

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT COURT OF ILLINOIS  
EASTERN DIVISION**

DOROTHY GAUTREAUX, et. al.	)	
Plaintiff(s).	)	
	)	No. 66 C 1459
vs.	)	
	)	Hon. Marvin E. Aspen
CHICAGO HOUSING AUTHORITY	)	
et. al	)	
Defendant(s).	)	

**JOINT MOTION OF PLAINTIFF’S AND DEFENDANT CHICAGO HOUSING  
AUTHORITY FOR AN ORDER AUTHORIZING DEVELOPMENT OF PUBLIC  
HOUSING UNITS IN A LIMITED AREA, WAIVING THE RESTRICTION ON  
HOUSING FAMILIES WITH CHILDREN ABOVE THE THIRD FLOOR, AND  
AMENDING THE TENANT ASSIGNMENT PLAN**

The Plaintiffs and Defendant Chicago Housing Authority (CHA) respectfully move this Court to enter an Order in the form attached which would:

- A. Authorize the development of 66 new public housing units at Sterling Park Apartments in the Homan Square Community on the West Side of Chicago, located at 3301 W. Arthington in the North Lawndale Community Area, a Limited Area;
- B. Waive the Gautreaux restriction on housing families with children in public housing units above the third floor; and
- C. Amend the CHA Tenant Assignment Plan to require that the 66 new public housing units in Sterling Park Apartments be made available first to public housing families relocating under the CHA Plan for Transformation, then to families on the CHA public housing waiting list.

In support of this Motion, the parties state as follows:

- 1. The parties seek the Court’s authority for the development of 66 public housing units in Sterling Park Apartments, owned by New Sterling Park, LLC, a partnership among Mercy Housing Lakefront, Boulevard Group Inc. and Royal Imperial Group.
- 2. As described in greater detail in the affidavit of James Brooks, one of the Developers (hereinafter referred to as Brooks Affidavit and attached as Exhibit A), Sterling Park Apartments will be located in the Homan Square Community on the West Side of Chicago. Homan Square is a master-planned community which was started decades ago to revitalize the North Lawndale Community Area. (Brooks affidavit, par.1) A site plan showing unit location is attached as Exhibit 1 to the Brooks Affidavit.

3. Sterling Park Apartments will be an adaptive re-use of an historic building in the Homan Square neighborhood by Mercy Housing, in partnership with Boulevard Group and the Royal Imperial Group, the owner of the existing building. (Brooks Affidavit, par.1)

4. Sterling Park will be part of Homan Square, a mixed-income housing development, and will have 181 units ranging from one bedroom to four bedroom units. All 181 units will be financed with Low Income Housing Tax Credits (LIHTC). A total of 66 units will be units for public housing families with incomes up to 50% of the Area Median Income (AMI). The remaining units will be for non-public housing low income families with incomes up to 60% AMI.

5. This Court's 1969 Judgment Order prohibits the building of new non-elderly public housing units in Limited Areas, without corresponding, substantially simultaneous construction in General Areas. 304 F. Supp. 736, 738-39 (N.D. Ill. 1969). The Sterling Park Apartments is located in a Limited Area. Nonetheless, for the reasons described below, as well as in the Brooks Affidavit, the parties believe the proposed development is "designed to achieve results consistent with [the Judgment Order]", that the Court therefore has the authority to enter the attached proposed Order pursuant to paragraph X of the Judgment Order, 304 F. Supp. 736, 741 (N.D. Ill. 1969), and request that the Court do so.

6. The Court has on a number of occasions entered similar orders permitting development of public housing in Limited Areas, following a site-specific, case-by-case review, provided that the development of these units was "in furtherance of the purposes" of the Judgment Order. For example, the Court entered such orders on December 18, 2003 (permitting the development of 27 public housing units adjacent to the old Stateway Gardens project, as part of a mixed-income development); on March 26, 2004; April 17, 2006; November 6, 2007, July 23, 2009 and February 26, 2014 (permitting the first five phases of the Robert Taylor redevelopment, collectively called Legends South, to go forward); on August 24, 2010 (permitting the development of 60 public housing units as part of Phase 1 of a mixed-income development to be known as Park Douglas on the former Lawndale Complex site); and on August 5, 2003; August 22, 2005; and July 21, 2010 (permitting the development of a total of 136 public housing units on and near the former Rockwell Gardens site as part of the West End mixed-income development).

