

Just Housing Initiative

Cook County Impact Fact Sheet



COOK COUNTY OVERVIEW



Total population: 5,274,129, including 1,216,270 families.

51.52% of residents identify as **female**.

48.48% identify as **male**.

Median age of residents: 36.6 years old.¹



Median household income: \$59,718.

Average household spends 31.5% of its budget on rent and utilities.²



2,230,295

Number of housing units in Cook County.³



40.3% of units are **renter-occupied**.

49.7% of units are **owner-occupied**.

10.0% of units are **vacant**.⁴

IMPACT IN COOK COUNTY

10,600+

Average number of people who returned to zip codes in Cook County each year from Illinois' prisons.⁵

34,000+

Number of men and women *with children* who returned to zip codes in Cook County from Illinois' prisons over a 5-year period.⁶

78%+

Average percentage of women returning to zip codes in Cook County who reported having children.⁷

**NATIONALLY,
4 in 5**

survey respondents in a study involving 14 states including Illinois were either ineligible for or denied housing because of their own or a loved one's criminal history.⁸

THE BENEFITS OF JUST HOUSING⁹



Greater family stability



Healthier communities



Reduced recidivism



Less spending on incarceration



Stronger economy



Lower rates of homelessness

Support the Just Housing Initiative's Amendment to the Cook County Human Rights Ordinance

For more information, please contact info@justhousinginitiative.org

Sources: **District Overview** (1-4: Total Population, Median household income, number of housing units, renter-occupied, owner-occupied, and vacant unit percentages from U.S. Census Bureau, Census 2010 (2018 Estimate); number of families, median age, sex percentages, and rent and utilities percentage from Esri Forecast 2018, sex percentages computed independently, rent and utilities consumer spending data from Bureau of Labor Statistics). **Impact in Cook County** (5-7: Analyses by Loyola's Center for Criminal Justice Research, Policy and Practice of data of adults released from Illinois' Prisons between State Fiscal Year 2011 and 2015 back to zip codes within Cook County, population data provided by the IDOC's Planning and Research Units, Criminal History Record Information generated and provided by the Research and Analysis Unit of the Illinois Criminal Justice Information Authority, note that zip codes may be overinclusive of returns; 8: Ella Baker Center on Human Rights, 2015 survey of 1,080 formerly incarcerated individuals and families with incarcerated loved ones). **The Benefits of Just Housing** (9: See How Housing Matters (<http://www.howhousingmatters.org>), an online portal that provides access to research on the relationship between housing and other issue areas including the economy, education, health, people, and neighborhoods; see also No Place to Call Home: Navigating Reentry Housing in Chicago, Roosevelt University Policy Research Collaborative and BPI, 2018).



Cook County Commission on Human Rights

Just Housing Amendment Frequently Asked Questions for Applicants*

1. Why did the Cook County Board of Commissioners pass the Just Housing Amendment (JHA) to the Human Rights Ordinance?

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

The JHA:

- 1) prohibits landlords from denying a housing application based on juvenile or adult arrest records; and
- 2) requires landlords to perform an individualized assessment prior to denying any application for housing.

2. What is an Individualized Assessment?

An individualized assessment is a questionnaire that considers all the relevant factors from an individual's conviction in the previous three (3) years. The following list of factors can be considered. This list does **not** include **all** factors that a landlord can consider:

- The nature and severity of the criminal offense and how recently it occurred.
- The nature of the sentencing.
- The number of criminal convictions in the past three (3) years.
- The length of time that has passed since the applicant's most recent convictions.
- The age of the individual at the time the criminal offense occurred.
- Evidence of rehabilitation.
- The individual history as a tenant before and/or after the conviction.
- Whether the criminal conviction(s) was related to the applicant's disability.
- If the applicant is a person with a disability, whether any reasonable accommodation could be provided to lessen any demonstrable risk.

3. When does the JHA go into effect?

The JHA went into effect on January 1, 2020. However, the Cook County Board of Commissioners delayed enforcement of the Amendment until February 1, 2020.

