

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

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

AGREED ORDER

This matter having come to be heard on the joint motion of Plaintiffs and Defendant Chicago Housing Authority 1) withdrawing their joint motion filed on December 19, 2011, and 2) requesting entry of an Agreed Order approving the renovation of the Phase I Horner redevelopment site (the “superblock”) which will convert the 201 public housing units presently on the site to a mixed-income community consisting of public housing, affordable and market rate rental units integrated into the surrounding mixed-income community; and

The parties being in agreement that such Agreed Order should be entered; and

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

The Court having carefully reviewed the parties’ Joint Motion Respecting Renovation of the Horner “Superblock” and the materials appended thereto,

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The Joint Motion Respecting Renovation of the Horner “Superblock” is granted;
2. Notwithstanding any prior order of this Court, including the Orders of August 14,

1995, April 15, 1996, and October 22, 1998, which authorized the development of 466 public housing units in Phase I of the Horner redevelopment, the CHA is hereby authorized to convert the 201 “very low income” and “low income” public housing units presently on the Horner “superblock” site (bounded by Lake Street on the north, Damen Avenue on the east, the alley north of Washington Street on the south and Leavitt Street on the west) into a mixed-income community consisting of 74 public housing units for families with household incomes between 0-60% of Area Median Income (“AMI”), 17 public housing units for families with household incomes between 30-60% of AMI, four (4) public housing units for families with household incomes between 60-80% of AMI, 50-51 non-public housing affordable units for families with household incomes below 60% of AMI, and 55-56 non public-housing market rate rental units, as further described in the Joint Motion. The public housing units shall be dispersed throughout the site and distributed among the affordable and market rate rental units.

3. CHA will provide replacement public housing units for the 106 public housing units on the “superblock” that are to be converted to affordable or market rate rental units as follows:

A. CHA shall acquire or develop, or arrange for the acquisition or development, of three public housing and/or project-based voucher units with at least 20-year contracts on the Near West Side of Chicago in the neighborhood surrounding Horner, specifically defined as Halsted Street on the east, the Eisenhower Expressway on the south, Chicago Avenue on the North, and California Avenue (north of Madison) and the viaduct between Rockwell and Washtenaw streets (south of Madison) on the west. Within this area, new units will only be acquired in the existing Horner Revitalizing Areas or in General Areas, as defined by the 2010 census, unless authorized by further order of this Court. CHA shall also acquire or develop, or arrange for the acquisition or development of one (1) public housing and/or project-based voucher unit with at least a 20-

year contract not on the Near West Side. If project-based vouchers are used, the CHA shall cause them to remain available for the duration of the contract period.

B. CHA shall provide 102 additional units of public housing. These units shall be acquired by or on behalf of CHA or developed by or on behalf of CHA through the Horner Developer, other developers, CHA's Property Rental Assistance program, or other similar programs. CHA shall use its best efforts to locate these units in Opportunity Areas of the City of Chicago identified on the map that is attached as Exhibit E to the joint motion, with a priority for units on the North Side of the City of Chicago. Notwithstanding the provisions of this paragraph, CHA may locate up to 50 of these replacement units on the Near West Side of Chicago in the neighborhood surrounding Horner, as defined in Paragraph 3.A. above. Within this area, new units will only be acquired in the existing Horner Revitalizing Areas or in General Areas, as defined by the 2010 census, unless authorized by further order of this Court. The 102 public housing units described in this subparagraph may be project-based voucher units with at least 20-year contracts.

C. CHA shall submit quarterly reports to Plaintiffs and an annual report to this Court on CHA's progress in acquiring and providing these 106 units in the manner described in subparagraphs 3.A. and 3.B. above. Plaintiffs reserve the right to seek from this Court a final deadline for acquiring and providing these units, depending on CHA's progress. CHA reserves the right to seek an order from this Court to modify the location of the replacement units described in paragraph 3.B. above.

4. CHA and the Horner Developer are permitted to file an application with HUD under the Rental Assistance Demonstration ("RAD") program, which if approved and completed would convert public housing units on the Superblock to project based units and would subject tax-

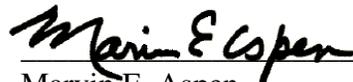
credit and market rental units to the rules and regulations governing the RAD program. If the RAD application is approved, the RAD program may also be used to provide project based voucher units off-site to replace the public housing units lost from the “superblock”, subject to the locational requirements of paragraph 3 above.

5. Once relocation to effectuate the renovation of the “superblock” authorized by this Order begins, the prior order of this Court requiring that one-half of the public housing units be occupied by families whose incomes are within the range of 50-80% of the AMI shall no longer be in effect.

6. This order shall be null and void if the Horner Developer is unable to secure the type of financing it deems necessary to complete the redevelopment of the Horner “superblock”, or if the Horner Developer and CHA are unable to secure necessary HUD approvals for this effort to convert the “superblock” to a mixed-income development.

ENTER:

11/06/14



Marvin E. Aspen
United States District Judge