7. While the plaintiffs and the defendant cannot say that the area where Sterling Park is located is a "revitalizing" area, there are efforts underway which show the development of the area, in particular in the Homan Square Community itself:

a. Homan Square is the award winning development at the original Sears, Roebuck and Co. world headquarters. After Sears relocated in the early 1990s, developer



Charles H. Shaw redeveloped the area. To date, 150 market rate and affordable for sale homes have been built and sold, and 200 affordable rental units have been occupied. (Brooks Affidavit, par. 15). The developer also created a campus of service providers offering health, education, recreation, and social services to thousands of community residents. (Brooks Affidavit, par.6, 10, 11.) Sterling Park Apartments is located in the eastern portion of the Homan Square Community. See map of Homan Square, attached as Exhibit 1 to the Brooks Affidavit.

b. Sterling Park Apartments is located within a few blocks of the Eisenhower Expressway, just 4 miles from downtown Chicago, and within two miles of major job centers, including:

- \* The Illinois Medical District which employs over 50,000 and generates \$5 billion in economic activity

- \* University of Illinois at Chicago
- \* FBI Regional Headquarters
- \* Cook County Medical Examiner Complex
- \* American Red Cross Headquarters
- \* Illinois State Police
- \* Mt. Sinai Hospital
- \* Schwab Rehab Hospital
- \* Chicago Police Detectives Headquarters
- \* United Center
- \* Malcolm X Community College

(Brooks Affidavit, par. 7).

c. The area is also well served by mass transit. The CTA Blue Line train (Homan/Kedzie Station) is 3 blocks away and four bus lines service the area. (Brooks Affidavit, par. 8).

d. There are several schools within a few blocks of the site, from kindergarten through high school, all within walking distance of Sterling Park. (Brooks Affidavit, par. 10).

e. The Homan Square Community Center is within one block of the site and now serves more than 6,000 visitors each week for recreation or programs. A YMCA daycare facility is also located in the Community Center. (Brooks Affidavit, par. 11).

f. Plans for additions to the Homan Square Community include a university campus facility and a market rate rental phase. (Brooks Affidavit, par. 16). A map showing the location of Sterling Park and attributes of the surrounding community is attached as Exhibit B.

8. Sterling Park is one contiguous elevator building with two wings. One wing is four stories in height, the other six stories in height. Public housing units will be dispersed

throughout the building with 41 of the 66 public housing units located on floors 1 through 3. (Brooks Affidavit, pars. 1, 2).

9. Twenty-five public housing units will be located above the third floor. The parties support housing CHA families in this building in units above the third floor for the following reasons:

a. The 25 public housing units consist of 12 one-bedroom units, 12 two-bedroom units and one three-bedroom unit. With the exception of the single three bedroom unit, the units above the third floor will therefore house smaller families.

b. Concentrations of public housing units will not occur in this building. Public housing units will account for one-third of the units and will be dispersed among and externally indistinguishable from the affordable units. Although some public housing families with children will be housed above the third floor, they will be neighbors with non-public housing families, thereby providing Plaintiff class families with mixed-income housing opportunities.

c. The Plaintiffs and the CHA have reviewed the locations of all of the public housing units to ensure that they will be well-dispersed throughout the building.

10. Because Sterling Park Apartments will be a mixed-income development in the North Lawndale/East Garfield Park area and may serve as replacement housing for former Lawndale residents, the parties also move to amend the current Tenant Assignment Plan, originally approved by Order of this Court on November 24 1969 and amended on numerous occasions, to require that the 66 public housing units that are the subject of this Motion be made available first to eligible CHA families relocating under CHA's Plan for Transformation, with a priority for families relocated from the North Lawndale/East Garfield Park communities. If there are no such families available to occupy the units, such units should be made available to families on the CHA Public Housing Waiting List. The Tenant Assignment Plan approved by this Court and binding on the CHA would otherwise provide relocating CHA families with only one-quarter of these new public housing units. The Court has modified the CHA Tenant Assignment Plan to permit relocating CHA families with access to newly developed mixed-income units on numerous previous occasions, including on August 24, 2010 (Lawndale Complex Replacement), April 2, 2013 (Stateway Gardens Replacement), and February 26, 2014 (Robert Taylor Replacement.)