4. Who does the JHA apply to?

The JHA applies to real estate transactions. Real estate transactions include the sale, rental, lease, and sublease renewal of residential properties.

*See Part 700 of the Cook County Just Housing Interpretative Rules for more information.

Just Housing Amendment

Frequently Asked Questions for Applicants

5. Can having a criminal background result in automatic denial of a housing application?

No. A landlord **cannot** consider criminal history that is more than three (3) years old, and a landlord **must** conduct an individualized assessment of any criminal history that is less than three (3) years old.

6. Are there any exceptions to the Just Housing Amendment?

Yes. A landlord may deny an applicant for a new lease or lease renewal of residential properties based on any of the following:

- The applicant or a household member is a current sex offender required to register under the Sex Offender Registration Act (or similar law in another jurisdiction);
- The applicant or a household member is a current child sex offender under residency restriction; or
- The applicant or a household member has a criminal conviction from the past three years. Before denying the application, the landlord must first perform an individualized assessment, and show denial based on a criminal conviction is necessary to protect against a clear risk to personal safety and/or property.

7. Are landlords required to conduct criminal background checks?

No. The JHA does not require landlords to conduct criminal background checks.

8. If an applicant was arrested but not convicted in the past three (3) years, can the arrest be a basis for denying the housing application?

No. Arrests and convictions are very different. An arrest without a conviction cannot be considered when evaluating rental applications.

9. What does the JHA tenant screening process require?

Once an application fee is accepted, the Just Housing Amendment requires landlords to engage in a two-step tenant screening process.

Step One: Prequalification

During this step, a landlord may screen a tenant to determine whether the tenant satisfies all the application criteria such as income, rental history, credit score, pets, etc. Criminal background checks **cannot** be performed during Step One.

When this first step is completed, the landlord must either 1) pre-qualify the applicant based on all criteria except those related to criminal history; or 2) deny the application based on failure to satisfy the prequalification criteria.

Step Two: Criminal Background Check

Only **after** the landlord prequalifies an applicant may a landlord conduct a criminal background check.

Just Housing Amendment

Frequently Asked Questions for Applicants

10. What happens if the criminal background check reveals a conviction from the last three (3) years?

The JHA requires the landlord to complete an “Individualized Assessment” before denying housing. Landlords cannot consider convictions that are more than three (3) years old.

11. Is the landlord required to consider evidence of rehabilitation when completing an Individualized Assessment?

Yes. The following are examples of evidence of rehabilitation:

- Completion of a returning citizens program.
- Job readiness training.
- Supportive services that assist with the transition back to society.
- Completion of a GED or other education programs.
- Report from correctional facility.
- Employment.
- Personal recommendations.

12. May a landlord verify any evidence of rehabilitation?

Yes, however, a landlord must still complete the evaluation and then approve or deny a housing application within three (3) business days as required by the JHA.

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

Yes. The JHA includes Conviction Dispute Procedures as described below.

Within five (5) business days of receiving a criminal background check, the landlord must deliver a copy to the applicant. A copy of the background check can be delivered in person, by certified mail, or by text or email.

Once the applicant receives the results of the background check, the applicant has five (5) business days to provide evidence that disputes the accuracy or relevance of information related to the criminal background check.

The landlord then has three (3) business days from receipt of the dispute information to accept or deny the application.

14. Is a landlord required to hold a unit off the market while an applicant disputes the background check?

No, a landlord does not have to hold a unit off the market.

15. How does a landlord provide notice of its final decision?

The landlord has three (3) business days from receipt of the dispute information to accept or deny the application.

If you think you're being discriminated against, you don't have to deal with it alone.

Contact a fair housing agency in your area. These agencies help investigate housing discrimination. They might help you settle the matter directly, file a complaint, or take the issue to court.



JUST HOUSING INITIATIVE

People with records, like everyone else, deserve a place to call home.

