issue should be initiated with the recommendation that its policy be modified to require that all future rental real estate ads that state “no pets” (or seek to restrict the type of pet allowed) include the phrase or agree to the following exception: “except companion/service animals permitted under fair housing laws.”

**b. Mortgage loan denials and high-cost lending disproportionately affect minority applicants.**

Denial rates of mortgage loan applications were significantly higher among minority applicants than White applicants. Most notably, denial rates were higher among upper-income minority applicants than lower-income White applicants. Similarly, minorities were more likely to have high-cost loans than White households. Together, these actions have the effect of limiting access to conventional mortgage products for minority households.

**Proposed Action 1:** Because credit history is a major reason for denial of home mortgage applications in Oak Park, there are opportunities for lenders to focus on the problem and work with applicants to address the concern. The following are actions that lenders need to consider to assist with reduction of the denial of home mortgage applications based on credit history:

- Lenders should share with the applicant the specific information on the credit report on which the denial was based.
- Lenders should give the applicant the opportunity to investigate questionable credit information prior to denial of a home mortgage application by the bank.
- Lenders should allow the applicants to offer alternative credit references in lieu of the standard traditional references.
- Lenders should take the unique credit practices of various cultures into account when considering applications.
- Lenders should refer applicants for credit counseling or other readily available services in the community.

**Proposed Action 2:** Engage HUD-certified housing counselors to target credit repair education through existing advocacy organizations that work with minority populations on a regular basis.

**Proposed Action 3:** Encourage the continued efforts of the Housing Center, and consider expansion of new initiatives, to recruit volunteers from local lending institutions to conduct home ownership workshops.

**Proposed Action 4:** Conduct a more in-depth analysis of HMDA data to determine if discrimination is occurring against minority applicant households.

**Proposed Action 5:** Engage in a communication campaign that would market homeownership opportunities to all minorities regardless of income including middle and higher income minorities. The campaign could show the value of living in a diverse community like Oak Park and could encourage homeowner investment. The campaign could also target lenders to show the high denial rates of mortgage applications for all minorities regardless of income.

## 9. SIGNATURE PAGE FOR THE VILLAGE OF OAK PARK

By my signature I certify that the *Analysis of Impediments to Fair Housing Choice* for the Village of Oak Park is in compliance with the intent and directives of the regulations of the Community Development Block Grant Program regulations.

Village Manager \_\_\_\_\_

*Thomas W. Bane*

Date 8/3/2010