WHEREFORE, Plaintiffs and the Defendant CHA request the Court to enter the attached proposed Order.

April \_\_\_\_\_, 2015

Respectfully Submitted,

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**One of the Attorneys for  
The Plaintiffs  
Alexander Polikoff  
Julie Elena Brown  
BPI  
Chicago, IL 60602**

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**Attorney for the Chicago  
Housing Authority  
Scott Ammarell  
Chief Legal Officer  
Chicago, IL 60605**



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FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

DOROTHY GAUTREAUX, et al,	)	
Plaintiffs,	)	
	)	No. 66 C 1459
vs.	)	
	)	Hon. Marvin E. Aspen
CHICAGO HOUSING AUTHORITY, et al	)	
Defendant.	)	

AFFIDAVIT OF JAMES BROOKS

James Brooks, being first duly sworn on oath, states:

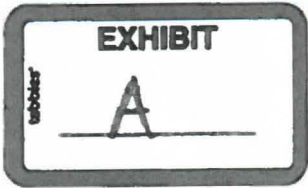
CHA and a private development company (a partnership among Mercy Housing Lakefront, Boulevard Group Inc and Royal Imperial Group called New Sterling Park LLC), have developed plans to construct a mixed-income affordable housing development in the vibrant Homan Square neighborhood on the near west side of Chicago called Sterling Park Apartments. Sterling Park Apartments will create an opportunity for public housing families to live in a mixed-income housing development with access to amenities, high quality schools, supportive services and recreational facilities, with excellent transportation access.

1) Sterling Park Apartments Redevelopment Overview

Exhibit 1, attached hereto, is the proposed site plan for Sterling Park. The development will consist of 181 total rental units, as more fully described below:

Sterling Park Apartments, located at 3301 W. Arthington, is an adaptive re-use of an historic building in the Homan Square neighborhood on the West Side of Chicago by Mercy Housing, a respected national non-profit developer of affordable housing, in partnership with Boulevard Group, a national developer specializing in the development of mixed-income public housing and Royal Imperial Group, the owner of the existing building.

Homan Square is a master-planned community that began decades ago as a vision to revitalize the North Lawndale Community Area by redeveloping the site of the original Sears Headquarters Campus on Chicago's West Side. In 1993 this vision was launched through a partnership involving HUD, the City of Chicago, the private sector (both Sears and the Shaw Company, an award-winning for-profit developer), various community-based educational, social service organizations and community leaders dedicated to its rebirth. Thus far, 350 mixed-income residential units, a community center, and multiple charter and community public schools have been built or created in renovated buildings as part of Homan Square. Sterling Park Apartments is one of the final remaining elements to be completed in the Homan Square community.



Sterling Park Apartments will provide a total of 181 units with a mix of one to four bedroom apartments. The building itself was once part of the Sears administrative campus. The rehabilitation of the property and conversion to multi-family housing will in essence be all new construction; only the historic exterior of the building and its structure will remain of the original construction. The existing roof will be replaced with a green roof. All exterior masonry will be repaired or replaced. All new lighting, MEP systems, elevator cabs, doors and windows will be installed. Wherever possible these improvements have been designed to preserve the historic significance of the building.

Unit kitchens will include all new cabinetry and Energy Star rated appliances. Bathrooms will receive new vanities, new bath/shower surrounds and water conserving lavatories and showerheads. All units will also have energy efficient lighting fixtures and low or no VOC paint. For the safety and convenience of residents there will be laundry facilities on each floor.

The first floor of the building will provide a new computer lab and fitness room for the exclusive use of residents as well as a community room for meetings and special events. In order for Sterling Park to remain financially and physically sustainable over the long term, it is important that the residents of Sterling Park are supported with services that will help them succeed in life. Therefore, the funds for a dedicated Resident Services Coordinator have been included in the operating budget to ensure that appropriate services will be provided to residents either directly through Mercy Housing or through one of its third-party partners. Mercy's experienced resident services staff and property management company will work together to consistently provide quality services to its residents.

**Sterling Park Unit/Income Mix**

All of the 181 units at Sterling Park are financed with Low Income Housing Tax Credits and are for families with incomes ranging from 50% to 60% of the Area Median Income (AMI). The 66 CHA units will be for public housing eligible families with incomes up to 50% AMI. The table below identifies the unit and bedroom mix for all 181 units. All public housing units will be dispersed throughout the building.