WWW.JUSTHOUSINGINITIATIVE.ORG

GET ASSISTANCE FROM A FAIR HOUSING AGENCY:

Access Living
312-640-2106 (voice)
312-640-2102 (TTY)

HOPE Fair Housing Center
630-690-6500

Northside Community Resources
773-338-7722

Open Communities
847-501-5760

South Suburban Housing Center
708-957-4674

UIC John Marshall Fair Housing Legal Support Center
312-786-2267

EXPERIENCING DISCRIMINATION? FILE A COMPLAINT.

Cook County Commission on Human Rights
<https://bit.ly/CookCHR>
312-603-1100 (voice)
312-603-1101 (TDD)

HAVE QUESTIONS? WANT TO HOST A TRAINING?

Just Housing Initiative
info@justhousinginitiative.org

**HAVE AN ARREST
OR CONVICTION
RECORD?**

**RENTING A HOME
IN COOK COUNTY?**



KNOW YOUR RIGHTS

YOUR NEW HOUSING RIGHTS

Effective January 2020

JUST HOUSING AMENDMENT

Amendment to the Cook County Human Rights Ordinance

Landlords can't ask about your arrest or conviction record on a housing application.

First, landlords must consider other factors, such as your ability to pay rent. They can consider typical qualifications, such as credit history, income requirements, or landlord references.

If you meet other application requirements, a landlord can then run a background check.

Landlords still can't consider:

- Conviction records more than 3 years old
- Arrests, charges or citations
- Participation in a diversion or deferral program
- Sealed, expunged, or pardoned records
- Juvenile records

Landlords **can** consider conviction records from the last three years, but only after giving you an opportunity to discuss your record and share more information.

When can a landlord still deny your application?

When your application does not meet their typical qualifications, such as credit history, income requirements, or landlord references.

When the denial is because of current sex offender registration requirements or child sex offender residency restrictions.

When your conviction is from the last 3 years and the landlord gives you a chance to discuss it but still decides you are a risk to people or property. If a landlord denies you for this reason, they must provide:

- A copy of any background checks they used
- An opportunity to respond to the accuracy and relevance of your conviction history
- A copy of their selection criteria
- Reasons why denying your application is necessary to protect the personal safety or property of others

The law applies to both private landlords and subsidized housing providers.

IF YOU HAVE A CONVICTION RECORD FROM WITHIN THE LAST 3 YEARS, LANDLORDS MUST CONSIDER FACTORS LIKE:

- Your history as a tenant
- Whether your conviction is related to a disability and if a reasonable accommodation could be provided
- Your age at the time of conviction
- Evidence of rehabilitation, such as letters of recommendation, going to school, securing employment, or volunteering in your community

Landlords must also give you an opportunity to present more information. This can include:

- Court-issued good conduct certificates
- Employer recommendations
- Education or vocational training
- Participating in programs that assist with the transition back to the community
- Letters of recommendation
- Other relevant information or documents



KNOW YOUR RECORD

CLEAR YOUR RECORD

BE PREPARED

TIPS FOR A SUCCESSFUL HOUSING APPLICATION

You can get your records from the Illinois State Police or the Circuit Clerk in your county, or get your “rap sheet” from your local police department. These are official records, so there may be a fee.

You might be able to expunge or seal some or all of your record so that it won’t appear in a criminal background check.

If you have been convicted within the last 3 years, be ready to explain why you’ll be a good tenant and to explain any inaccurate information on your record. Gather helpful documents, such as letters of recommendation, to share.

Si usted siente que ha sido discriminado/a, no tiene que luchar contra este maltrato solo/a.

Contacte a una agencia de vivienda justa en su área. Estas agencias le ayudan a investigar casos de discriminación en materia de vivienda. También le ayudan a presentar una demanda, resolver su caso, o presentar el asunto en un tribunal.



JUST HOUSING INITIATIVE

Las personas con antecedentes, como todos los demás, merecen un lugar al cual llamar hogar.

WWW.JUSTHOUSINGINITIATIVE.ORG

OBTENGA AYUDA DE UNA AGENCIA DE VIVIENDA JUSTA:

Access Living
312-640-2106 (voz)
312-640-2102 (TTY)

HOPE Fair Housing Center
630-690-6500

Northside Community Resources
773-338-7722

Open Communities
847-501-5760

South Suburban Housing Center
708-957-4674

UIC John Marshall Fair Housing Legal Support Center
312-786-2267

HA SIDO DISCRIMINADO/A? PRESENTE UNA DEMANDA.

