

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

DOROTHY GAUTREAU, et al.)	
)	
Plaintiffs,)	
v.)	No. 66 C 1459
)	Hon. Marvin E. Aspen
CHICAGO HOUSING AUTHORITY, et al.,)	
)	
Defendants.)	

AGREED ORDER

This matter coming to be heard on plaintiffs' motion for an order (1) authorizing the mixed-income redevelopment of the Julia C. Lathrop Homes Public Housing Project (Lathrop) and waiving Par. IV. A of the Judgment Order with respect thereto, (2) requiring replacement of 524 Dwelling Units that are not to be replaced on the Lathrop site as part of such proposed redevelopment, and (3) amending the Tenant Selection and Assignment Plan with respect to such redevelopment; and

The defendants having taken the position that existing Lathrop public housing units are not subject to this Court's 1969 Judgment Order, and plaintiffs having taken the position that they are; and

The parties being in agreement that their legal dispute is not to be resolved, as a matter of precedent, by this Agreed Order, but that they wish such order to be entered for the purpose of facilitating the mixed-income redevelopment of Lathrop; and

The Court having considered the presentations of the parties respecting the proposed Agreed Order, being cognizant that the principal remedial purpose of orders previously entered in this case has been to provide plaintiff class families with desegregated housing opportunities; and

The Court having retained jurisdiction to issue orders in this case "designed ... to achieve results consistent with [the Judgment Order]," 304 F. Supp. 736, 741 (1969); and

The Court being of the view, based on the presentations of the parties, that the proposal to develop 401 non-elderly public housing units in a mixed-income configuration on the Lathrop site is designed to achieve results consistent with the Judgment Order, provided that the 524 Lathrop non-elderly public housing units to be "lost" in such redevelopment are replaced in General and/or Opportunity Areas of the North Side of Chicago;

Now therefore, IT IS HEREBY ORDERED:

- A. Subject to the conditions set out below, CHA is hereby authorized to develop or cause to be developed 401 non-elderly public housing units in a mixed income redevelopment that includes approximately 494 market rate units and approximately 221 affordable units, all on the site of the Julia C. Lathrop Homes Public Housing Project.
- B. Such 401 non-elderly public housing units shall be built and marketed roughly simultaneously with, and shall be and remain well dispersed among, such planned affordable and market rate units.
- C. As replacement for the 524 Lathrop non-elderly public housing units that will not be replaced on the Lathrop site under the redevelopment authorized in Paragraph A above, CHA shall develop, cause to be developed or acquire 524 Dwelling Units ("the 524 replacement units") as provided below.
 - (i) The 524 replacement units may include project-based vouchers of at least five years duration; however, if any such voucher is terminated or not renewed prior to twenty years, then such voucher shall only count proportionately toward the obligation of providing the 524 replacement units. The proportion shall be determined by dividing the number of years the voucher was in place by 20, so if a project-based voucher for a particular unit is in place for only 10 years, that

voucher will count as 0.5 units toward the obligation of providing 524 replacement units.

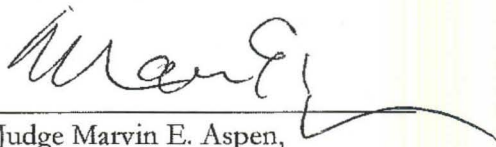
- (ii) The 524 replacement units shall be located in General and/or Opportunity Areas on the North Side of Chicago. The map attached hereto as Exhibit A identifies those areas to be considered General and Opportunity Areas on the North Side as of the date of this Order. The parties are in discussion about additional census tracts that could be considered Opportunity Areas, and will work in good faith to resolve any differences. Such map may be modified from time to time by agreement of the parties or order of this Court.

D. In the course of developing the 524 replacement units,

- (i) CHA shall employ all possible steps that are feasible to the end of developing the same as rapidly as possible, provided that CHA is authorized to develop 105 elderly public housing units, located as provided in paragraph C(ii) above, prior to development of the final 104 of the 524 replacement units, “all possible steps that are feasible” to include, without limitation, seeking the aid, if necessary, of this Court in overcoming any obstacles to the development of such units; and
- (ii) CHA shall report in writing on such steps semi-annually to plaintiffs’ counsel beginning on July 31, 2017, and annually to the Court beginning on January 31, 2018, such reports to describe, with particularity, all steps taken and plans made to develop the 524 replacement units, including the number (or fractional number) of the replacement units thus far developed, as well as any obstacles to such development that CHA has encountered and steps taken or planned to overcome the same.

- E. The Chicago Housing Authority Tenant Selection and Assignment Plan, originally approved by order of this Court on November 24, 1969, and amended by numerous further orders, is hereby further amended to require that the non-elderly public housing units authorized in paragraph A of this Order shall be made available first to eligible current or former residents of the Julia C. Lathrop Homes public housing project who have not yet been afforded replacement housing; second, to eligible families from other CHA developments who have been relocated pursuant to the CHA Plan for Transformation; and thereafter to families on the CHA public housing waiting list.
- F. This Order shall be without prejudice to the position of either party as to the applicability of this Court's orders to CHA developments other than (i) the Lathrop redevelopment authorized herein, and (ii) the replacement of the 524 non-elderly public housing units not to be replaced on the Lathrop site as part of such redevelopment, and this Order shall not be cited by either party as bearing on such applicability.
- G. Except as modified by this Order, the Judgment Order of July 1, 1969 shall remain in full force and effect.

Enter:


Judge Marvin E. Aspen,
United States District Court

Dated: December 22, 2016