Unit Type	1BR	2BR	3BR	4BR	Total
ACC/LIHTC	24	31	9	2	66
LIHTC	55	21	31	8	115
	79	52	40	10	181

2. Public Housing Unit Above Third Floor. Sterling Park is one contiguous elevator building with two wings; one wing is four stories in height, the other six stories in height. Public housing units are dispersed throughout the building; 41 of the 66 public housing units are located on floors 1 through 3. Public housing units located above the third floor are as follows:



Floor	1BR	2BR	3BR	Total
4th Floor	4	6	1	11
5th Floor	4	3		7
6th Floor	4	3		7
Total	12	12	1	25

**3. Management.** Sterling Park is to be privately owned and managed by Mercy Housing Management Group, a non-profit company affiliated with the developer.

**4. Sterling Park Apartments Amenities/Community Facilities**

Resident amenities and community facilities included in the Sterling Park development include:

- 4200 SF of resident service space on the ground floor programmed for families and children, including onsite community and supportive services.
- Fitness Room
- Technology Center and Computer laboratory with 14 stations
- 7600 SF private open space directly accessible from interior service space
- 4000 SF of a green path adjacent to the building.

**5. Sterling Park Apartments – Resident Supportive Services On-Site**

- **Health/Wellness Services** - Mercy Housing will provide supportive services to residents on site. Mercy's mobile team of licensed social workers (5 staff) will provide extra support to the additional 1.5 resident services staff that will be on-site at Sterling Park. This mobile team will provide expertise in the areas of coordinated access to external health services; coordinated health screens and education; mental health crisis support; and addictions. In addition, 250 sq. ft. of space on the 1st floor will be dedicated to visiting medical professionals who can perform health and wellness physical exams.
- **Employment Services** - North Lawndale Employment Network (NLEN) will establish a LISC recognized Center for Working Families at Sterling Park. NLEN will provide 2-3 on site staff for their curriculum of Financial Counseling; Employment Counseling and support services.
- **Financial Counseling** - Mercy will also extend its existing contract with the DePaul Legal Clinic to provide Housing and Financial Literacy programs to residents.
- **Childhood Education** - The Nearby Holy Family School is a partner for After School on-site support for children K-8<sup>th</sup> in homework assistance; general learning in music and art. The Carole Robertson Center for Learning will provide early Head Start (in-home parent development) on site and regular Head Start slots to Sterling Park residents at their local facility nearby.
- **Adult Education** - Mercy will provide direct service through our Secretary of State and Vista Volunteers program, which provides on-site tutoring, remedial education and GED to residents.

**6. Neighborhood Revitalization Efforts – Homan Square**

Homan Square is the award winning community redevelopment of the original Sears, Roebuck and Co. world headquarters. Begun by developer Charles H. Shaw after Sears relocated in the early 1990's, the



Homan Square redevelopment fostered construction of 350 units of for-sale and rental housing, and created a campus of community service providers. The Homan Square campus offers comprehensive health, education, recreation, and social services to thousands of community residents.

The Homan Square master planning effort began in 1988 when Sears, Roebuck and Co. chairman Ed Brennan approached developer Charlie Shaw about prospects for redeveloping the site of the original Sears headquarters on Chicago's West Side. The old Sears Catalog Campus was master planned in 1989 by a partnership among Mayor Daley's administration, the private sector represented by the Shaw Companies (a for-profit developer that purchased the entire site), and a group of community-based educational and social service leaders and organizations dedicated to its rebirth.

Three hundred and fifty (350) mixed-income units were built, 150 for sale units and 200 rental units. Other buildings were demolished, the street grid was changed, and the area has become an enclave community with defensible borders.

The Homan Square Community Center Campus focused on resident services was built to serve the area, and several charter and private schools were built or created in renovated buildings on the campus, serving children from K through high school.

#### **7. Employment Access**

Sterling Park Apartments is located within a few blocks of the Eisenhower Expressway (I-290), just 4 miles from downtown Chicago, and within two miles of major job centers including:

- The nearby Illinois Medical District which employs over 50,000 and generates over \$5 billion in economic activity
- University of Illinois at Chicago
- FBI Regional Headquarters
- Cook County Medical Examiner Complex
- American Red Cross Headquarters
- Illinois State Police
- Mt. Sinai Hospital
- Schwab Rehab Hospital
- Chicago Police Detectives Headquarters
- United Center
- Malcolm X Community College

#### **8. Mass Transit Access**

The site is well served by mass transit. It is 3 blocks from CTA Blue Line train (Homan/Kedzie Station), and is served by four bus lines.