Comisión de Derechos Humanos del Condado de Cook
(Cook County Commission on Human Rights)
<https://bit.ly/CookCHR>
312-603-1100 (voz)
312-603-1101 (TDD)

¿TIENE PREGUNTAS? ¿QUIERE ORGANIZAR UN TALLER?

Just Housing Initiative
info@justhousinginitiative.org

¿TIENE EXPEDIENTE DE ARRESTO O CONDENA?

¿ESTÁ RENTANDO UN HOGAR EN EL CONDADO DE COOK?



CONOZCA SUS DERECHOS

SUS NUEVOS DERECHOS DE VIVIENDA:

Declarados Efectivos Enero del 2020

ENMIENDA DE VIVIENDA JUSTA:

Enmienda a la Ordenanza de Derechos Humanos del Condado de Cook

Los arrendadores no le pueden preguntar sobre sus expedientes de arresto o condena en una aplicación de vivienda.

Primero, los arrendadores debe considerar otros factores, como su habilidad para pagar la renta. También pueden considerar requisitos típicos como su historial de crédito, ingresos, o referencias de antiguos arrendadores.

Si usted satisface los otros requisitos de la aplicación, el/la arrendador/a puede llevar a cabo una averiguación de antecedentes sobre usted.

Los arrendadores no pueden considerar:

- Expedientes de condena que son más de 3 años viejos
- Arrestos, cargos/acusaciones, o citaciones
- Participación en un programa alternativo o de aplazamiento
- Expedientes que han sido suprimidos, sellados, o indultados
- Expedientes juveniles

Los arrendadores pueden considerar expedientes de condena de los últimos tres años, pero solo después de darle a usted una oportunidad de discutir sobre su expediente y compartir más información.

¿Cuándo puede un/a arrendador/a negar su aplicación?

Un/a arrendador/a puede negar su aplicación cuando usted no cumple con los requisitos típicos como su historial de crédito, ingresos, requisitos de ingreso, o referencias de antiguos arrendadores.

Su aplicación también puede ser negada cuando usted haya sido rechazado/a por estar fichado/a en el registro de agresión sexual o por estar fichado/a con restricciones de residencia por agresión sexual contra menores.

Cuando su expediente de condena es de los últimos tres años y el/la arrendador/a le ha dado oportunidad a usted de discutir sobre su expediente, pero el/ella decide que usted genera un riesgo a los inquilinos de la propiedad o a la propiedad misma. Si un/a arrendador/a lo/a niega por esta razón, debe de presentarle:

- Una copia de la averiguación de su expediente
- Una oportunidad a usted de responder a la exactitud y pertinencia de su expediente de condena
- Una copia del criterio que usa el/la arrendador/a para seleccionar inquilinos
- Razones por las cuales el/la arrendador/a rechazo su aplicación son justificadas para proteger la seguridad personal y propiedad de los inquilinos de la propiedad

SI USTED TIENE UN EXPEDIENTE DE CONDENA DE LOS ÚLTIMOS 3 AÑOS, LOS ARRENDADORES TIENEN QUE CONSIDERAR OTROS FACTORES COMO:

- Su historial como inquilino
- Si su expediente de condena esta relacionado con una discapacidad que usted tenga y si hay una adaptación por su discapacidad que el/la arrendador/a pueda proporcionarle
- Su edad cuando sucedió la condena
- Evidencia de su rehabilitación, como cartas de recomendación, haber ido o estar yendo a la escuela/universidad, programa vocacional, teniendo empleo, o hacer trabajo voluntario en su comunidad

Arrendadores también tienen que darle una oportunidad de presentar más información. Esta información puede incluir:

- Certificados de buena conducta emitidos por un tribunal
- Cartas de recomendación de su empleador/a
- Entrenamiento educativo o vocacional
- Participación en programas que asisten con reintegración en la comunidad/sociedad
- Cartas de recomendación de otros referentes
- Cualquier información o documento relevante



Esta ley le aplicada a arrendadores privados y proveedores de vivienda subsidiada.



CONOZCA SU EXPEDIENTE

Usted puede acceder sus expedientes de la Policía Estatal del Estado de Illinois o del Juzgado del Circuito en su condado, o obtener su hoja de antecedentes (conocido como "rap sheet") de su departamento de policía local. Estos documentos son expedientes oficiales y puede haber un costo por obtener los documentos.

LIMPIE SU EXPEDIENTE

Es posible que pueda borrar o sellar algunos o todos sus registros para que no aparezcan en una verificación de antecedentes penales.

ESTÉ PREPARADO

Si usted tuvo una condena durante los últimos 3 años, este preparador/a para explicar porque usted sea un buen/a inquilino/a y explicar porque cualquier información no esté correcta en su expediente. Junte documentos útiles, como cartas de recomendación, para compartir con el/la arrendador/a.

CONSEJOS PARA UNA APLICACIÓN DE VIVIENDA EXITOSA

CRAIN'S CHICAGO BUSINESS

May 09, 2019 04:52 PM

Why this landlord is all for Cook County's 'just housing' amendment

Every family, even where one member has a record, deserves a fair chance at housing.

ANNE HOLCOMB



Getty Images

Every family, even where one member has a record, deserves a fair chance at housing.

As a landlord, I fully support the recently passed [Just Housing Amendment](#) to the Cook County Human Rights Ordinance. Every family,

even where one member has a record, deserves a fair chance at housing.

I own a small apartment building in the South Shore community, and I have been operating my business in alignment with the Just Housing Amendment long before its passage last month. I have done so because it makes good business sense, both in terms of my bottom line and my obligations under fair housing laws.

I screen tenants in a way that prioritizes a fair chance for consideration, which is exactly what the Just Housing Amendment calls for. When a prospective tenant applies for an apartment, I always follow the same protocol. I verify source of income, check credit and eviction history, and call references. If there are no red flags, I will then conduct a criminal background check and consider each applicant's background on a case-by-case basis. This process isn't "onerous," "complicated" or "confusing" as some of my counterparts have suggested—it is fair. Every person deserves to be evaluated on an individual basis. Establishing if an applicant meets the basic requirements for rental housing should be the first step in any landlord's evaluation process, before a background check that can immediately rule out people on the basis of what they have done in the past. After verifying basic requirements for renting, I carry out a criminal background check for potential tenants to identify if there were any offenses that demonstrate a likely danger to the children living in our building. As this is a major concern for me, I have rejected applicants with a history of just a few offenses. The Just Housing Amendment does not change my ability to do so.

When looking at a person's criminal history, I consider the nature and severity of the offense; the time that has elapsed since they were convicted; how old they were when they received the conviction; as well as what they have done with their lives since then. I particularly respect applicants who will tell me in advance what I will discover when I do the background check. This indicates to me that they are honest and will likely continue to be honest with me.

In the past eight years, I have admitted several returning citizens, including one of my first tenants who continues to live in my building today. As any

landlord will tell you, I have had a few problematic tenants, but they have not been the returning citizens. If anything, tenants who were justice-involved have been more appreciative and more respectful because I gave them a chance denied to them by many others.

For many of my tenants, the stigma of their backgrounds continues to follow them long after they left the criminal justice system. One tenant explained to me that after being shut out of so many jobs and housing opportunities, his conviction felt like a life sentence to second class status in society. Beyond any question of fairness, keeping people with criminal records out of housing doesn't keep our communities safe. As landlords, we can help these returning citizens come back into society. A fair chance to get housing means a much better chance at securing a job, reuniting with family, and rebuilding life on the outside.

By passing the Just Housing Amendment, the Cook County Board of Commissioners has ensured that other landlords give people the same chance to prove that they are more than their background, making our county more just and fair in the process—and that's simply good business.

Anne Holcomb is a Chicago landlord.