#### **9. Green Space/Recreation**

The site is directly across the street from a two-acre historic passive park; it is 3 blocks from Boler Park, which is adjacent to the Homan Park Community Center. It is only 5 blocks to Douglas Park, a 173-acre public park operated by the City of Chicago that is one of the largest public parks in the city. Douglas Park is a historic regional park with features that include 2 gymnasiums, an auditorium, computer lab, fitness center, a kitchen, grand ball room, and meeting rooms. Outdoors, the park offers tennis courts, a game day football stadium, outdoor pool, water spray features, basketball courts, an artificial turf soccer field, a pavilion, baseball fields, and a small golf putting range.

#### **10. Schools/Education**

The site is well served by several schools within a few blocks, from kindergarten through high school, including three K-8 elementary schools (public and private) and two high schools (9-12). All of these schools are within walking distance of Sterling Park. Neighborhood schools are:

##### **DRW College Prep (Charter School) – directly adjacent to Sterling Park**

The Charles H. Shaw Technology and Learning Center is home to DRW College Prep High School (formerly Power House High School). The former Sears Power House was constructed in 1905 and provided electricity, heat and cooling for the entire 55-acre complex. It is listed on the National Register of Historic Places. It is directly adjacent to the Sterling Park site.

The \$45 million restoration of the Sears power house blends historic preservation and cutting edge sustainable technologies. Original building features were retained to preserve a connection to the building's past. A geothermal heating and cooling system and other energy efficiency measures make the building a candidate for the highest green building certification.

In August 2009 DRW/Power House High opened to 250 9th and 10th grade students. In August 2012, it honored its first graduates.

##### **Manley Career Academy High School (Public High School) – 5 blocks from Sterling Park**

Manley Career Academy High School, in partnership with CPS' Career and Technical Education program, is an improving school that seeks to prepare students for their lives beyond the classroom by equipping them with the skills and knowledge needed to succeed in post-secondary education, advanced career training or immediate entry into jobs with a meaningful career path. After students have successfully completed their first year of high school, students will choose one of the CTE programs in which to participate.

##### **Gregory Math/Science Academy (Public K-8 School) – 3 blocks from Sterling Park**

Gregory Elementary School is a Level 1 high performance public elementary school serving the neighborhood.

##### **Holy Family School (Private K-8 School) – 1 Block from Sterling Park**

Holy Family School is a private, faith-based school for Kindergarten - 8th grade. It is affordable for low-income families; parents pay 30% of the true cost of education. All students receive generous tuition assistance. It has small class sizes and is open to all, regardless of prior academic achievement, religion, or ethnicity.

##### **Learn Charter School (Charter K-8 School) – 4 blocks from Sterling Park**

Learn Charter Elementary School opened its doors in Chicago's North Lawndale community in 2001 and now serves over 600 students, kindergarten through eighth grade.

##### **UCAN Academy**

Currently under construction just south of Homan Square, UCAN Academy is an innovative first through twelfth grade year-round therapeutic day school. A special education curriculum is used by experienced staff to help students who have experienced difficulties in previous school settings and who benefit from a smaller, more individualized classroom setting. The new \$34 million campus is slated to open by the end of 2015.



#### 11. Community Facilities

The Homan Square Community Center is within one block of the site. Construction began in fall of 1999 and was completed in December of 2001. Now more than 6,000 visitors come to the Center for recreation or programs each week.

The 70,000 square-foot facility addressed a decade-long desire of community leaders for a comprehensive recreation, health and family center. Homan Square Campus service providers have grown their services over the years and have also extended their collaborations out into the community to serve even more residents.

The Foundation for Homan Square, a 501(c) 3, not-for-profit organization, was formed in 1995 to oversee the Homan Square redevelopment plan. The Foundation serves as an 'umbrella' organization for the entities on the Homan Campus, including the Homan Square Community Center and DRW College Prep High School. The community center provides an extraordinary range of recreation, health and family support services to neighborhood residents, including but not limited to:

##### **Family Focus**

- Parenting skills, job skills, family relations

##### **Chicago Park District**

- Basketball, swimming, craft rooms, meeting rooms, exercise facility, after school and weekend programs

##### **Robert Crown Center for Health Education**

- Multimedia facility providing education in nutrition, human reproduction, functions of the human body

##### **YMCA Child and Family Center**

- Daycare facility, parenting skills

The Foundation also has plans to renovate the former Sears "tower" at Homan and Arthington into a non-profit arts center and community facility; it is currently in the fundraising stages for this project.

#### 12. Health Care

Lawndale Christian operates a full service health clinic at the Homan Square Community Center (1 block from the site) and partners with other providers mentioned to provide a whole series of comprehensive services.

#### 13. Day Care

North Lawndale YMCA, located in the Homan Square Community Center, provides quality year round full day childcare services for infants, toddlers and preschoolers and afterschool care including transportation for school age children.

#### 14. Grocery-Anchored Retail

Within 5 blocks of the site on Roosevelt Road is Lawndale Plaza, a grocery anchored shopping center. The center is anchored by Leamington Foods and a 10 screen ICE Theater and includes tenants such as Murray Auto Parts, Simply Fashions, Foot Action, Subway, Us Cellular, and McDonald's.

**15. Neighborhood Residential Development**

In 1993, with the support of subsidies from the City of Chicago's "New Homes for Chicago" program, the Shaw Company began constructing new single-family homes accessible to families with annual incomes as low as \$35,000 in Homan Square. Homes constructed in Phase I sold quickly. Phase II began immediately with a lower level of subsidy and slightly higher sales prices. Sales were also swift. The next phase of housing completed in 1999 was constructed without any subsidy.

These for sale units sold at market rates up to \$185,000. All were quickly sold. To accommodate those needing quality rental housing, the Shaw Company in several phases constructed brand new affordable rental units. Once completed, they were also quickly occupied. In total 350 new housing units were developed, including 150 market and affordable for sale units and 200 affordable rental units. Many of the original owners still live at Homan Square and manage the development through the Homan Square Homeowners Association.

**16. Other Planned Development/Adjacent Buildings**

The two former Sears (Allstate) buildings and sites immediately adjacent to the Sterling Park Apartments site are planned for redevelopment in the near future. They are:

The **Sears Administration Building**, located at 3333 W. Arthington and directly adjacent to the Sterling Park Apartments site, was originally constructed as the headquarters for Sears Roebuck and Company in 1905. The building served that function until the early 1970s when it was replaced by the Sears Tower. The Administration building is a 286,557 square foot reinforced concrete building built from 1905-1907.

**Allstate Insurance Building.** Originally built in 1949 as the headquarters for the Allstate Insurance Company, this 310,000 Square foot building is built of reinforced concrete and is adjacent to the Sterling Park site, and includes an adjacent parking deck.

Both the Administration Building and Allstate Building sites are currently under a purchase contract with a higher education institution for adaptive reuse/redevelopment as a new Westside university campus. The specific plan for redevelopment is still under study by the educational institution; however, it is anticipated that the campus would be operational by the 2016/2017 school year, thus providing further significant investment and vitality to the neighborhood immediately adjacent to Sterling Park Apartments.

Should either the Administration Building or a portion of the Allstate site not be utilized for the new Westside campus, it is the intention of the property owner to develop new market rate rental housing on the remaining property, with development to commence in 2016.



Further affiant saith not.

  
James Brooks  
President, Boulevard Group, Inc.

Sworn and subscribed to before me

This 17<sup>th</sup> day of March 2015.



Notary Public

• ANY PUBLIC STATE OF ALABAMA AT LARGE  
• COMMISSION EXPIRES: Apr 8, 2018  
• MOVED THRU NOTARY PUBLIC UNDERWRITERS

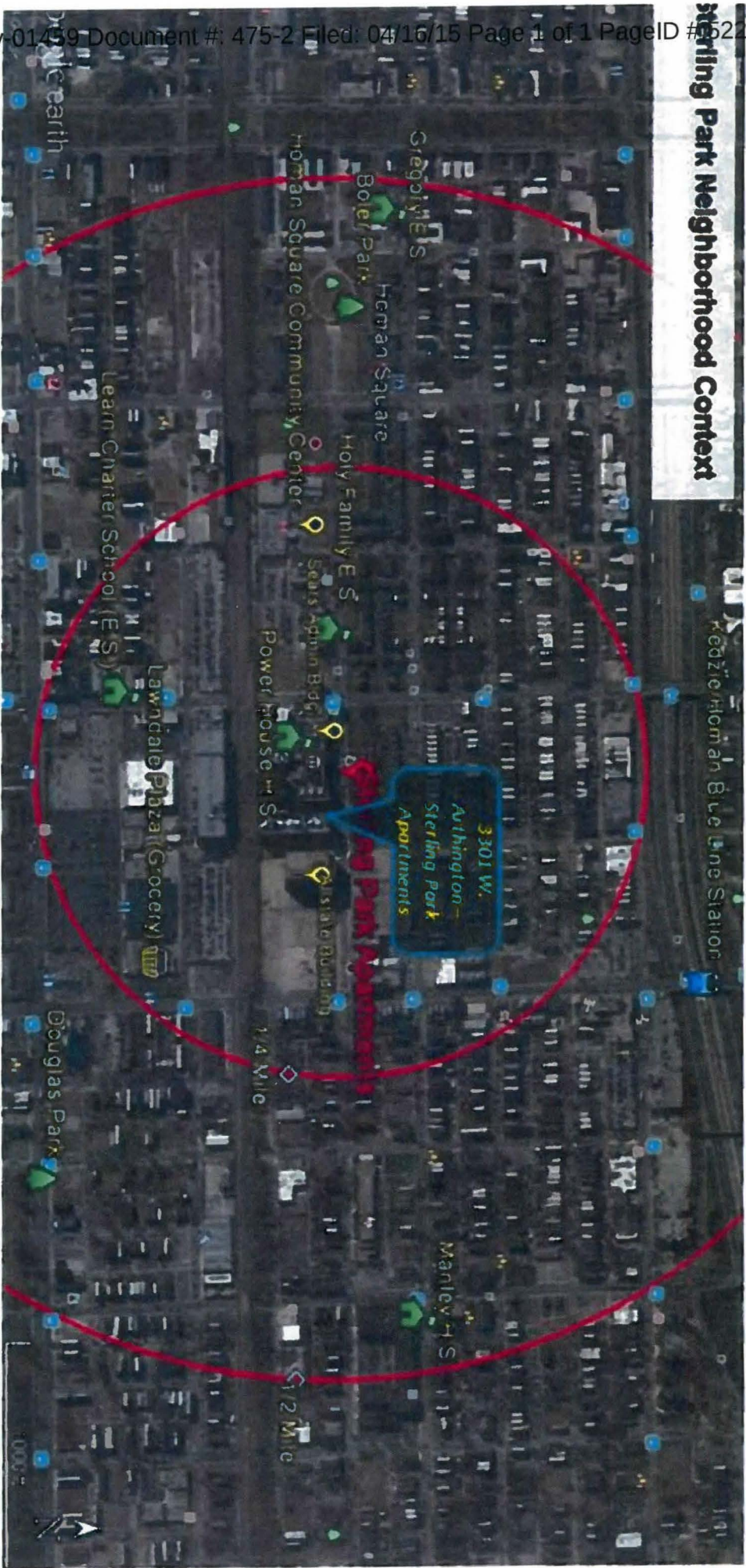
To Books Aff.



# HOMAN SQUARE MASTER PLAN







**Sterling Park Neighborhood Context**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT COURT OF ILLI  
EASTERN DIVISION**

DOROTHY GAUTREAUX, et. al.  
Plaintiff(s).

vs.

CHICAGO HOUSING AUTHORITY  
et. al  
Defendant(s).

No. 66 C 1459

Hon. Marvin E. Aspen

**TO: Julie Elena Brown, Esq**  
**BPI**  
**25 E. Washington, Suite #1515**  
**Chicago, Illinois 60602**

**Alexander Polikoff**  
**BPI**  
**25 E. Washington, Suite #1515**  
**Chicago, Illinois 60602**

**NOTICE OF FILING**

KNOW THAT on April 16, 2015 the Defendant(s), filed the following attached items:

1. **Joint Motion Authorizing Development of Public Housing Units in a Limited area, waiving the restriction of housing children above the third floor and amending the Tenant Assignment Plan**
2. **Agreed Order**
3. **Affidavit of James Brooks**

**CERTIFICATE OF SERVICE**

I, Sherry Williams, a non-attorney, certify under penalties as provided by law pursuant to Sec. 1-109 of the Code of Civil Procedure, that I served the foregoing by mailing copies to the above addressee(s) at the above address(s) and depositing the same in the U. S. Mail at 60 E. Van Buren, Chicago, Illinois 60605 at 5:00 p.m. on April 16, 2015 with proper postage prepaid.

\_\_\_\_\_  
Sherry Williams

Attorney No. 50100  
Elizabeth M. Silas, Esq.  
Chicago Housing Authority  
Office of the General Counsel  
60 E. Van Buren, 12<sup>th</sup> fl.  
Chicago, IL 60605  
(312) 913-7090/sw

*Signatures  
NOT on  
Joint Motion*



**IN THE UNITED STATES DISTRICT COURT  
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CHICAGO HOUSING AUTHORITY	)	Hon. Marvin E. Aspen
et. al	)	
Defendant(s).	)	

**CERTIFICATE OF SERVICE**

The undersigned, an attorney, hereby deposes and states that she caused the foregoing **NOTICE OF FILING, JOINT MOTION of the Gautreaux Plaintiffs AUTHORIZING DEVELOPMENT OF PUBLIC HOUSING UNITS IN A LIMITED AREA, WAIVING THE RESTRICTION ON HOUSING CHILDREN ABOVE THE THIRD FLOOR AND AMENDING THE TENANT ASSIGNMENT PLAN** to be filed with the Clerk of the Circuit Court on April 16, 2015, and served on all parties via the CM/ECF system, pursuant to Local Rule 5.9, as well as served on the following parties via First Class Mail/United States Postal Service by depositing the same in the mail chute located at 60 E. Van Buren, Chicago, Illinois 60605 before 5:00 p.m. on April 16, 2015.

Julie Elena Brown, Esq.  
Business and Professional People for the Public Interest (BPI)  
25 E. Washington Street, Suite #1515  
Chicago, Illinois 60602

Alexander Polikoff  
Business and Professional People for the Public Interest (BPI)  
25 E. Washington Street, Suite #1515  
Chicago, Illinois 60602

s/Elizabeth M. Silas  
Maria Sewell Joseph  
The Chicago Housing Authority



**IN THE UNITED STATES DISTRICT COURT  
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	)	Hon. Marvin E. Aspen
CHICAGO HOUSING AUTHORITY	)	
et. al	)	
Defendant(s).	)	

**AGREED ORDER**

This matter coming to be heard on the Joint Motion of Plaintiffs and Defendant Chicago Housing Authority, for an Order authorizing development of public housing units in one building located in a Limited Area, waiving the Gautreaux restriction on housing families with children in public housing units above the third floor in such building, and amending the Tenant Assignment Plan; and

The Court having reviewed the presentations and considered the views of the parties, as well as an Affidavit from one of the Developers of the building; and

The Court being cognizant that the principal remedial purpose of the orders previously entered in the case has been to provide Plaintiff class families with desegregated housing opportunities; and

The Court being authorized to issue orders in this case "designed...to achieve results consistent with [The Judgment Order]" (304 F. Supp. 736,741); and

The Court being of the view, based on the representation of the parties that the proposed 66 public housing units, including 25 above the third floor, are designed to achieve results consistent with the Judgment Order previously entered in this case;

NOW THEREFORE, it is hereby ordered:

A. The CHA shall be free to develop or cause to be developed 66 new non-elderly public housing units in a building located at 3301 W. Arthington, in the Homan Square Community. The planned 115 non-public housing units and the 66 public housing units shall be marketed simultaneously, and the public housing units shall be and remain well-distributed among the non-public housing units throughout the building which is the subject of this Motion.

B. The Chicago Housing Authority shall be free to house families with children in 25 units above the third floor. Such units shall be dispersed among the non-public housing units and in locations agreed to by the parties.



C. The Chicago Housing Authority Tenant Assignment Plan, originally approved by the Order of this Court on November 24, 1969, and amended on numerous dates thereafter, is hereby further amended to require that the 66 public housing units that are the subject of this Motion be made available first to eligible CHA families relocating under CHA's Plan for Transformation, with priority given to families relocated from the North Lawndale/East Garfield Park communities. If there are no such families seeking to relocate under CHA's Plan for Transformation available to occupy the units, such units shall be made available to families on the CHA public housing waiting list.

Enter:

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U S District Court Judge

Dated: