



Analysis of Impediments to Fair Housing Choice (AI) as of November 11, 2014

Jointly Compiled by:



Applied Real Estate Analysis, Inc.

914 S. Wabash Avenue
Chicago, Illinois 60605

www.areainc.net

Lake County Community Development

500 W. Winchester Road, Unit 101
Libertyville, Illinois 60048

www.lakecountyil.gov

TABLE OF CONTENTS

Section I. Introduction	1
Section II. Overview of Lake County	5
Section III. Demographics	7
Section IV. Fair Housing Policies and Procedures	81
Section V. Fair Housing Programs, Activities, and Outreach	88
Section VI. Fair Housing Complaints.....	96
Section VII. Fair Housing Surveys.....	108
Section VIII. Impediments and Actions.....	122
Section IX. Implementation	147
Appendices	149
Appendix A. Proposed Tiered Approach for Compliance by Funding Recipients ..	150
Appendix B. Affordable Housing Planning and Appeal Act Non-Exempt Lake County Communities	153
Appendix C. Zoning-Related Options for Housing Development in Unincorporated Areas of Lake County.....	154
Appendix D. Citizen Participation and Public Comments	156

SECTION I. INTRODUCTION

PURPOSE OF THE STUDY

As a recipient of federal funds from the U.S. Department of Housing and Urban Development (HUD), the government of Lake County is required to “affirmatively further fair housing.” The definition of “affirmatively further fair housing” has not been codified, and HUD has defined it through obligations of the funding recipients to:

1. “Conduct an analysis to identify impediments to fair housing choice within the jurisdiction.”
2. “Take appropriate actions to overcome the effects of any impediments identified through the analysis.”
3. “Maintain records reflecting the analysis and actions taken in this regard.”¹

Lake County last procured the development of a draft Analysis of Impediments to Fair Housing Choice (AI) in 2012. In light of emerging AI best practices, the County developed this current AI to provide a deeper, multi-faceted analysis of data and trends, provide factual data, consider all protected classes, and incorporate more comments and participation by the public, local housing organizations, and municipal officials. No single entity or field can address all identified impediments, and implementation will require collaboration and time. For each identified impediment, this report identifies the party having influence over the actions and offers partner-based solutions. Section IX proposes phased implementation suggestions for the County. Although HUD does not require a completed AI each year, it recommends that an AI be updated in coordination with the jurisdiction’s consolidated plan five-year cycle (currently 2010–2014).

Although the AI is required by HUD, it is important to note that the County procured this analysis because it recognizes and appreciates the value of a diverse population. This diversity can only be maintained and expanded if all individuals have equal access to a broad range of housing in thriving communities. The County desires that, through this analysis and implementation of its recommendations, stakeholders recognize the intrinsic value of diversity and that it makes the County more effective and competitive.

Insuring equal access to communities of opportunity and fair housing is a monumental task that no single entity or field can single-handedly address. Researchers note that:

¹ 24 C.F.R. § 91.425(a)(1)(i), see also § 570.601(a)(2).

There is increasing evidence that in the United States excessive greenfield development has widened the divide between rich and poor. *Sprawl City: Race Politics and Planning in Atlanta* by Robert D. Bullard, Glenn S. Johnson and Angel O. Torres documents how poor households, and African-Americans in particular, have been disadvantaged by the growth of wealthy white suburbs, the lack of public transportation and the lack of affordable housing.²

The purpose of this report is to provide Lake County stakeholders with an overview of fair housing, provide a description of the socioeconomic characteristics of the resident population, and identify both existing impediments to fair housing choice and potential actions to address the identified impediments. This analysis is a vital next step to further developing a strategic approach to affirmatively furthering fair housing.

WHO CONDUCTED THE STUDY

This study was developed by Applied Real Estate Analysis (AREA), Inc., of Chicago, Illinois, with data analysis and additional information provided by Lake County Community Development staff in consultation with community development staff at the cities of North Chicago and Waukegan. AREA's project director was Maria-Alicia Serrano, Vice President and Director of Public Sector Services.

METHODOLOGY

The primary data sources for demographics for this study were the 1990, 2000, and 2010 U.S. Decennial Census and American Community Survey (ACS) 2008–2012 five-year estimate. These are the most consistent data sources that provide information at a census-tract level. In some cases, the 2012 ACS 1-Year estimates were used for county- or municipal-level data.

The researchers also relied on several reports and studies on fair housing and related topics, all of which are cited throughout the report. Finally, conversations with local fair housing advocates and real estate professionals assisted in identifying challenges and potential solutions. AREA developed surveys for residents of Lake County, real estate professionals, and municipalities to obtain their comments on housing discrimination in Lake County. The surveys were distributed online as well as in paper form.

² Hayden, Delores (2003). *Building Suburbia: Green Fields and Urban Growth, 1820-2000*, p. 230.

ORGANIZATION OF THE STUDY

The study is organized into nine sections:

- I. **Introduction.**
- II. **Overview of Lake County** provides contextual information on the County, government organization, and grant programs.
- III. **Demographics** provides a detailed discussion of the population of each of the protected classes as well as discussions of Lake County's rental and for-sale housing markets, employment, and transportation.
- IV. **Fair Housing Policies and Procedures** highlights Lake County's current policies related to fair housing and the monitoring of funding recipients' fair housing activities.
- V. **Fair Housing Programs, Activities, and Outreach** describes steps currently being taken by the County and other organizations to further the goals of fair housing.
- VI. **Fair Housing Complaints** analyzes data on housing discrimination complaints submitted to the State of Illinois and HUD.
- VII. **Fair Housing Surveys** analyzes the results of three fair housing surveys conducted by Applied Real Estate Analysis.
- VIII. **Findings/Identified Impediments and Recommended Actions** lists and describes the identified impediments to fair housing choice as well as the recommended actions the County should take to overcome the impediments.
- IX. **Implementation** provides narrative on the timeline for implementing the various actions recommended for overcoming identified impediments.

Appendices contain supplementary text and details on the public comment period.

ACKNOWLEDGEMENTS

The authors would like to thank all municipalities in Lake County for their commitment to building healthy and resilient communities. By working together to offer a variety of housing choices in Lake County, we can address a broad range of social and economic needs.

The authors would also like to thank the Lake County Center for Independent Living, Lake County Housing Action Coalition, Lake County Community Foundation, Prairie State Legal Services, and Lake County Coalition for the Homeless for your contributions to this AI. Such community-based organizations encouraged the County to consider questions such as the following:

- Can neighborhoods be integrated economically and racially?
- Can the building process itself support local residents and their search for meaningful jobs, rather than large-scale developers?
- Can nonprofits take a larger role in development?
- Can Americans build affordable housing for every metropolitan household?
- Can housing be tailored to support the elderly and people with disabilities?³

Reference to an organization within this study does not constitute an endorsement of the analysis or recommendations.

³ Hayden, Delores (2003). *Building Suburbia: Green Fields and Urban Growth, 1820-2000*, p. 247.

SECTION II. OVERVIEW OF LAKE COUNTY

Lake County, Illinois is located on the shore of Lake Michigan between Chicago and Wisconsin. It is home to more than 700,000 residents, some of whom live in highly developed urban centers while others live in rural communities. Lake County covers 470 square miles of residential, commercial, industrial, agricultural, and open space land. In a varied landscape from Lake Michigan's lakefront, which forms the County's eastern border, to the Wisconsin border in the north and the chain-of-lakes in the west, the County's residents have diverse backgrounds and lifestyles.⁴

The Lake County Consortium member cities of North Chicago and Waukegan have 31,359 and 86,273 residents, respectively, who live in aged urban settings along the Lake Michigan waterfront. With higher-than-average poverty rates, both North Chicago and Waukegan are among the County's areas of greatest need.⁵

SUSTAINING THE LAKE COUNTY ECONOMY FOR THE NEXT GENERATION⁶

“At the Lake County Partners 2013 Annual Meeting, Rebecca Ryan of Next Generation Consulting outlined four big trends changing the face of America: technology, diversity, the environment, and the talent dividend. As a futurist and expert in predicting strategies based on these trends, Ryan emphasized that in order for Lake County to grow, it needs to view Lake County as would the next generation.”



Emergent Demographics and Trends

“By 2030, Lake County can expect a 95 percent increase in Asian Americans, a 52 percent increase in both Latin and African-Americans, and a mere 6 percent increase in Caucasian Americans. Our next generation is made of this ‘new America,’ which gives Lake County the opportunity to have a broader, more diverse work force with a wide range of skills and talents.”

⁴ Excerpted from the Lake County website: www.lakecountyil.gov/AboutOurCounty/History

⁵ See page 44.

⁶ Excerpted from the Lake County Partners' e-mail newsletter:

<http://lakecountypartners.cmail1.com/t/ViewEmail/y/68C7294762928445/3B2C8CA08508C9998BD4C707EBCCB890>

LAKE COUNTY CONSORTIUM

The Lake County Consortium, with its participating jurisdictions of Lake County and the cities of North Chicago and Waukegan, has been collaborating extensively with a broad range of for-profit and nonprofit agencies, governmental bodies, and local citizens to complete this AI.

Three jurisdictions in Lake County receive Community Development Block Grant (CDBG) funds under the entitlement allocation: Lake County, as an urban county, and the cities of North Chicago and Waukegan, each as independent entitlements. These three CDBG jurisdictions regularly coordinate and collaborate on planning and implementation of CDBG-funded community development activities. These three units of local government have also formed a HOME Consortium for the purposes of carrying out housing activities funded under the HOME Investment Partnerships Program. The cities of North Chicago and Waukegan collaborate with Lake County on countywide homeless planning and grant administration activities.

Lake County serves as the coordinating unit for the administration of the Lake County Consortium and of its AI. In this AI, the cities of North Chicago and Waukegan are profiled in depth, as data and survey results permit. Once the countywide impediments and proposed action steps are documented, AREA and community development staff will work directly with the cities of North Chicago and Waukegan to identify the impediments and proposed action steps specific to each entitlement jurisdiction. The North Chicago– and Waukegan-specific impediments and action steps will be included as appendices to the countywide document.

SECTION III. DEMOGRAPHICS

This section provides an overview of the demographic characteristics of Lake County and changes to these characteristics over time. The primary purposes of this section are to provide an understanding of the size and location of the protected classes in the County as well as trends in the size and location of the protected classes over time.

RESIDENT POPULATION

Lake County is located in far northeastern Illinois along the Illinois-Wisconsin Border. According to the 2012 ACS 1-Year estimates, the county's population is 702,120 individuals. Since 1950, the County's population has nearly tripled, from 179,097 to 703,462 in 2010. The rate of population increase has decreased since 2000.

Exhibit III-1.
Total Population of Lake County

Year	Population	% Change
1980	440,372	NA
1990	516,418	17.27%
2000	644,356	24.77%
2010	703,462	9.17%
2012	702,120	-0.19%

Sources: 1980, 1990, 2000, and 2010 U.S. Census and 2012 ACS 1-Year Estimates.

In the Consortium member cities of North Chicago and Waukegan, the population has decreased 13 percent and 2 percent, respectively, since 2000.

Exhibit III-2
Population of Consortium Cities North Chicago and Waukegan

Year	North Chicago Population	% Change	Waukegan Population	% Change
1980	38,774	NA	67,653	NA
1990	34,978	-9.81%	69,392	2.6%
2000	35,918	2.71%	87,901	26.7%
2010	32,574	-9.31%	89,078	31.7%
2012	31,359	-3.71%	86,273	-3.11%

Sources: 1980, 1990, 2000, and 2010 U.S. Census and 2012 ACS 1-Year Estimates.

POPULATION OF PROTECTED CLASSES

“Protected class” is defined as group of people who are protected from discrimination, harassment, and retaliation as a result of their membership in that group. Although most anti-discrimination laws were initially passed in response to the unfair treatment of racial minorities, every person is a member of at least one protected class and therefore entitled to protection under the law.

The existing laws and executive orders that define protected classes for housing in Lake County include:

- Federal
 - Age Discrimination Act of 1975
 - Americans with Disabilities Act of 1990
 - Architectural Barriers Act of 1968
 - Civil Rights Act of 1964
 - Executive Order 11063, 12892, 13166
 - Housing and Community Development Act of 1974
 - Rehabilitation Act of 1973
- State
 - Illinois Human Rights Act

These protected classes are as follows:

- Race and color
- Gender
- Age
- Religion
- Physical and mental disability
- National origin and ancestry
- Sexual orientation
- Marital status
- Military status and Unfavorable Military Discharge
- Familial status
- Victims of sexual harassment
- Individuals with orders of protection (for victims of domestic violence)

Using the 2012 American Community Survey 5- and 1-Year estimates, AREA identified the population of these protected classes within the county. (Reliable data, however, on the number of individuals with arrest records, are victims of sexual harassment, and individuals with orders of protection who live in Lake County are not available.) The 2012 available data were compared with data from the 2000 U.S. Census to identify any changes in the populations. Additional information on the characteristics of the resident population is presented as well.

Race and Color

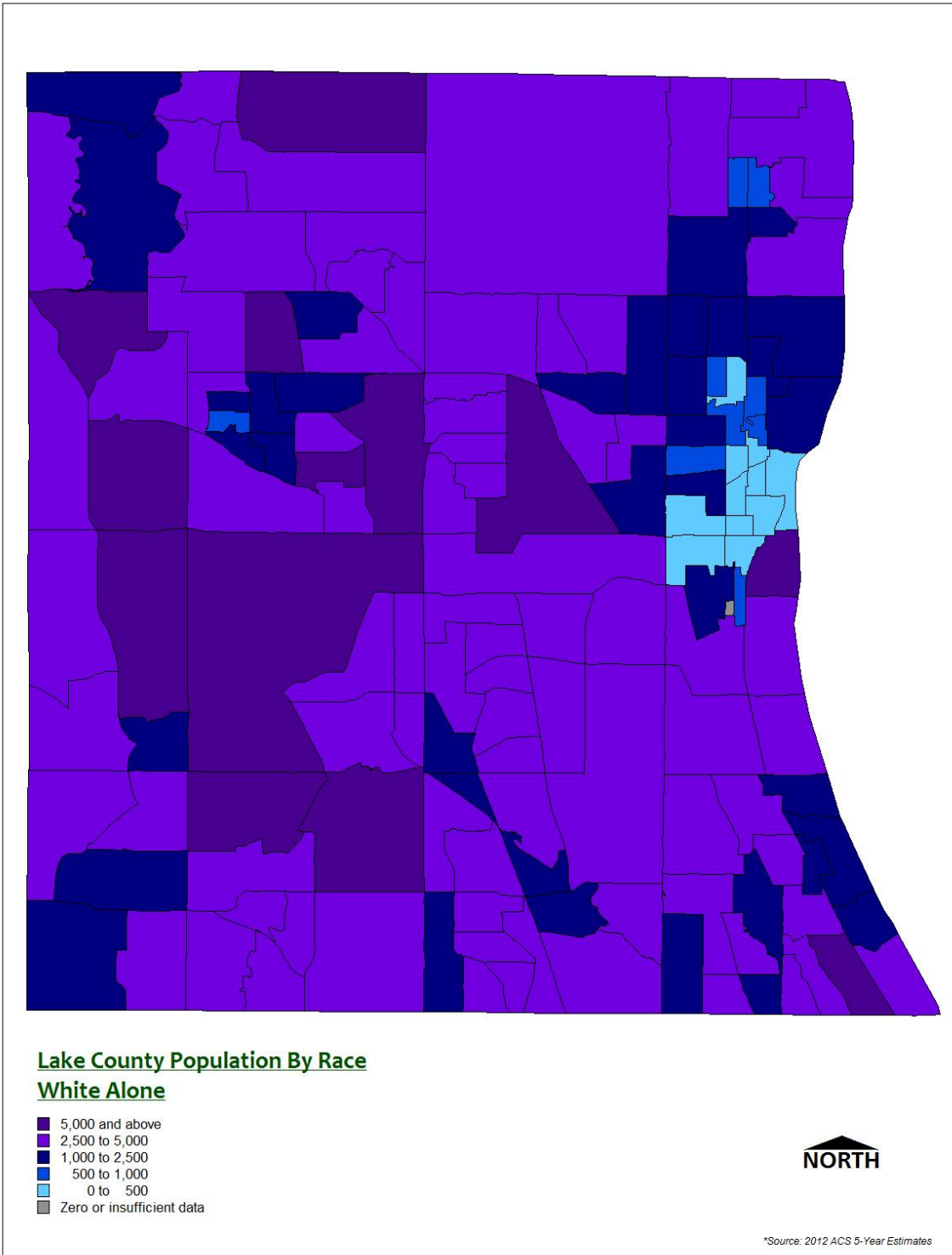
The U.S. Census Bureau (Bureau) currently provides seven options for individuals to identify their race for the decennial Census and the American Community Survey:

- White alone
- Black or African American alone
- American Indian and Alaska Native alone
- Asian alone
- Native Hawaiian and Other Pacific Islander alone
- Some other race alone
- Two or more races

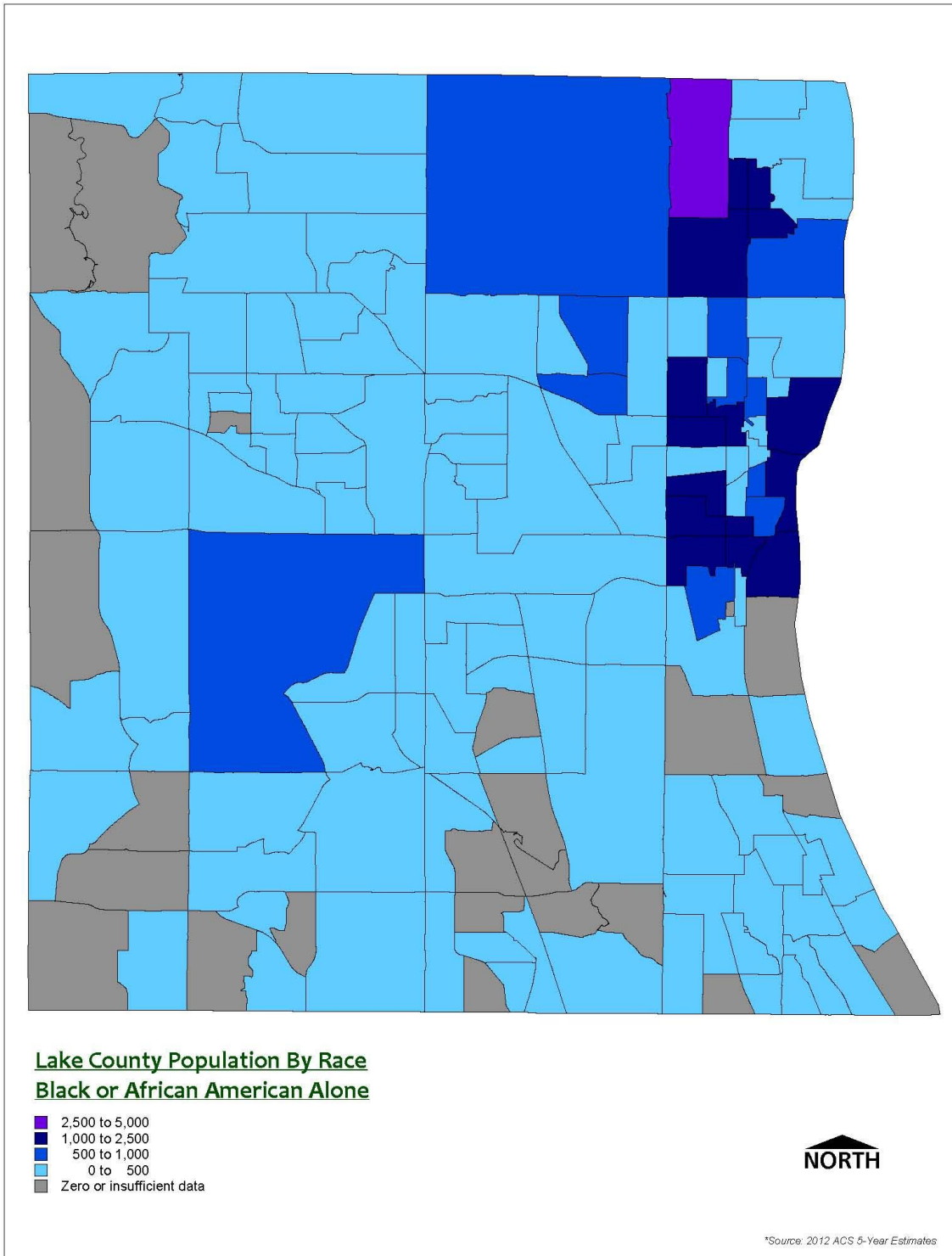
These categories are separate from the ethnic category. The bureau allows individuals to identify their ethnicity as either “Hispanic” or “Not Hispanic.” Individuals who identify themselves as Hispanic must also identify a race. In the remainder of this document, we have combined the “American Indian and Alaska Native alone” category with “Native Hawaiian and Other Pacific Island alone” category, as they represent less than 0.2 percent of the population in the County.

Maps showing the concentrations of the various racial and ethnic groups are presented on the following pages.

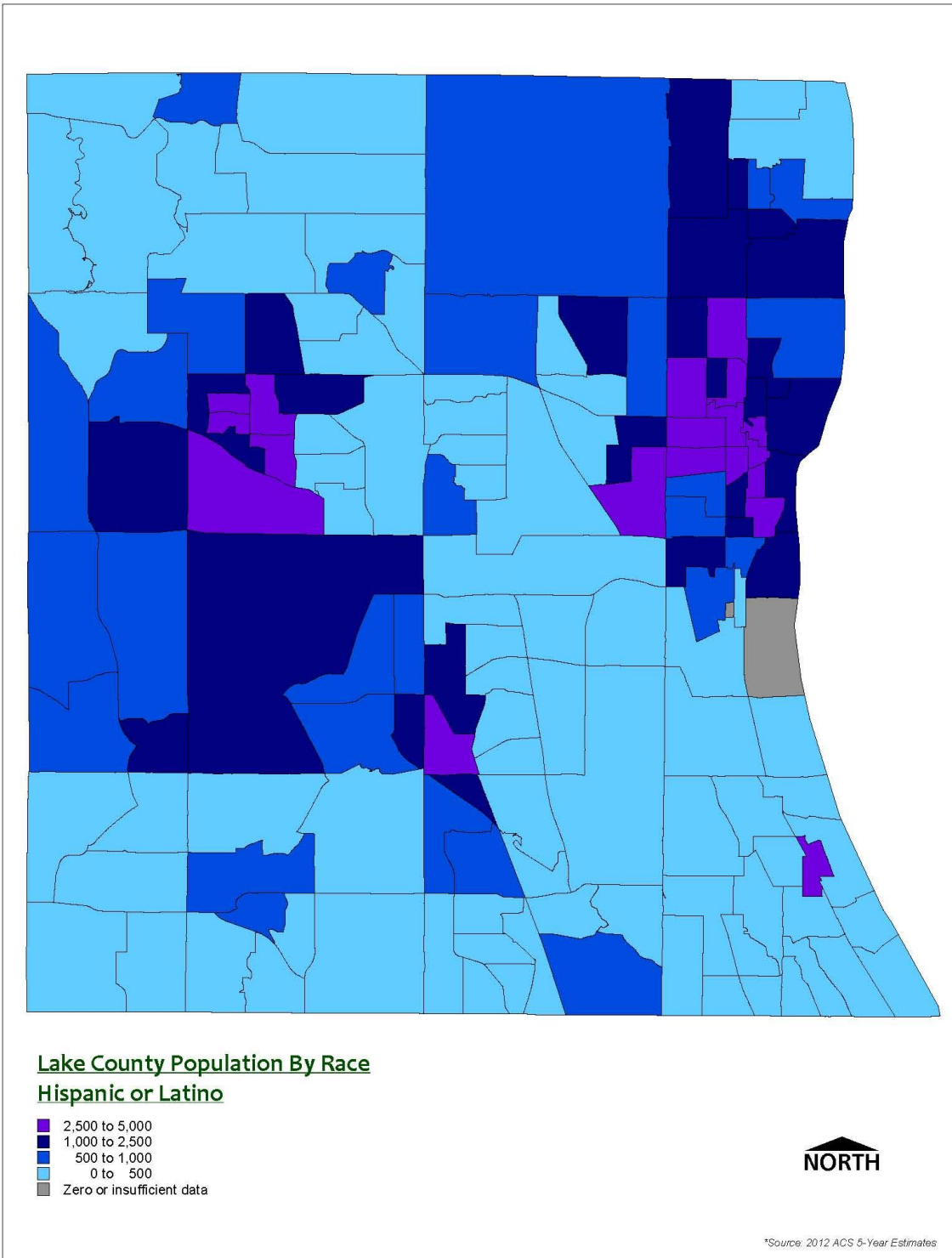
**Exhibit III-3.
Lake County White Population**



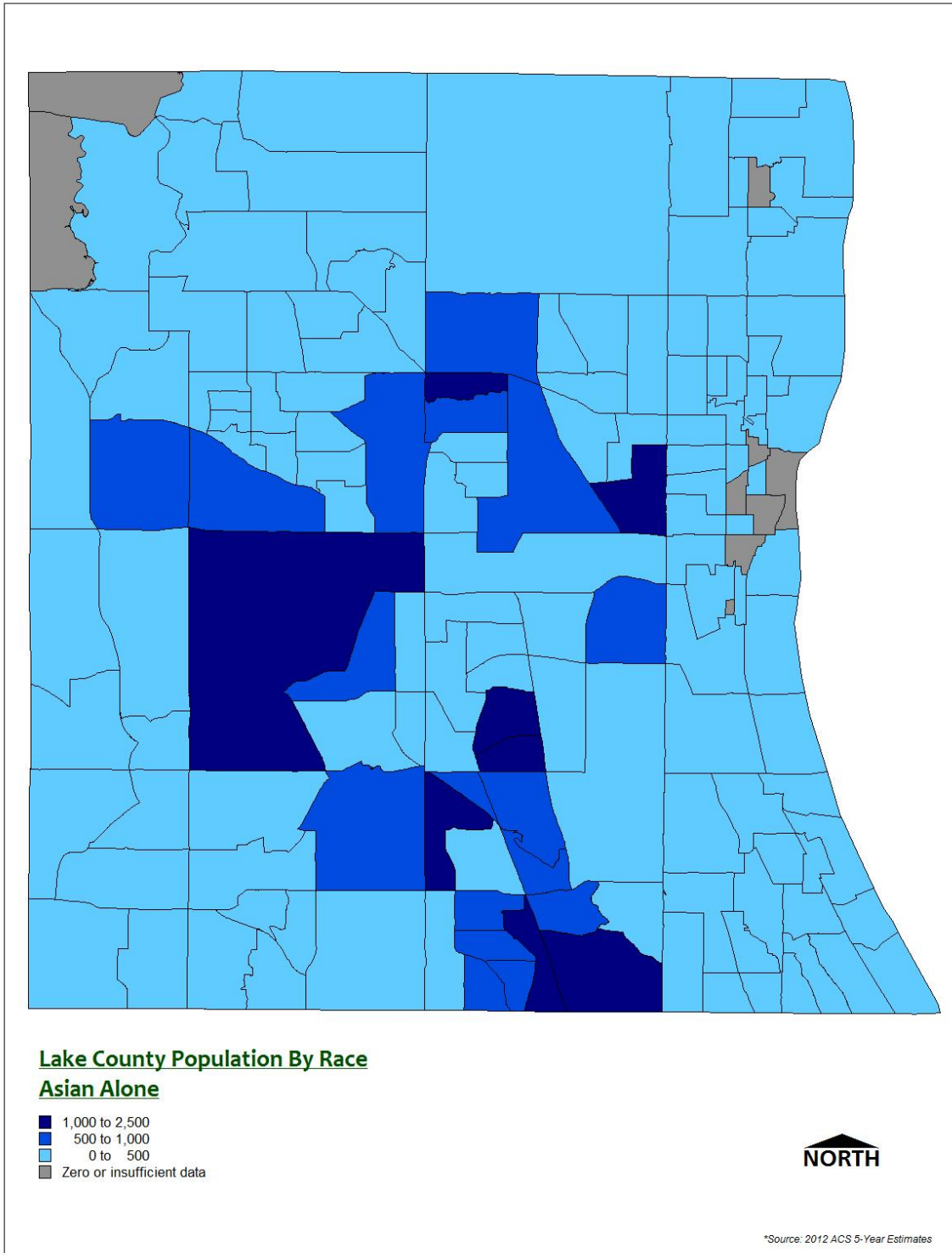
**Exhibit III-4.
Lake County Black/African-American Population**



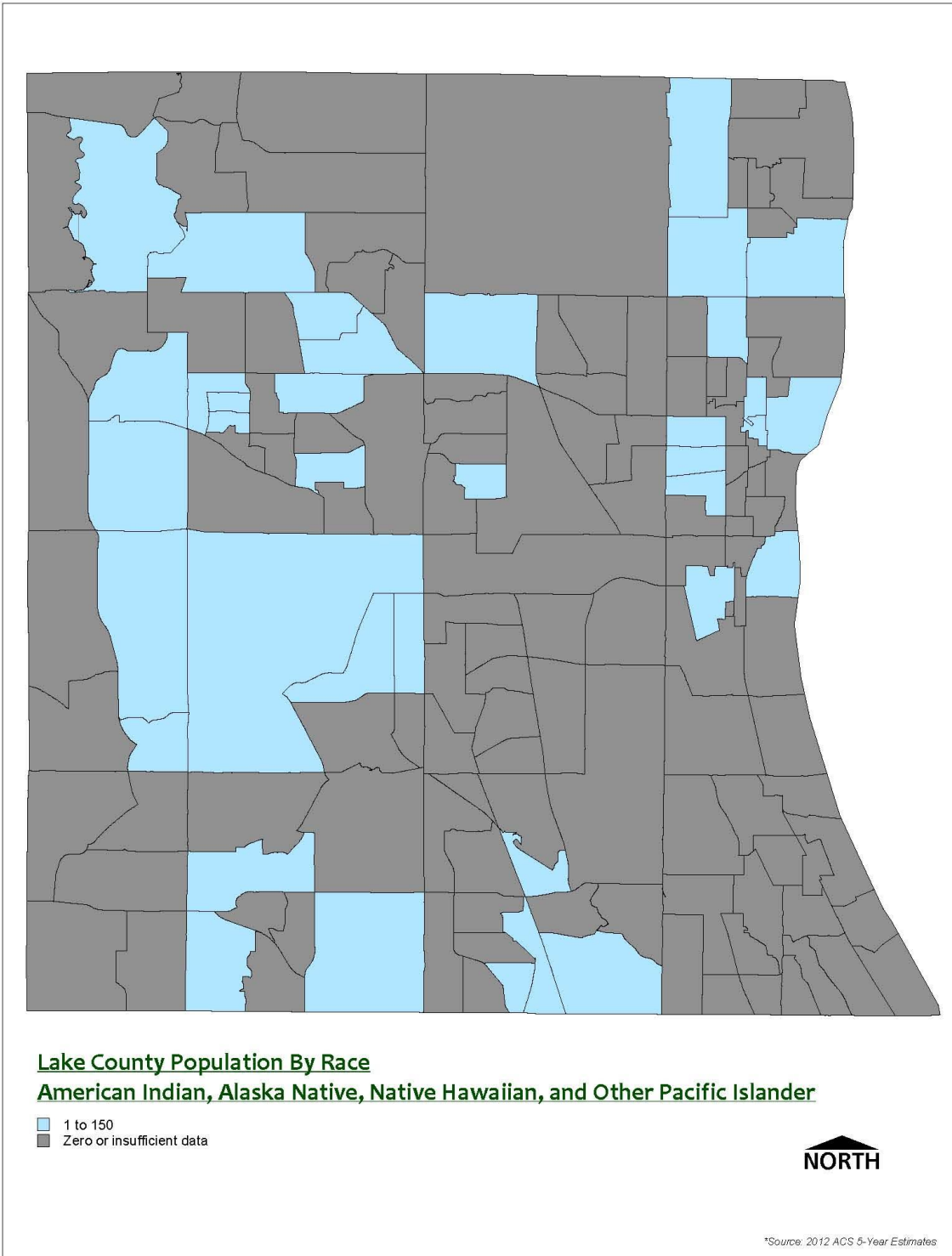
**Exhibit III-5.
Lake County Hispanic Population**



**Exhibit III-6.
Lake County Asian Population**



**Exhibit III-7.
Lake County American Indian, Alaska Native, Native Hawaiian, and Other Pacific Islander**



**Exhibit III-8a.
Race and Ethnicity of Individuals–Lake County**

	1990		2000		2012	
	Number	Percent	Number	Percent	Number	Percent
Non-Hispanic	477,848	92.5%	551,640	85.6%	558,340	79.5%
White	430,566	83.4%	472,968	73.4%	451,690	64.3%
Black/African American	33,736	6.5%	43,580	6.8%	47,769	6.8%
Asian	12,135	2.3%	24,866	3.9%	44,266	6.3%
American Indian, Alaska Native, Native Hawaiian, and Other Pacific Islander	1,009	0.2%	1,272	0.2%	1,402	0.2%
Some other race	402	0.1%	1,085	0.2%	325	0.0%
Two or more races	NA	NA	7,869	1.2%	12,888	1.8%
Hispanic	38,570	7.5%	92,716	14.4%	143,780	20.5%
Total	516,418	100.0%	644,356	100.0%	702,120	100.0%

NA: Category was not available at the time.

Sources: 1990 U.S. Census, 2000 U.S. Census, 2012 ACS 1-Year Estimates.

As shown above in Exhibit III-8, from 1990 to 2012 the population of Lake County increased 36 percent. The majority of this increase is attributable to the increase in the Asian and Hispanic populations. Over the 22-year period, both the Asian and Hispanic populations nearly tripled. The number of Asian persons increased from 12,135 to 44,266. During this same time period, the Hispanic population increased from 38,570 to 143,780. The Black/African-American and American Indian, Alaska Native, Native Hawaiian, and Other Pacific Islander populations grew 39 percent and 42 percent, respectively, from 1990 to 2012. The population of persons identifying themselves as White had the smallest increase, at 5 percent. Though there was a decrease in the “some other race” category, this is most likely attributable to the fact that the Census Bureau added the option of “two or more races” beginning in 2000. Overall, the county has had an increase in the non-white population each year since 1990.

The consortium communities of North Chicago and Waukegan have a higher population of non-White households than the county as a whole. North Chicago’s population is more diverse than the county, with a population that includes approximately one-third White individuals, one-third Black individuals, and one-third Hispanic individuals. The majority of Waukegan’s population is Hispanic (over 53 percent). The remainder of the population is White (24 percent) and Black (16 percent).

Exhibit III-8b.**Race and Ethnicity of Individuals**

North Chicago

	2012	
	Number	Percent
Non-Hispanic	22,809	72.0%
White	10,467	33.0%
Black/African American	9,676	30.5%
Asian	1,289	4.1%
American Indian, Alaska Native, Native Hawaiian, and Other Pacific Islander	97	0.3%
Some other race	75	0.2%
Two or more races	1,205	3.8%
Hispanic	8,868	28.0%
Total	31,677	100.0%

Waukegan

Non-Hispanic	41,735	46.9%
White	21,264	23.9%
Black/African American	14,441	16.2%
Asian	3,466	3.9%
American Indian, Alaska Native, Native Hawaiian, and Other Pacific Islander	102	0.1%
Some other race	823	0.9%
Two or more races	1,639	1.8%
Hispanic	47,247	53.1%
Total	88,982	100.0%

Sources: 2012 ACS 5-Year Estimates.

Gender

As of 2012, 49.9 percent of the County population is male (350,491), and 50.1 percent of the population is female (351,629). This ratio is similar to the national and state of Illinois ratio of males to females.

Age

Lake County residents are aging, with the largest group, aged 54 and younger, decreasing from 83 to 76 percent since 2000. This is a 7 percent decrease from 2000, when this age range represented 83.8 percent of the population. "Near senior" individuals (55 to 61 years of age) represent 9.1 percent of the population, and seniors (62 years of age and above) represent 14.4 percent. Based on Lake County's population in 1990 and 2012, the senior population grew at an average annual rate of

5.2 percent. During this same time, the non-senior population grew at an average annual rate of only 0.4 percent.

Exhibit III-9.
Age of Individuals—Lake County

Year	0–17 years old		18–54 years old		55–61 years old		62–74 years old		75 years old and older	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
1990	142,472	27.6%	292,026	56.5%	27,667	5.4%	37,074	7.2%	17,179	3.3%
2000	189,364	29.4%	350,648	54.4%	37,806	5.9%	42,174	6.5%	24,364	3.8%
2012	184,775	26.3%	352,363	50.2%	64,029	9.1%	67,184	9.6%	33,769	4.8%

Sources: 1990 U.S. Census, 2000 U.S. Census, 2012, ACS 1-Year Estimates.

As the postwar “baby boom” generation (those born from 1946 to 1964) ages, their housing preferences have begun to shift. In 2011, the first members of this generation reached retirement age, and by 2029, all members will be at or above retirement age. As these seniors continue to age, they will begin to consider alternatives to their current housing options. While many seniors choose to “age in place”—remain in their existing single-family homes, apartments, or condominiums—many may also choose to live in age-restricted housing (such as assisted living facilities) or downsize from a single-family home into an apartment, condominium, or townhouse.

Religion

There is limited available data on the religious affiliation of individuals below the state level. Though various organizations collect information on religion, the methodology varies widely, and many cannot be considered independent researchers. One source used in the *2011 Statistical Abstract of the United States* is the American Religious Identification Survey (ARIS). ARIS 2008 provides the religious affiliation of residents at the state level. One drawback of the data is that non-Christian religions are combined into one category, “Other Religion.” Nonetheless, the data indicate that the religious makeup of Illinois is shifting from Catholicism and other Christian religions to no religious affiliation.

Exhibit III-10.
Self-Identified Religious Affiliation of Illinois Residents

Year	Catholics	Other Christian Religions	Other Religion	No Religious Affiliation	Don't Know/Refused
1990	33%	53%	3%	8%	3%
2008	32%	45%	3%	13%	6%

Source: Kosmin, Barry A. and Ariela Keysar. "American Religious Identification Survey (ARIS 2008) Summary Report," 2009. Hartford, CT: Institute for the Study of Secularism in Society & Culture.

An additional source of information that is available at the county level is compiled by the Association of Religion Data Archives (ARDA). ARDA has data on religious congregations and adherents by county, provided through a survey sent to religious organizations. Based on this data, the religious bodies with the five largest groups of adherents in Lake County are:

1. Catholic Church
2. Non-denominational Christians
3. Evangelical Lutheran Church in America
4. Reform Judaism
5. Muslims

Though the Catholic Church is the largest religious body in Lake County, the number of adherents is estimated to have decreased 17 percent from 2000 to 2010. The number of Serbian Orthodox Church in North America and Muslim adherents increased significantly during this time, making these the two fastest-growing religious bodies in the county, as shown in Exhibit III-11 on the following pages.

Exhibit III-11.**Self-Identified Religious Affiliation of Illinois Residents 2000 to 2010**

Religious Bodies	Tradition	Family	Congregations	Adherents	Adherence Rate*
Catholic Church	Catholic	Catholicism	29	211,380	300.5
Non-denominational	Evangelical Protestant	----	60	54,850	78
Evangelical Lutheran Church in America	Mainline Protestant	Lutheran	19	12,702	18.1
Reform Judaism	Other	Judaism	8	10,919	15.5
Muslim Estimate	Other	Other Groups	3	9,894	14.1
Presbyterian Church (U.S.A.)	Mainline Protestant	Presbyterian-Reformed	9	7,526	10.7
Conservative Judaism	Other	Judaism	5	7,198	10.2
United Methodist Church, The	Mainline Protestant	Methodist/Pietist	18	6,375	9.1
Episcopal Church	Mainline Protestant	Episcopalianism/Anglicanism	12	5,877	8.4
National Baptist Convention, USA, Inc.	Black Protestant	Baptist	6	5,647	8
Lutheran Church--Missouri Synod	Evangelical Protestant	Lutheran	10	5,277	7.5
Church of Jesus Christ of Latter-day Saints, The	Other	Latter-day Saints	8	3,686	5.2
Converge Worldwide/Baptist General Conference	Evangelical Protestant	Baptist	12	3,120	4.4
Evangelical Free Church of America, The	Evangelical Protestant	Methodist/Pietist	13	3,069	4.4
Southern Baptist Convention	Evangelical Protestant	Baptist	22	2,886	4.1
Serbian Orthodox Church in North America	Orthodox	Eastern Liturgical (Orthodox)	4	2,820	4
Wisconsin Evangelical Lutheran Synod	Evangelical Protestant	Lutheran	7	2,580	3.7
United Church of Christ	Mainline Protestant	Presbyterian-Reformed	10	2,466	3.5
Assemblies of God	Evangelical Protestant	Pentecostal	9	1,912	2.7
Lutheran Congregations in Mission for Christ	Evangelical Protestant	Lutheran	1	1,895	2.7
Missionary Church, The	Evangelical Protestant	Holiness	4	1,600	2.3
Christian Churches and Churches of Christ	Evangelical Protestant	Baptist	4	1,502	2.1
Greek Orthodox Archdiocese of America	Orthodox	Eastern Liturgical (Orthodox)	2	1,390	2
Seventh-day Adventist Church	Evangelical Protestant	Adventist	5	1,044	1.5
Churches of Christ	Evangelical Protestant	Baptist	9	917	1.3
Vineyard USA	Evangelical Protestant	Pentecostal	2	820	1.2
Unitarian Universalist Association of Congregations	Other	Liberal	2	732	1
African Methodist Episcopal Church	Black Protestant	Methodist/Pietist	5	694	1
American Baptist Churches in the USA	Mainline Protestant	Baptist	4	674	1
Church of God in Christ	Black Protestant	Pentecostal	3	663	0.9
National Association of Congregational Christian Churches	Mainline Protestant	Presbyterian-Reformed	1	645	0.9
National Missionary Baptist Convention, Inc.	Black Protestant	Baptist	1	631	0.9
Church of God (Cleveland, Tennessee)	Evangelical Protestant	Pentecostal	7	602	0.9
Church of the Nazarene	Evangelical Protestant	Holiness	5	540	0.8
Christian Church (Disciples of Christ)	Mainline Protestant	Baptist	2	525	0.7
Hindu, Indian-American Hindu Temple Assoc.	Other	Other Groups	3	450	0.6
Orthodox Judaism	Other	Judaism	5	400	0.6
Bahá'í	Other	Other Groups	7	391	0.6
Evangelical Covenant Church, The	Evangelical Protestant	Methodist/Pietist	3	324	0.5

*The adherence rate provides the number of adherents of a particular group per 1,000 population.

Sources: 2010 U.S. Religion Census: Religious Congregations & Membership Study, The Association of Statisticians of American Religious Bodies (ASARB), 2010; Religious Congregations & Membership in the United States, 2000, Glenmary Research Center, 2000.

Exhibit III-11.

Self-Identified Religious Affiliation of Illinois Residents 2000 to 2010

Religious Bodies	Tradition	Family	Congregations	Adherents	Adherence Rate*
Armenian Church of North America (Catholicosate of Etchmiadzin)	Orthodox	Eastern Liturgical (Orthodox)	1	300	0.4
Christian and Missionary Alliance, The	Evangelical Protestant	Holiness	1	220	0.3
National Baptist Convention of America, Inc.	Black Protestant	Baptist	1	189	0.3
Friends General Conference	Mainline Protestant	European Free-Church	1	177	0.3
Evangelical Presbyterian Church	Evangelical Protestant	Presbyterian-Reformed	1	172	0.2
Church of God of Prophecy	Evangelical Protestant	Pentecostal	2	169	0.2
Presbyterian Church in America	Evangelical Protestant	Presbyterian-Reformed	2	163	0.2
Salvation Army	Evangelical Protestant	Holiness	1	158	0.2
Free Methodist Church of North America	Evangelical Protestant	Holiness	1	148	0.2
Community of Christ	Other	Latter-day Saints	1	121	0.2
Armenian Apostolic Church of America (Catholicosate of Cilicia)	Orthodox	Eastern Liturgical (Orthodox)	1	100	0.1
Wesleyan Church, The	Evangelical Protestant	Holiness	1	95	0.1
Conservative Congregational Christian Conference	Evangelical Protestant	Presbyterian-Reformed	1	91	0.1
Foursquare Gospel, International Church of the	Evangelical Protestant	Pentecostal	2	90	0.1
Mennonite Church USA	Evangelical Protestant	European Free-Church	1	72	0.1
Orthodox Presbyterian Church, The	Evangelical Protestant	Presbyterian-Reformed	1	56	0.1
North American Baptist Conference	Evangelical Protestant	Baptist	1	50	0.1
Evangelical Congregational Church, The	Evangelical Protestant	Methodist/Pietist	2	49	0.1
Reformed Presbyterian Church of North America	Evangelical Protestant	Presbyterian-Reformed	1	30	0
Buddhism, Mahayana	Other	Other Groups	1	20	0
Zoroastrian	Other	Other Groups	0	11	0
Jehovah's Witnesses	Other	Adventist	8	NA	NA
Church of Christ, Scientist	Other	Christian Science	5	NA	NA
Independent Fundamental Churches of America	Evangelical Protestant	Ind. Fundamentalist	3	NA	NA
Korean Presbyterian Church in America	Evangelical Protestant	Presbyterian-Reformed	3	NA	NA
Korean-American Presbyterian Church	Evangelical Protestant	Presbyterian-Reformed	3	NA	NA
Union of Messianic Jewish Congregations	Other	Judaism	3	NA	NA
Anglican Church in North America	Evangelical Protestant	Episcopalianism/Anglicanism	2	NA	NA
Calvary Chapel Fellowship Churches	Evangelical Protestant	Pentecostal	2	NA	NA
General Association of Regular Baptist Churches	Evangelical Protestant	Baptist	2	NA	NA
Church of God (Seventh Day)	Evangelical Protestant	Adventist	1	NA	NA
Evangelical Association of Reformed, and Congregational Christian Churches	Evangelical Protestant	Presbyterian-Reformed	1	NA	NA
Korean Presbyterian Church Abroad	Evangelical Protestant	Presbyterian-Reformed	1	NA	NA
New Apostolic Church of North America, National Organization of the	Other	Other Groups	1	NA	NA
Reformed Baptist Churches	Evangelical Protestant	Baptist	1	NA	NA
Sikh	Other	Other Groups	1	NA	NA
United Pentecostal Church International	Evangelical Protestant	Pentecostal	1	NA	NA
Unity Churches, Association of	Other	Other Groups	1	NA	NA

*The adherence rate provides the number of adherents of a particular group per 1,000 population.

Sources: 2010 U.S. Religion Census: Religious Congregations & Membership Study, The Association of Statisticians of American Religious Bodies (ASARB), 2010; Religious Congregations & Membership in the United States, 2000, Glenmary Research Center, 2000.

Disability

Approximately 7 percent of Lake County residents who are not institutionalized are persons with a disability. Of these individuals, 48 percent are aged 65 years and older, and 42 percent are aged 18 to 64.

Exhibit III-12.

Population of Persons with a Disability (Noninstitutionalized Population)

	Under 5		5 to 17 years old		18-64 years old		65 years and over		Total	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Without a Disability	44,500	99%	140,095	97%	425,824	95%	76,624	75%	687,043	93%
With a Disability	388	1%	5,032	3%	22,562	5%	25,757	25%	53,739	7%
With a hearing difficulty	348	90%	1,142	23%	3,856	17%	9,052	35%	14,398	27%
With a vision difficulty	275	71%	990	20%	3,679	16%	3,692	14%	8,636	16%
With a cognitive difficulty			3,366	67%	8,853	39%	6,498	25%	18,717	35%
With an ambulatory difficulty			472	9%	11,427	51%	16,865	65%	28,764	54%
With a self-care difficulty			860	17%	5,818	26%	6,884	27%	13,562	25%
With an independent living difficulty					8,998	40%	12,098	47%	21,096	39%

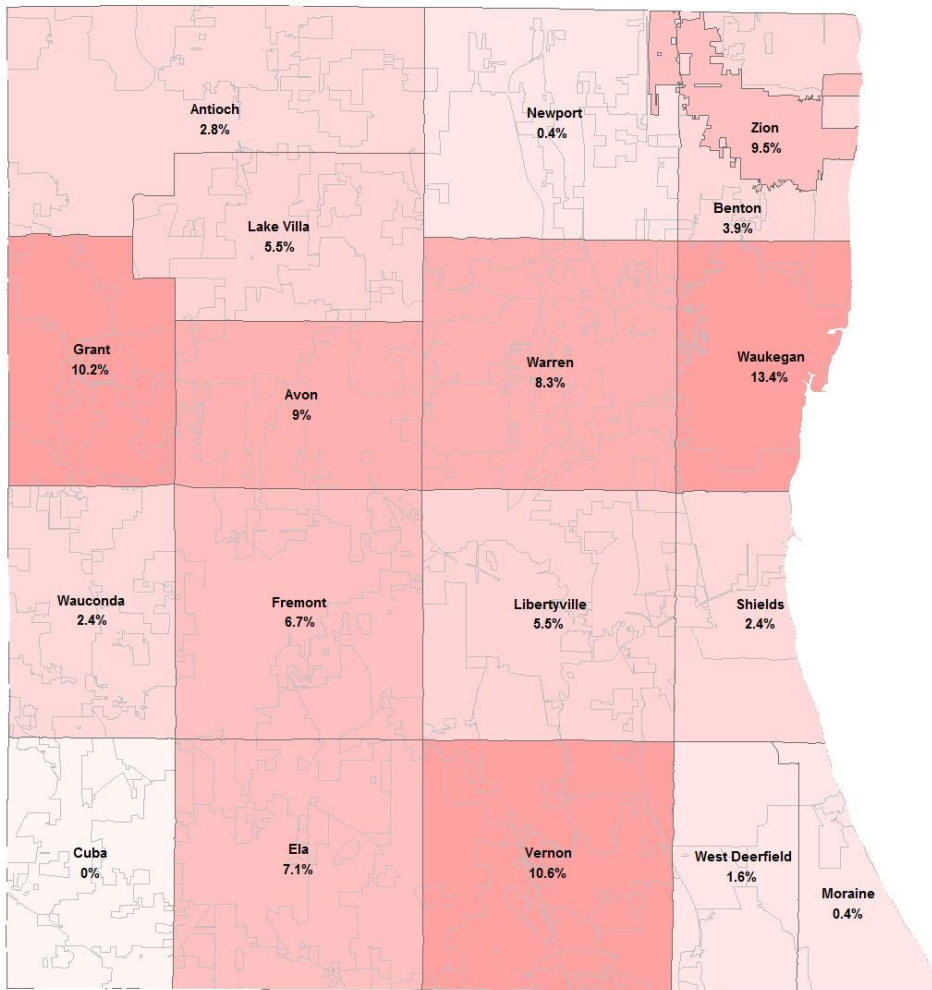
Source: 2012 ACS 1-Year Estimates.

Among Lake County residents, the most common difficulty is ambulatory difficulty (54 percent), indicating a need for housing that is accessible by a person who has difficulty walking or climbing stairs. The second-most common disability in this population (39 percent) is related to the ability to conduct independent activities of daily living (IADLs). IADLs include activities such as grocery shopping and housekeeping. Approximately one-quarter of people with disabilities in Lake County have either a self-care (25 percent) or hearing (27 percent) difficulty. The least common type of difficulty is vision difficulty, which impacts 16 percent of people with a disability.

The Lake County Center for Independent Living serves 1,626 clients with disabilities in Lake County.⁷ The map in Exhibit III-13 indicates the portion of the Center's consumers that live in each township. As the data include some seniors and youth with disabilities living at home with parents and excludes people with disabilities who don't use the services of the Center, this map is not intended to represent a fully accurate picture of where people with disabilities can afford to live independently in Lake County.

⁷ The official website for the Lake County Center of Independent Living is www.lccil.org.

Exhibit III-13.
Distribution of Clients Served by Lake County Center for Independent Living



The income of persons with a disability who live in Lake County is presented in the following exhibit. The median income of Lake County residents without a disability is \$38,506. In contrast, the median income of persons with a disability is \$23,319, or 61 percent of the income of persons without a disability.

**Exhibit III-14.
Income of Persons with a Disability,
Lake County**

	Estimated Median Income
Total (all persons):	\$37,730
With a disability:	\$23,319
Male	\$28,682
Female	\$19,760
No disability:	\$38,506
Male	\$49,048
Female	\$30,252

Source: ACS 5-Year Estimates.

Language

Seventy-two percent of the Lake County population speaks only English at home. Of those who speak a language other than English at home, 10.4 percent speak English less than “very well.” As noted in Exhibit III-15, the most commonly spoken non-English languages are Spanish or Spanish Creole, Russian, Chinese, Korean, and Polish. Exhibit III-15 on the following page lists the most commonly spoken non-English languages.

**Exhibit III-15.
Language Spoken at Home**

	Number	Percent		Number	Percent
<i>Total Persons*</i>	657,620	100.00%			
Speaks only English	475,502	72.31%			
Speaks another language**	182,118	27.69%			
<i>Other language spoken</i>					
	Number	Percent		Number	Percent
Spanish or Spanish Creole	108,906	16.56%	Arabic	1,094	0.17%
Russian	9,692	1.47%	Hebrew	1,047	0.16%
Chinese	6,957	1.06%	Thai	1,006	0.15%
Korean	6,532	0.99%	Urdu	844	0.13%
Polish	5,804	0.88%	Portuguese or Portuguese Creole	682	0.10%
Other Asian languages	4,794	0.73%	Other Pacific Island languages	647	0.10%
Tagalog	4,725	0.72%	Vietnamese	641	0.10%
German	4,276	0.65%	Scandinavian languages	582	0.09%
Greek	3,011	0.46%	French Creole	574	0.09%
French (incl. Patois, Cajun)	2,635	0.40%	Persian	464	0.07%
Hindi	2,596	0.39%	Other and unspecified languages	377	0.06%
Serbo-Croatian	2,265	0.34%	Other West Germanic languages	355	0.05%
Gujarati	1,971	0.30%	African languages	218	0.03%
Other Indo-European languages	1,960	0.30%	Laotian	193	0.03%
Other Indic languages	1,912	0.29%	Armenian	166	0.03%
Other Slavic languages	1,766	0.27%	Hungarian	118	0.02%
Japanese	1,719	0.26%	Mon-Khmer, Cambodian	116	0.02%
Italian	1,385	0.21%	Yiddish	88	0.01%

* Five years of age and older.

** This includes households who speak English less than “very well.”

Source: 2012 ACS 1-Year Estimates

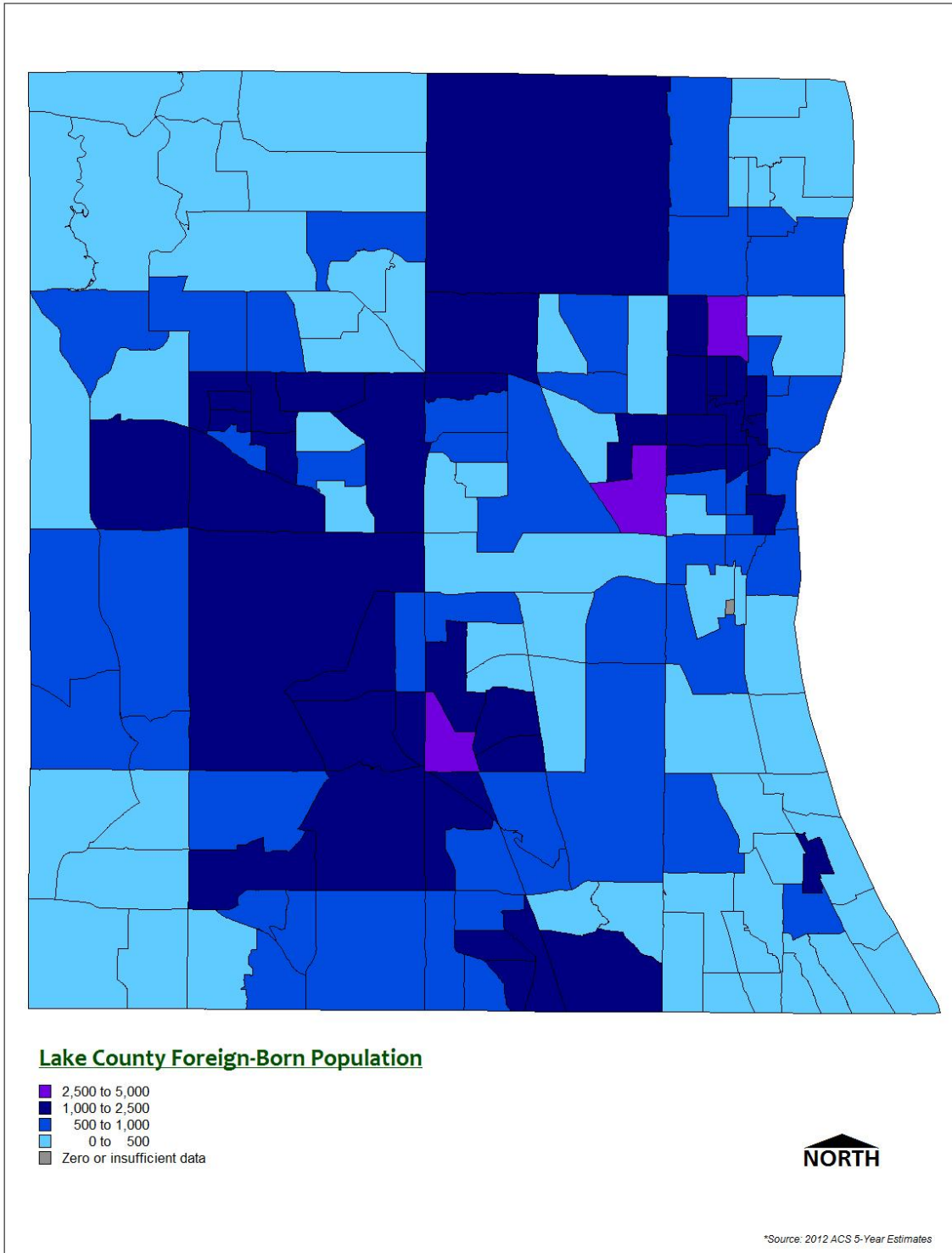
National Origin and Ancestry

The majority (82 percent) of Lake County residents were born in the United States or U.S. territories. The 18 percent of the population that is foreign born was born in Central America (8.9 percent), Europe (3.3 percent), South Asia (2.7 percent), Eastern Asia (1.6 percent), South America (0.5 percent), Western Asia (0.4 percent), the Caribbean (0.3 percent), Canada (0.3 percent), and Africa (0.2 percent). This estimate of the non-U.S.-born residents is most likely low, as undocumented individuals tend to not respond to Census surveys.⁸ In Waukegan, a total of 27,871 individuals were born outside of the United States. The majority, 86 percent, were born in Latin America. North Chicago has a significantly smaller population of persons born outside of the United States (5,687 persons); approximately 74 percent of these persons were born in Latin America.

A map showing concentrations of foreign-born populations is provided on the following page.

⁸ According to Steven Camarota, Director of Research for the Center for Immigration Studies, in the May 7, 2010 electronic blog version of *The Wall Street Journal*, there is an “undercount of illegal immigrants in the census.”

**Exhibit III-16.
Foreign-Born Population**



The U.S. Census provides 72 options to identify ancestry. Over one-third of Lake County’s residents report an ancestry not listed by the Census. Of those who reported an ancestry, the most common was German.

**Exhibit III-17.
Reported Ancestry of Lake County Residents**

First Ancestry Reported	Number	Percent
Other groups	243,631	34.70%
German	90,052	12.83%
Unclassified or not reported	63,816	9.09%
Irish	49,272	7.02%
Polish	41,431	5.90%
Italian	36,504	5.20%
American	33,649	4.79%
English	24,725	3.52%
Russian	16,199	2.31%
Swedish	11,732	1.67%
European	6,920	0.99%

Source: 2012 ACS 1-Year Estimates.

Sexual Orientation

Reliable data are unavailable on the sexual orientation of individuals. One method to assist in identifying the population of lesbian, gay, bisexual, and transgendered individuals is reviewing Census Bureau data on same-sex households. Beginning with the 2010 data collection year, the U.S. Census Bureau began asking whether a same-sex household was living together as unmarried partners or spouses. During data processing, same-sex unmarried partners or spouses were combined. As of 2010, the Census data indicate an estimated 1,323 same-sex couples live in Lake County, representing 0.5 percent of all households.

**Exhibit III-18.
Same-Sex Couples as a Household**

Gender of Couple	Total	With Related Children	No Related Children
Female	760	284	476
Male	563	187	376
Total	1,323	471	852

Source: 2010 U.S. Census.

Marital and Familial Status

Seventy percent of Lake County heads of households are or have been married. This includes those who are currently married (55 percent), widowed (5 percent), and divorced (9 percent). A review of the data on household type shows a few significant facts. African-American and Hispanic households in the county are disproportionately composed of female-headed families. Although this household type represents 11 percent of all households independent of race and ethnicity, it represents over 33 percent of African-American households and 17 percent of Hispanic households. In contrast, 77 percent of Asian households are married-couple families, higher than the 59 percent of all households that are married-couple families.

Exhibit III-19. Marital and Familial Status

Household Type	All Households	White	African-American	Asian	Hispanic
Married-Couple Family	59%	60%	30%	77%	59%
Male Householder, No Wife Present	4%	2%	4%	4%	10%
Female Householder, No Husband Present	11%	8%	33%	7%	17%
Householder Living Alone	22%	25%	28%	10%	10%
Householder Not Living Alone	4%	4%	5%	2%	5%
All Households	100%	100%	100%	100%	100%

Source: 2012 ACS 1-Year Estimates.

Military Discharge Status

According to the 2012 American Community Survey 1-Year estimates, an estimated 34,203 veterans live in Lake County. Almost one quarter (22.9 percent) of these veterans have a disability. Over 90 percent of the veterans are male, and 51 percent are seniors (65 years of age or older).

Additional Protected Classes

Reliable data on the number of individuals with arrest records, are victims of sexual harassment, and individuals with orders of protection who live in Lake County are not available.

Income

As shown in the exhibits on the following pages, minorities tend to make up a higher percentage of households at the lower end of the income range (\$34,999 or less) and a lower percentage of households at the higher end of the income range (\$200,000 or more). Despite the fact that non-Whites are 20 percent of the total population, they make up 30.9 percent of the households at the lower end of the income range and only 9.1 percent of the households at the higher end of the income range. In the Consortium member cities of North Chicago and Waukegan, poverty rates are substantially higher than in the broader county.

Exhibit III-20. Number of Households in Income Range

Race	Total	Less	\$10,000–	\$15,000–	\$20,000–	\$25,000–	\$30,000–	\$35,000–	\$40,000–
		than	\$14,999	\$19,999	\$24,999	\$29,999	\$34,999	\$39,999	\$44,999
White	176,136	5,772	4,074	5,162	5,227	4,750	5,179	5,274	5,335
Black	16,702	2,302	1,157	1,019	1,013	831	855	835	671
Asian	13,382	323	208	158	267	307	459	465	291
Native Hawaiian or Other Pacific Islander	25	0	0	0	0	0	0	0	0
American Indian/Alaskan Native	450	39	15	20	28	8	21	8	45
Other Race	10,858	230	342	591	457	1,188	843	812	650
Two or More Races	2,725	179	115	119	143	174	49	128	126
Total	220,278	8,845	5,911	7,069	7,135	7,258	7,406	7,522	7,118
Ethnicity									
Hispanic	32,293	993	1,022	1,509	1,884	2,274	2,222	2,288	1,940

Source: 2012 ACS 5-Year Estimates.

Exhibit III-20.
Number of Households in Income Range (Continued)

Race	Total	\$45,000– \$49,999	\$50,000– \$59,999	\$60,000 to \$74,999	\$75,000– \$99,999	\$100,000– \$124,999	\$125,000– \$149,999	\$150,000– \$199,999	\$200,000 or more
White	176,136	5,473	11,470	16,259	24,439	20,099	14,694	18,155	24,774
Black	16,702	700	1,163	1,329	1,539	1,233	783	916	356
Asian	13,382	306	810	1,237	2,116	1,493	1,404	1,663	1,875
Native Hawaiian or Other Pacific Islander	25	0	0	3	0	0	0	0	22
American Indian/Alaskan Native	450	48	84	57	48	10	19	0	0
Other Race	10,858	558	1,306	1,031	1,700	595	329	147	79
Two or More Races	2,725	94	299	290	387	173	126	176	147
Total	220,278	7,179	15,132	20,206	30,229	23,603	17,355	21,057	27,253
Ethnicity									
Hispanic	32,293	1,859	3,466	3,324	4,141	2,113	1,369	1,095	794

Source: 2012 ACS 5-Year Estimates.

Exhibit III-21.
Percentage of Households in Income Range as a Percentage of All Households

Race	Total	Less than \$10,000	\$10,000–\$14,999	\$15,000–\$19,999	\$20,000–\$24,999	\$25,000–\$29,999	\$30,000–\$34,999	\$35,000–\$39,999	\$40,000–\$44,999
White	80.0%	65.3%	68.9%	73.0%	73.3%	65.4%	69.9%	70.1%	75.0%
Black	7.6%	26.0%	19.6%	14.4%	14.2%	11.4%	11.5%	11.1%	9.4%
Asian	6.1%	3.7%	3.5%	2.2%	3.7%	4.2%	6.2%	6.2%	4.1%
Native Hawaiian or Other Pacific Islander	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
American Indian/Alaskan Native	0.2%	0.4%	0.3%	0.3%	0.4%	0.1%	0.3%	0.1%	0.6%
Other Race	4.9%	2.6%	5.8%	8.4%	6.4%	16.4%	11.4%	10.8%	9.1%
Two or More Races	1.2%	2.0%	1.9%	1.7%	2.0%	2.4%	0.7%	1.7%	1.8%
Total	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
Ethnicity									
Hispanic	14.7%	11.2%	17.3%	21.3%	26.4%	31.3%	30.0%	30.4%	27.3%

Source: 2012 ACS 5-Year Estimates.

**Exhibit III-21.
Percentage of Households in Income Range as a Percentage of All Households (Continued)**

Race	Total	\$45,000– \$49,999	\$50,000– \$59,999	\$60,000– \$74,999	\$75,000– \$99,999	\$100,000– \$124,999	\$125,000– \$149,999	\$150,000– \$199,999	\$200,000 or more
White	80.0%	76.2%	75.8%	80.5%	80.8%	85.2%	84.7%	86.2%	90.9%
Black	7.6%	9.8%	7.7%	6.6%	5.1%	5.2%	4.5%	4.4%	1.3%
Asian	6.1%	4.3%	5.4%	6.1%	7.0%	6.3%	8.1%	7.9%	6.9%
Native Hawaiian or Other Pacific Islander	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.1%
American Indian/Alaskan Native	0.2%	0.7%	0.6%	0.3%	0.2%	0.0%	0.1%	0.0%	0.0%
Other Race	4.9%	7.8%	8.6%	5.1%	5.6%	2.5%	1.9%	0.7%	0.3%
Two or More Races	1.2%	1.3%	2.0%	1.4%	1.3%	0.7%	0.7%	0.8%	0.5%
Total	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
Ethnicity									
Hispanic	14.7%	25.9%	22.9%	16.5%	13.7%	9.0%	7.9%	5.2%	2.9%

Source: 2012 ACS 5-Year Estimates.

Exhibit III-22.**Percentage of Households in Income Range as a Percentage of Households within Race/Ethnicity**

Race	Total	Less than \$10,000	\$10,000–\$14,999	\$15,000–\$19,999	\$20,000–\$24,999	\$25,000–\$29,999	\$30,000–\$34,999	\$35,000–\$39,999	\$40,000–\$44,999
White	100%	3%	2%	3%	3%	3%	3%	3%	3%
Black	100%	14%	7%	6%	6%	5%	5%	5%	4%
Asian	100%	2%	2%	1%	2%	2%	3%	3%	2%
Native Hawaiian or Other Pacific Islander	100%	0%	0%	0%	0%	0%	0%	0%	0%
American Indian/Alaskan Native	100%	9%	3%	4%	6%	2%	5%	2%	10%
Other Race	100%	2%	3%	5%	4%	11%	8%	7%	6%
Two or More Races	100%	7%	4%	4%	5%	6%	2%	5%	5%
Total	100%	4%	3%	3%	3%	3%	3%	3%	3%
Ethnicity									
Hispanic	15%	0%	0%	1%	1%	1%	1%	1%	1%

Source: 2005-2009 American Community Survey.

Exhibit III-22.**Percentage of Households in Income Range as a Percentage of Households within Race/Ethnicity (Continued)**

Race	Total	\$45,000– \$49,999	\$50,000– \$59,999	\$60,000– \$74,999	\$75,000– \$99,999	\$100,000– \$124,999	\$125,000– \$149,999	\$150,000– \$199,999	\$200,000 or more
White	100%	3%	7%	9%	14%	11%	8%	10%	14%
Black	100%	4%	7%	8%	9%	7%	5%	5%	2%
Asian	100%	2%	6%	9%	16%	11%	10%	12%	14%
Native Hawaiian or Other Pacific Islander	100%	0%	0%	12%	0%	0%	0%	0%	88%
American Indian/Alaskan Native	100%	11%	19%	13%	11%	2%	4%	0%	0%
Other Race	100%	5%	12%	9%	16%	5%	3%	1%	1%
Two or More Races	100%	3%	11%	11%	14%	6%	5%	6%	5%
Total	100%	3%	7%	9%	14%	11%	8%	10%	12%
Ethnicity									
Hispanic	15%	1%	2%	2%	2%	1%	1%	0%	0%

Source: 2012 ACS 5-Year Estimates.

Poverty Concentration

It is a goal of the Lake County Board to “enhance livability and economic opportunities” for all County residents, and reducing poverty levels and dissipating areas of concentrated poverty support that goal.

The recent economic recession, crash of the housing market, and high levels of unemployment have resulted in a significant decrease in the economic status of many households. Although minority households have had a higher rate of poverty in comparison to non-minority households for several decades, the poverty rate has increased with the weak economy. In Lake County, 9.3 percent of all households are below the poverty level. The rate for White and Asian households is below the overall poverty rate at 5.6 and 4.1 percent, respectively. However, the rate for Hispanic households is 18.1 percent, and the rate for African-American households is even higher, at 23 percent.

Exhibit III-23. Poverty Status by Household

	All	White	African-American	Asian	Hispanic
At or above poverty level	90.7%	94.4%	76.9%	95.9%	81.6%
Below poverty level	9.3%	5.6%	23.1%	4.1%	18.4%
Total	100%	100%	100%	100%	100%

Source: 2012 ACS 1-Year Estimates.

High-poverty areas tend to have fewer asset- and income-building opportunities for those residents, and layering an examination of the patterns of poverty with racial concentrations is an important component in assessing the parity of opportunity in Lake County.

In a study of “The Structure of Advantage and Disadvantage in the Chicago Region,” completed in 2005, researchers analyzed the correlation between race, income and access to asset- and income-building opportunities (such as jobs, housing price appreciation, education, municipal services, etc.).⁹ The study ranked all Chicago region communities on a data-based opportunity “index” and divided all communities into five equal groups (quintiles). They labeled the bottom two groups of communities as “low-opportunity” areas and noted these low-opportunity areas were characterized by:

- “Poverty rates are three to four times greater in the two low-opportunity groups.”

⁹ Lukehart, John, Tom Luce, and Jason Reece, “The Segregation of Opportunities: The Structure of Advantage and Disadvantage in the Chicago Region,” May 2005.

- “Opportunity is also highly skewed across racial groups. Black and Hispanic households in the region are located almost entirely in the low-opportunity” areas compared to just “44% of white residents.”
- “Key indicators of quality of life, hypertension and asthma cases, occur in low-opportunity areas at a rate three times higher than in the highest opportunity areas”

To examine further these relationships, AREA mapped Lake County’s levels of poverty concentrations in Exhibit III-24 on the following page.

**Exhibit III-24.
Poverty Concentration**

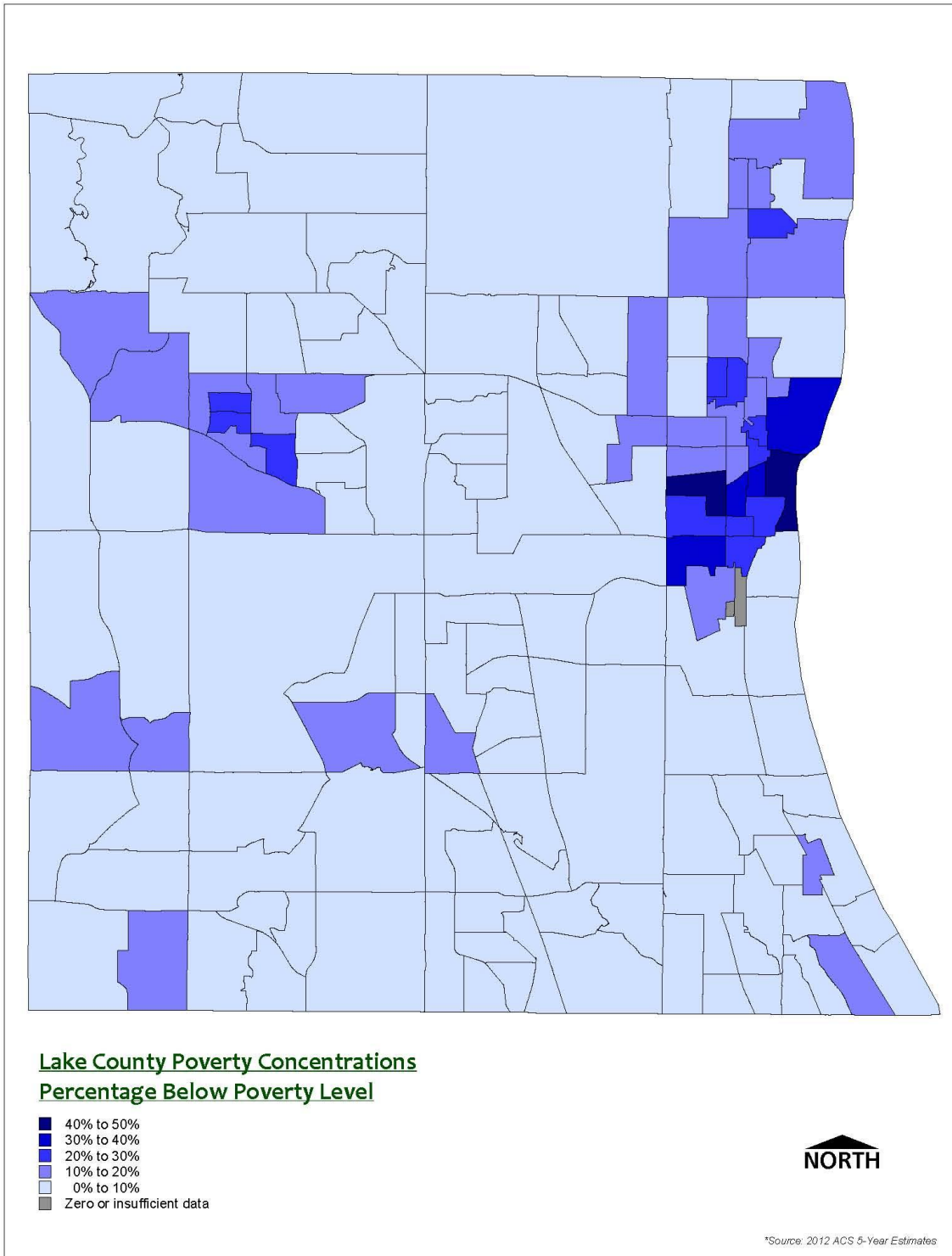


Exhibit III-24 shows areas of slightly concentrated poverty distributed across Lake County townships (Avon, Benton, Cuba, Grant, Fremont, Libertyville, Moraine, Shields, Warren, Wauconda, Waukegan and Zion), several of which provide local food pantries and emergency assistance. The most deeply concentrated census tracts of poverty (30 percent or more of population below the poverty level) are located in the Lake County Consortium cities of North Chicago and Waukegan. As indicated in Exhibit III-8b above, North Chicago is comprised evenly of White (33 percent), Black/African-American (30.5 percent), and Hispanic (28 percent) residents, while Waukegan is majority Hispanic (53.1 percent) and has lower concentrations of White (23.9 percent) and Black/African-American (16.2 percent) residents.

On a nationwide basis, the following patterns have been observed by social scientists, such as John Yinger, who has observed and documented how settlement patterns differ by race. According to Yinger, Hispanic and African-American populations tend to be more concentrated than other races, and, when such concentrated populations are coupled with the higher poverty rates found among these racial/ethnic groups, the resulting concentrated poverty can magnify the disadvantages facing residents of such areas.¹⁰

Free Market Analysis

To provide local governmental support in mitigating this national demographic trend, the County hired AREA to perform a “Free Market Analysis.” The Free Market Analysis, also known as a “Race and Income Index” and “Colorblind Analysis,” is used by housing researchers and recognized by HUD as a method for determining the extent to which the settlement patterns of racial and ethnic groups can be explained solely by income.

While it is a reality that households with similar incomes often concentrate near each other (e.g., low-income residents often live in areas with lower housing costs and higher-income residents often live in areas with higher housing costs) the following analysis examines the extent to which different racial and ethnic groups are spread throughout Lake County as much as would be possible factoring out the impact of income on housing decisions. While households choose their home based upon a variety of factors in addition to income, this analysis presents the possibility that housing markets in Lake County are not free of intended exclusion based upon race and/or ethnicity.

The analysis requires a review of data on the income levels of households in a census tract by race and ethnicity. Tract-level data are then compared to the data on income and race at a larger market level, in this case Lake County. AREA conducted this analysis for the 150 census tracts in Lake County by performing the following comparison:

¹⁰ Yinger, John, “Evidence on Discrimination in Consumer Markets,” *The Journal of Economic Perspectives*, Vol. 12, No. 2, (Spring 1998), pp. 23-40, published by the American Economic Association.

Actual Number of Households by Race/Ethnicity and Income
versus
Expected (Free Market) Number of Households by Race/Ethnicity and Income

What became clear through the analysis is that different racial and ethnic groups are not spread throughout Lake County as much as would be predicted if income was the sole determinant of household location.

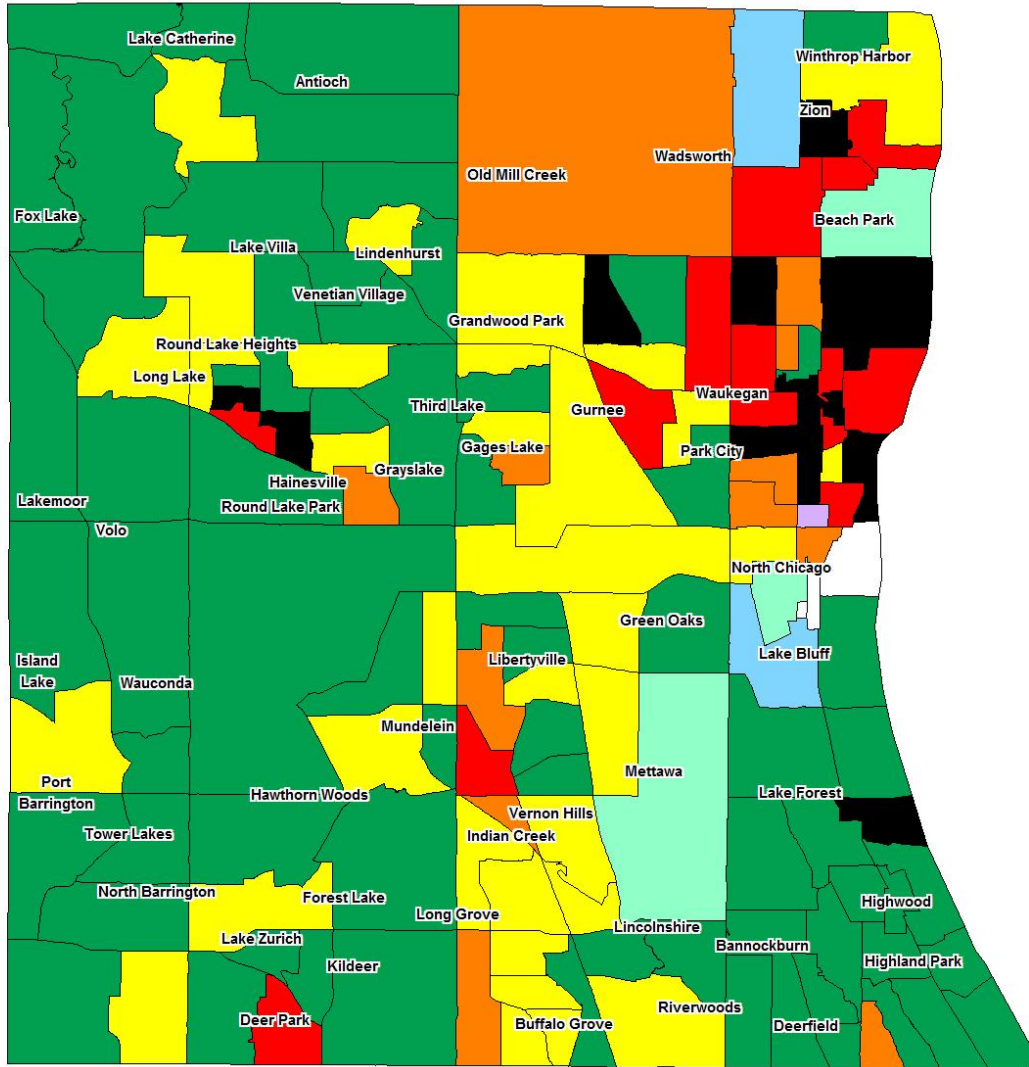
In reviewing the free market analysis, several factors must be kept in mind:

- The Free Market Analysis in and of itself does not definitively confirm that housing discrimination exists or does not exist in a given census tract. The Free Market Analysis must be viewed in combination with the other portions of this Analysis of Impediments as well as the policies and actions of the local government.
- Census tracts 8630.03, 8630.05, and 8630.06 are excluded from the analysis as all of the housing is reserved for personnel assigned to Great Lakes Naval Station.
- Information on income by race/ethnic group was obtained from the 2012 American Community Survey 5-Year Estimates. Therefore the information presented provides the average characteristics of households over the five-year period.
- While the ACS is the most reliable source of data on households, it is based upon a sample of households not the entire population of households. Consequently the data provided by the ACS is subject to sampling and non-sampling errors.

On the following pages are Exhibits III-26 through III-29 that map the difference between the comparison cited above; that is, the difference between the actual percentage of members of a racial or ethnic group that actually live in the census tract and the expected percentage of members of a racial or ethnic group based solely on income. Negative numbers indicate that fewer members of that racial or ethnic group live in the census tract than would have been predicted. Positive numbers indicate that more members exist in the census tract than would have been predicted based solely on income.

In addition to conducting the Free Market Analysis by census tract, AREA also conducted the analysis by place. The analysis by place varies from the analysis by census tract because the census tract looks at the characteristics of all of Lake County whereas the place analysis considers only municipalities. Each analysis provides a slightly different view of each location but both indicate that factors outside of income result in households concentrating by race and ethnicity in different portions of Lake County. Exhibits III-30 through III-33 provide maps of the municipality analysis.

**Exhibit III-26.
Free Market versus Actual Market Percentages (Census Tracts): White, Non-Hispanic Households**



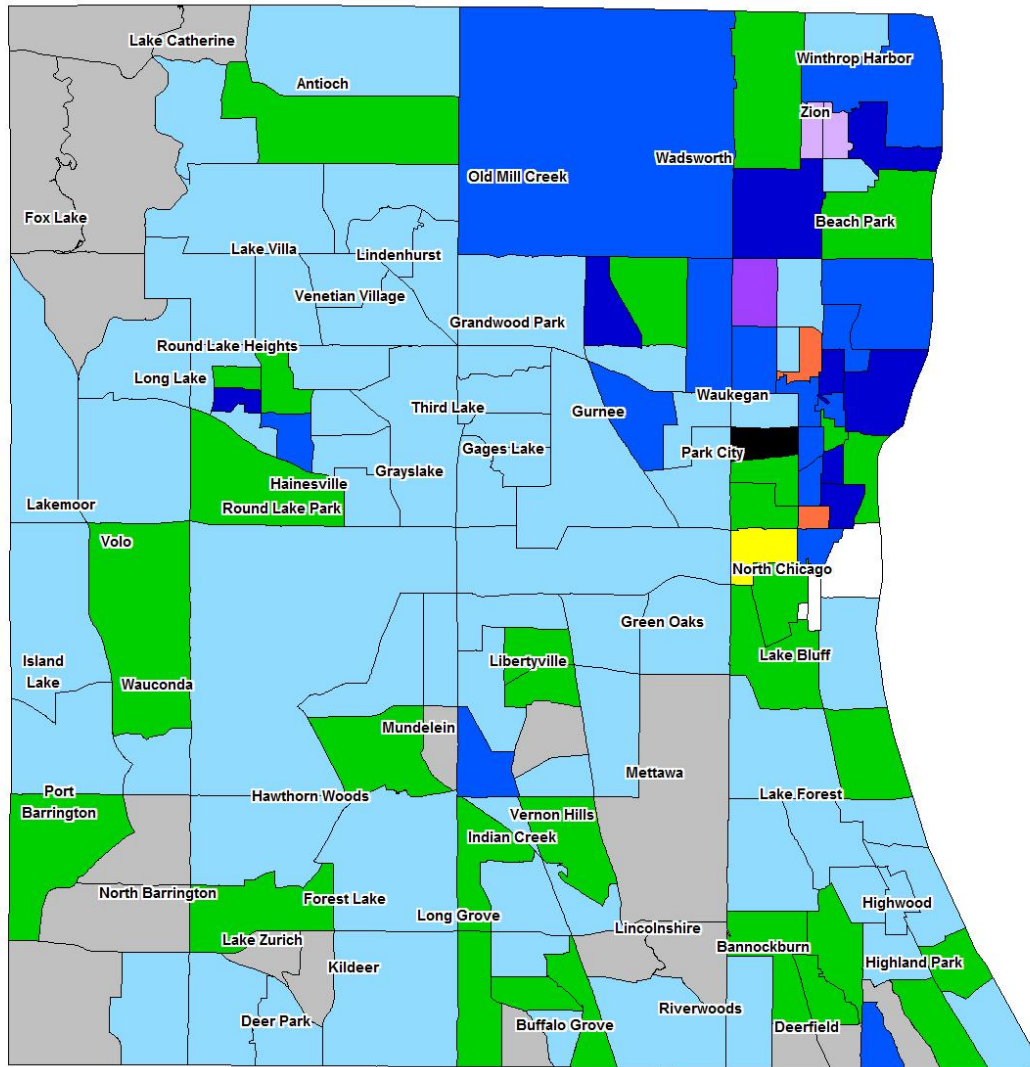
**Difference Between Free Market Percentage
And Actual Percentage***

- 31 to 40
- 1 to 10
- Actual and Free are Equal
- 10 to -1
- 20 to -11
- 30 to -21
- 40 to -31
- 90 to -41
- Great Lakes Naval Station



*Source: 2012 ACS 5-Year Estimates

**Exhibit III-27.
Free Market versus Actual Market Percentages (Census Tracts): Black Households**



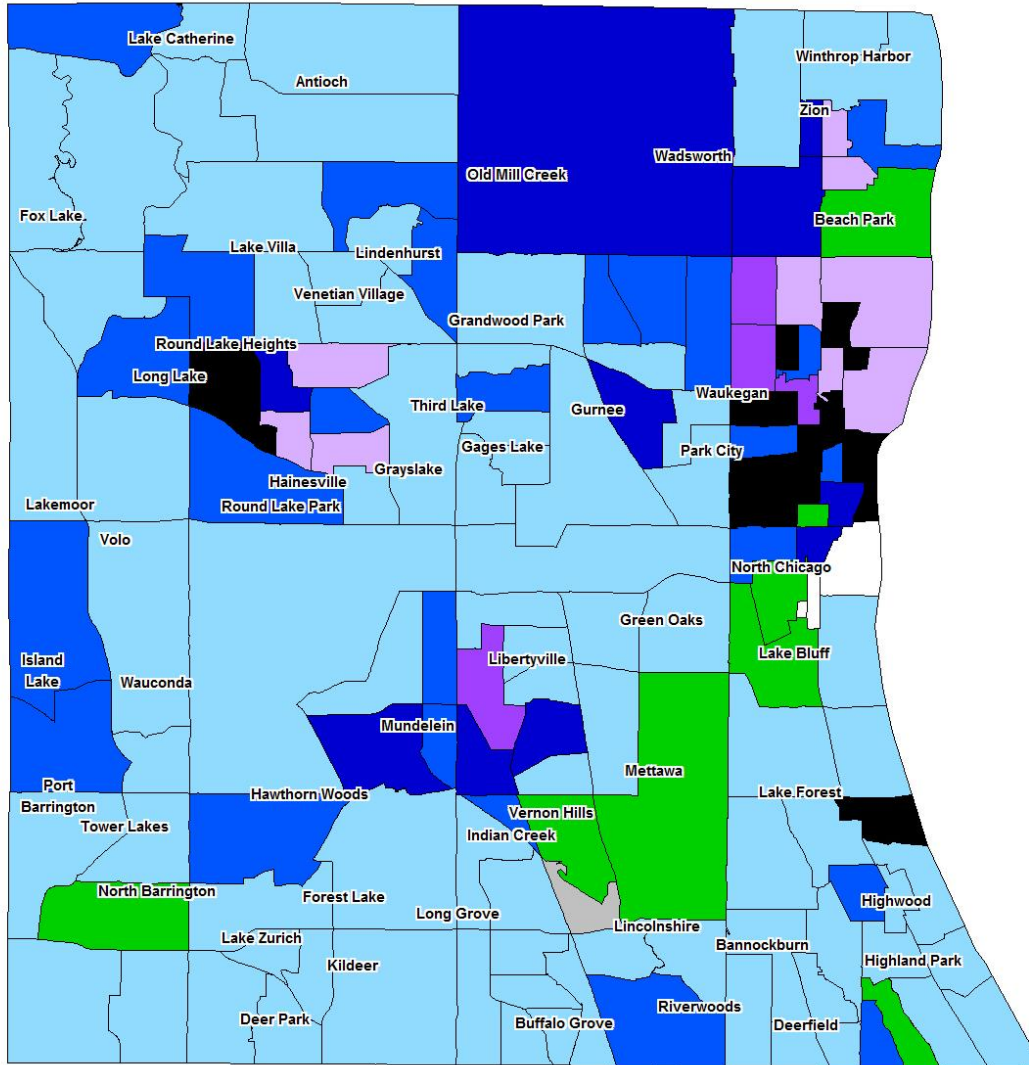
**Difference Between Free Market Percentage
And Actual Percentage***

- Over 50
- 41 to 50
- 31 to 40
- 21 to 30
- 11 to 20
- 1 to 10
- 10 to -1
- 20 to -11
- 30 to -21
- Great Lakes Naval Station
- Insufficient data



*Source: 2012 ACS 5-Year Estimates

**Exhibit III-28.
Free Market versus Actual Market Percentages (Census Tracts): Hispanic Households**



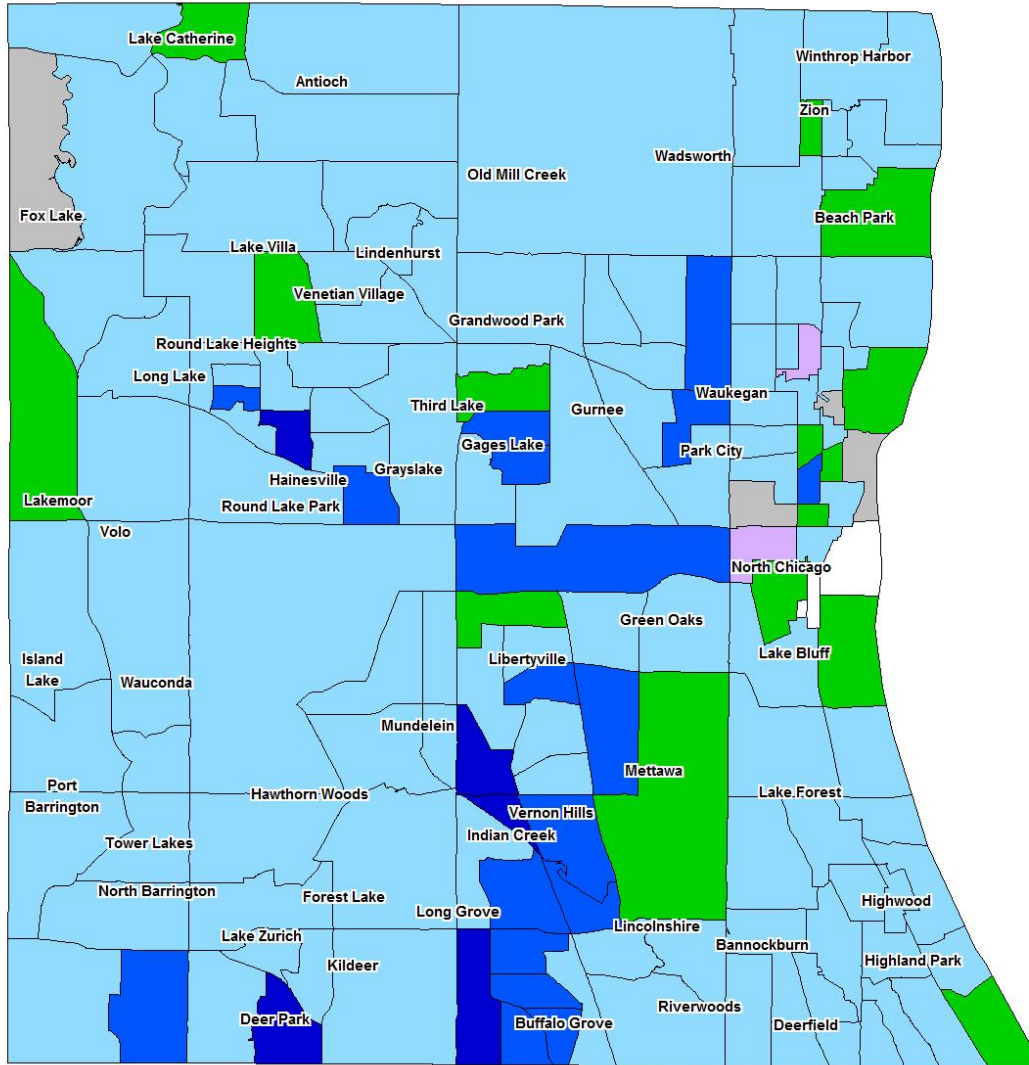
**Difference Between Free Market Percentage
And Actual Percentage***

- Over 50
- 41 to 50
- 31 to 40
- 21 to 30
- 11 to 20
- 1 to 10
- 10 to -1
- Great Lakes Naval Station
- Insufficient data



*Source: 2012 ACS 5-Year Estimates

**Exhibit III-29.
Free Market versus Actual Market Percentages (Census Tracts): Asian Households**



**Difference Between Free Market Percentage
And Actual Percentage***

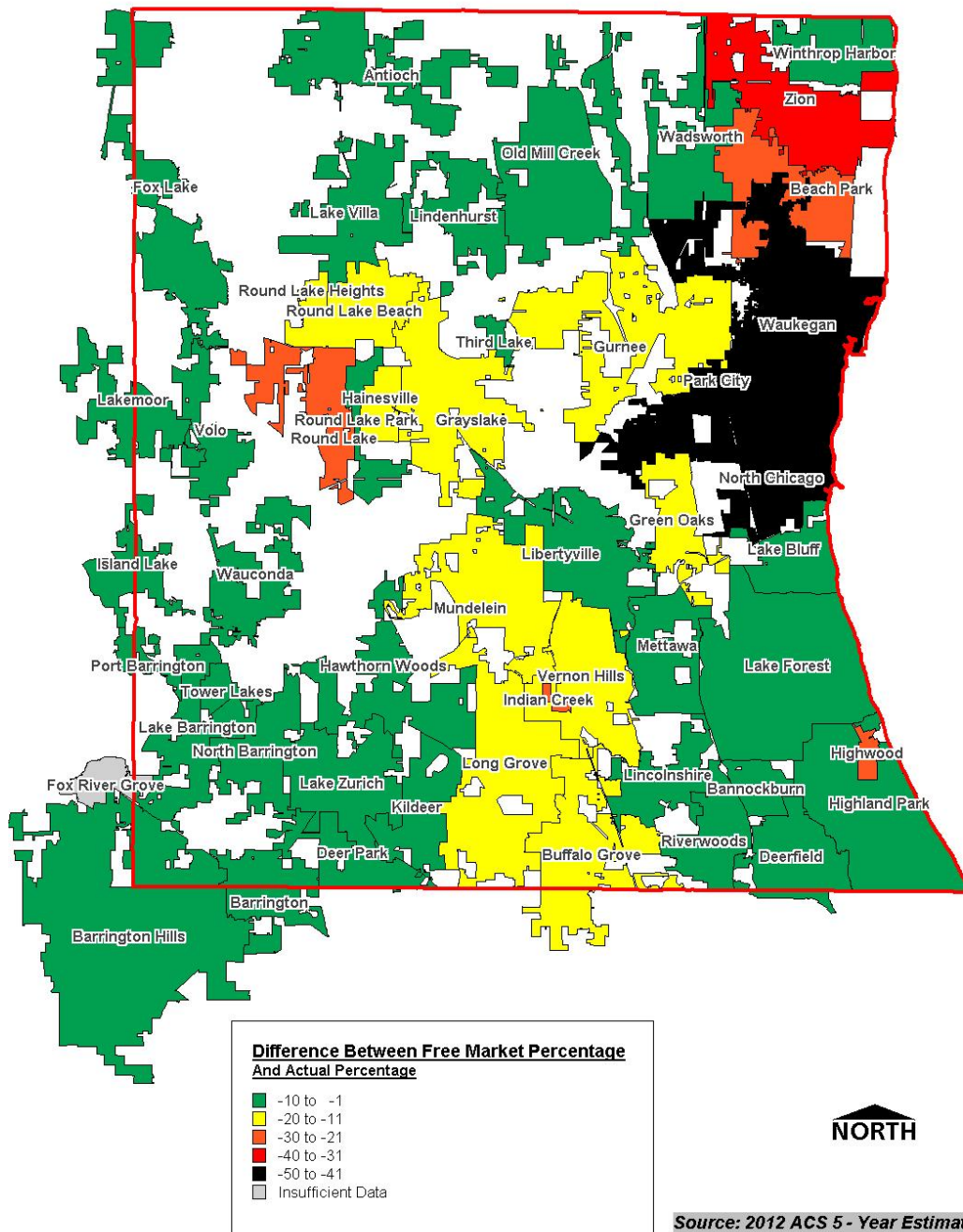
- 31 to 40
- 21 to 30
- 11 to 20
- 1 to 10
- 10 to -1
- Great Lakes Naval Station
- Insufficient data



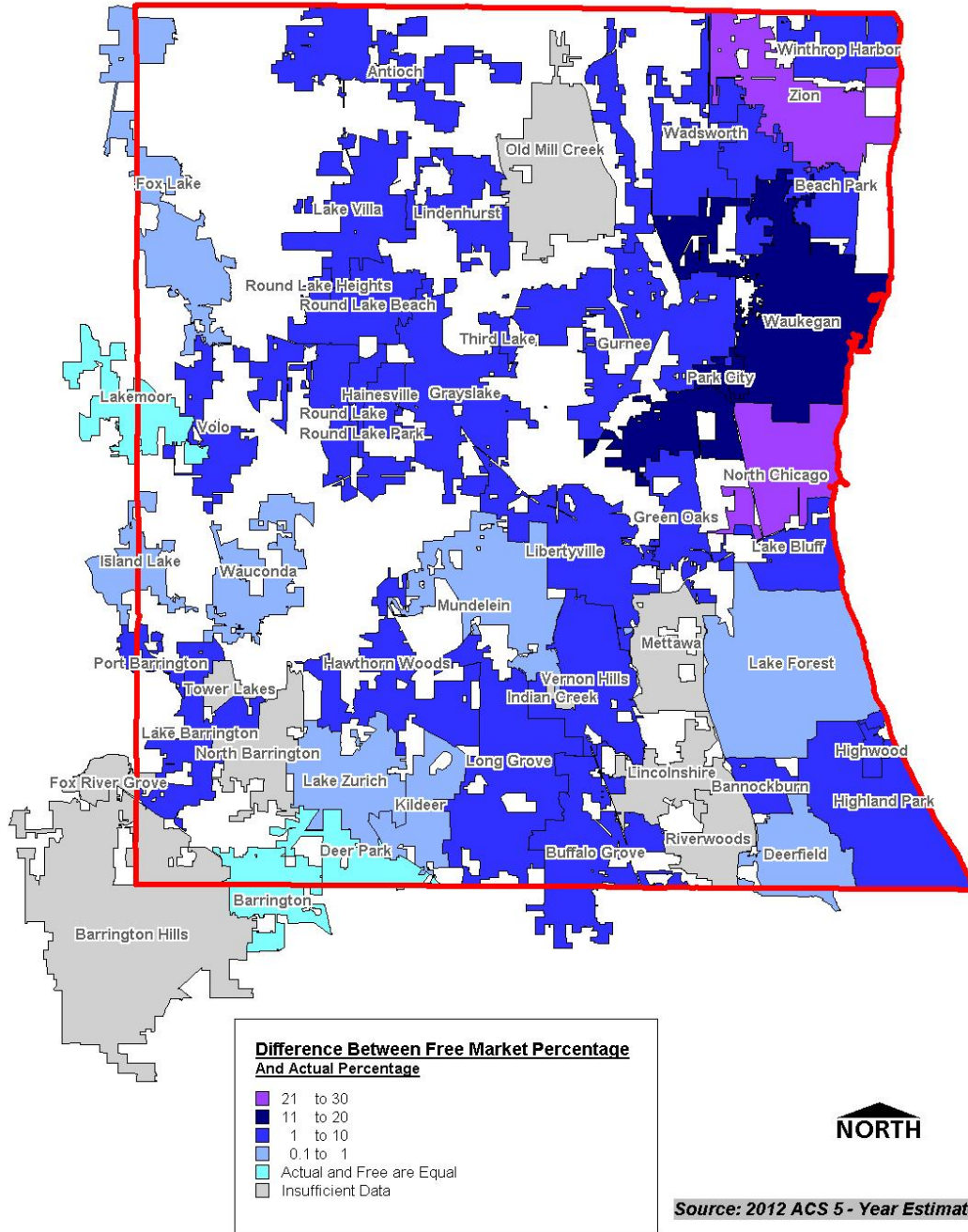
*Source: 2012 ACS 5-Year Estimates

In addition to conducting the Free Market Analysis by census tract, AREA also conducted the analysis by municipality. Exhibits III-30 through III-33 provide maps of this analysis.

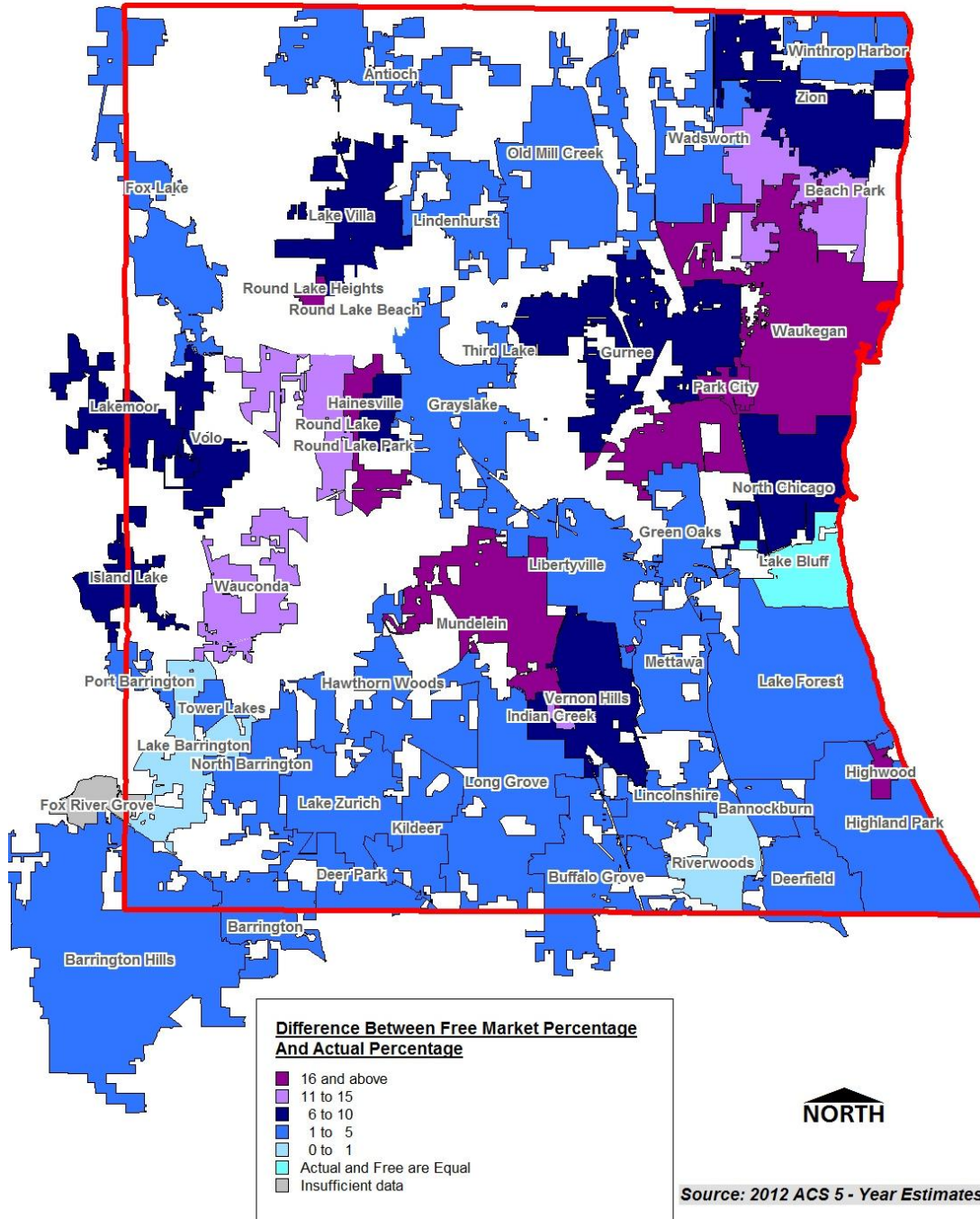
**Exhibit III-30.
Free Market versus Actual Market Percentages (Census Place): White, Non-Hispanic Households**



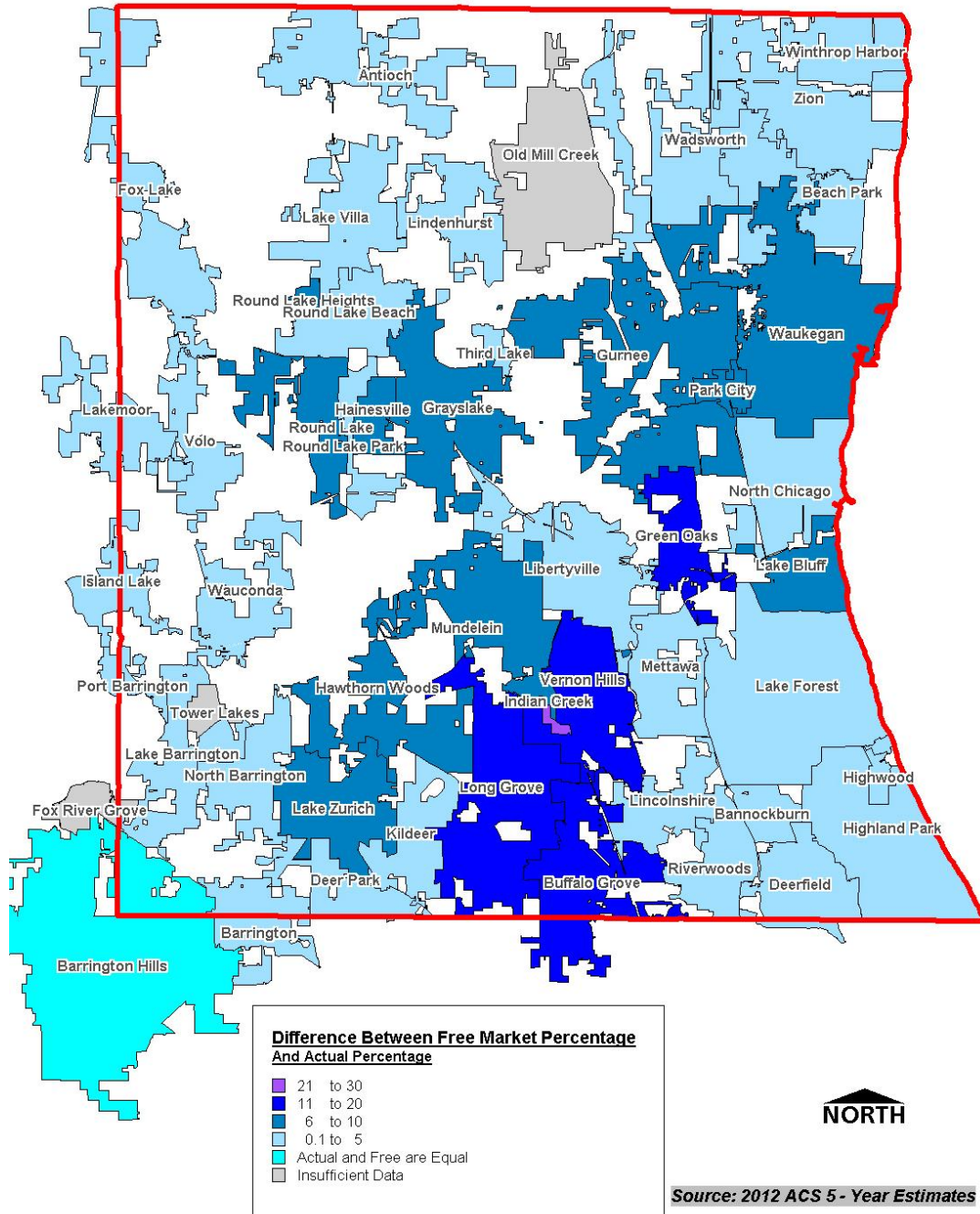
**Exhibit III-31.
Free Market versus Actual Market Percentages (Census Place): Black Households**



**Exhibit III-32.
Free Market versus Actual Market Percentages (Census Place): Hispanic Households**



**Exhibit III-33.
Free Market versus Actual Market Percentages (Census Place): Asian Households**



LAND USE AND ZONING

Commonly, suburbs include single-family homes with scattered commercial spaces and exclude structures associated with urban settings—tall office or apartment buildings, parking lots, plazas, boulevards, universities, and museums. Suburban zoning codes reflect this basic land use dichotomy, so special zoning (conditional or special use permits) is typically required for any unusual structure or uncommon land use. These requirements may appear onerous or confusing to people who bring new (currently unsupported) needs to a community.

In 2003, Yale University professor Delores Hayden wrote that “single-family zoning is often too rigid and the regulatory system in mortgage banking has been formed around the sale or resale of a one kind of house for one kind of family.”¹¹ Public policy in general—and zoning ordinances in particular—should now consider social realities that have unfolded over the past several decades, such as:

- Deinstitutionalization of mentally ill and intellectually disabled
- Equal opportunity
- Protection orders available for victims of domestic violence
- Longer life expectancy
- Increased likelihood that adult children may live with parents (due to lack of living wage jobs)
- Independent living for people with disabilities (made possible in many ways by technological advances)
- Use of housing subsidies (e.g., Housing Choice Vouchers) outside of the city
- Local food
- Clean energy
- Deindustrialization
- Population growth
- Evolution of American culture from a “melting pot” to a “lumpy stew”¹² of diversity

In cases where a zoning ordinance was established long before many of these factors emerged, the zoning ordinance may inadvertently hold back land use decisions from adapting to changing times. Like many laws drafted in drastically different times, zoning ordinances may need to be updated when they lag behind social changes.

There are several ways in which zoning ordinances can inadvertently impede a community's ability to adapt to social changes such as those listed above, through restrictions regarding:

¹¹ Hayden, Delores (2003). *Building Suburbia: Green Fields and Urban Growth, 1820-2000*, p. 14.

¹² Hacker, Andrew (1992). *Two Nations: Black and White, Separate, Hostile and Unequal*, p. 9.

- Lot size
- Level of flexibility for mixed uses
- Number of people who can share a residence, and their relationship to each other
- Density limits
- Requirements that exclude groups of people from living in a given area (e.g. building construction standards that require a high income to afford)

“Ensuring a range of housing choices has long been a bedrock planning principle for most communities, but it may be inconsistent with certain other development policies.”¹³ Generally, minimum lot-size restrictions, density restrictions, and the practice of conditional and special uses may limit the types of housing available in the area. These limits can in turn impact protected classes who may be seeking affordable or accessible housing, or housing of a particular size.

Land-use and zoning provisions can also impact a housing development’s access to utilities such as sewer and water. If housing developments do not have easy access to utilities, developers have higher infrastructure fees, which are then passed along to residents of the development. Further, if a developer has higher infrastructure costs, developing multifamily units becomes cost prohibitive in comparison to single-family units. Housing development best practices include ensuring all housing types have adequate access to such utilities, where practical and feasible, in order for housing to be affordable and designed to adequate size.

Multifamily housing options create affordable housing choices supportive of diversity in family size, which in some cases may be influenced by ethnic background.¹⁴ Zoning that limits multifamily housing can create housing choice limitations for four of the protected classes—physical or mental disability, race and color, national origin and ancestry, and familial status—who would choose multifamily housing options that would, in some cases, be more affordable than a traditional single-family home, especially in the high housing cost climate of Lake County. The table on the next page outlines existing multifamily zoning practices in the county’s various municipalities:

¹³ Richard Ducker, “Community Planning, Land Use and Development” (2006). The School of Government, University of North Carolina–Chapel Hill. <http://sogpubs.unc.edu//cmg/cmg25.pdf?>

¹⁴ Simms, Margaret, Karina Fortuny, and Everett Henderson (August 2009), “Racial and Ethnic Disparities Among Low-Income Families,” *The Urban Institute*.

**Exhibit III-34.
Multifamily Zoning and Housing Availability by Municipality**

Municipality	Multi-Family Zoning District Identified	Multi-Family Housing Available	Municipality	Multi-Family Zoning District Identified	Multi-Family Housing Available
Antioch	Yes	Yes	Libertyville	Yes	Yes
Bannockburn	No*	No*	Lincolnshire	Yes	Yes
Barrington	Yes	Yes	Lindenhurst	Yes	Yes
Barrington Hills	No	No	Long Grove	No	No
Beach Park	Yes	Yes	Mettawa	No	No
Buffalo Grove	Yes	Yes	Mundelein	Yes	Yes
Deer Park	Special Use	Yes	North Barrington	No	No
Deerfield	Yes	Yes	North Chicago	Yes	Yes
Fox Lake	Yes	Yes	Old Mill Creek	Yes	No
Fox River Grove	Yes	Yes	Park City	Yes	Yes
Grayslake	Yes	Yes	Port Barrington	Yes	No
Green Oaks	No	No	Riverwoods	No	No
Gurnee	Yes	Yes	Round Lake	Yes	Yes
Hainesville	Yes	Yes	Round Lake Beach	Yes	Yes
Hawthorn Woods	Special Use	No	Round Lake Heights	No	No
Highland Park	Yes	Yes	Round Lake Park	Yes	Yes
Highwood	Yes	Yes	Third Lake	No	No
Indian Creek	Yes	No	Tower Lakes	No	No
Island Lake	Yes	Yes	Vernon Hills	Yes	Yes
Kildeer	Yes	No	Volo	Yes	Yes
Lake Barrington	Special Use	Yes	Wadsworth	No	No
Lake Bluff	Yes	Yes	Wauconda	Yes	Yes
Lake Forest	Yes	Yes	Waukegan	Yes	Yes
Lake Villa	Yes	Yes	Wheeling	Yes	Yes
Lake Zurich	Yes	Yes	Winthrop Harbor	Yes	Yes
Lakemoor	Yes	Yes	Zion	Yes	Yes

*Not including Trinity University and College District

**Note: The practicality of introducing multifamily zoning into a community is dependent on several factors, including infrastructure and services which are not uniformly available in the listed communities. Hence, this table should not be considered in a vacuum. Nonetheless, communities with such available infrastructure and services have the option to consider the best practice of multi-family zoning.

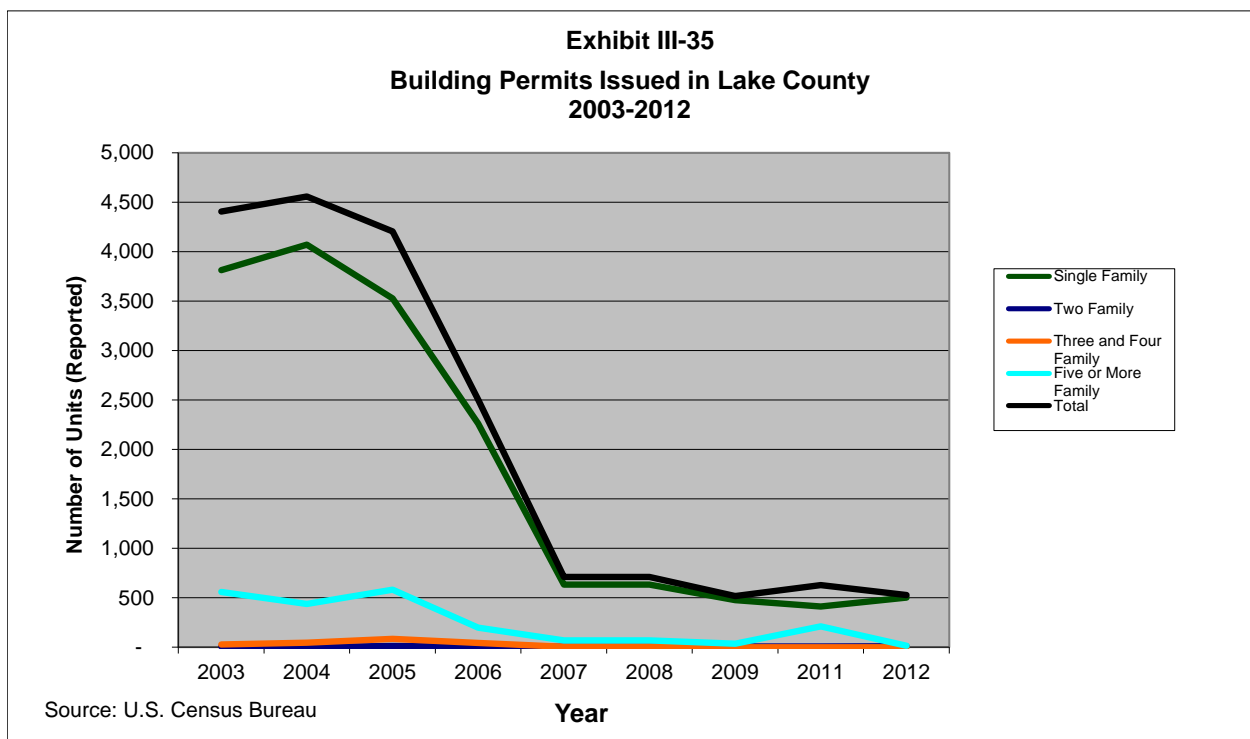
It is commonly accepted by service providers that group homes are a positive, effective living arrangement for adults with disabilities. Generally, these are coordinated care sites where usually four, five, or six unrelated persons live in a single-family home as one housing unit, with access to services and employment. As persons with disabilities are a protected class, the ability for group homes to establish a residential base in areas near transit or employment for residents is critical. According to advocates for persons with disabilities, identifying sites, resources, and communities supportive of group homes has, in some cases, been difficult. The support, or lack thereof, of local zoning ordinances for group homes requires further research and discussion, although several communities in Lake County have successfully integrated group homes into local zoning ordinances, and unincorporated Lake County has a flexible group home zoning ordinance (that allows up to eight unrelated persons with disabilities to share a single-housing unit as long as standard building code requirements are met).

Lake County organizations that serve persons with disabilities also assist their clients in finding housing that allows them to live independently in units that are for sale or rent. In discussions with Lake County Community Development housing planners, service

organizations reported that private market landlords and property managers are apt to provide housing for their clients and understand the need to sometimes make renovations to units to make them accessible by persons with disabilities (known as a reasonable accommodation), especially in Highland Park and Grayslake. Landlords and property managers in these communities were more willing to provide reasonable accommodations because of the support from the municipalities and the community.

BUILDING PERMITS

From 2003 through 2012, building permits were issued for 19,464 units within Lake County (both villages and unincorporated). As shown in Exhibit III-30 below, the number of issued building permits began dropping after 2003 and decreased significantly between the years of 2003 and 2009 as a result of the housing crisis. Between 2009 and 2012 (the most recent year for which data are available), the number of issued permits has leveled off. In 2012, permits were issued for 527 units, 2 percent higher than in 2009, but 88 percent below the high in 2003.



Though the total number of issued permits decreased dramatically during this 10-year period, not all housing types were affected equally. The largest decrease occurred in permits for multifamily residential buildings, a trend that may result in limiting housing choice. Permits issued for buildings with five or more units decreased by 97 percent, and those issued for buildings with three or four units decreased by 100 percent.

However, permits for two-unit buildings actually increased by 20 percent, from 8 to 10, but these accounted for less than 1 percent of the total.

Exhibit III-36.
Annual New Privately Owned Residential Building Permits for all of Lake County 2008 -2012

Year	Single Family		Two Family		Three and Four Family		Five or More Family	
	Buildings	Units	Buildings	Units	Buildings	Units	Buildings	Units
2008	632	632	2	4	1	4	11	70
2009	475	475	3	6	0	0	7	36
2010	427	427	5	10	0	0	8	261
2011	412	412	3	6	0	0	11	210
2012	502	502	5	10	0	0	1	15

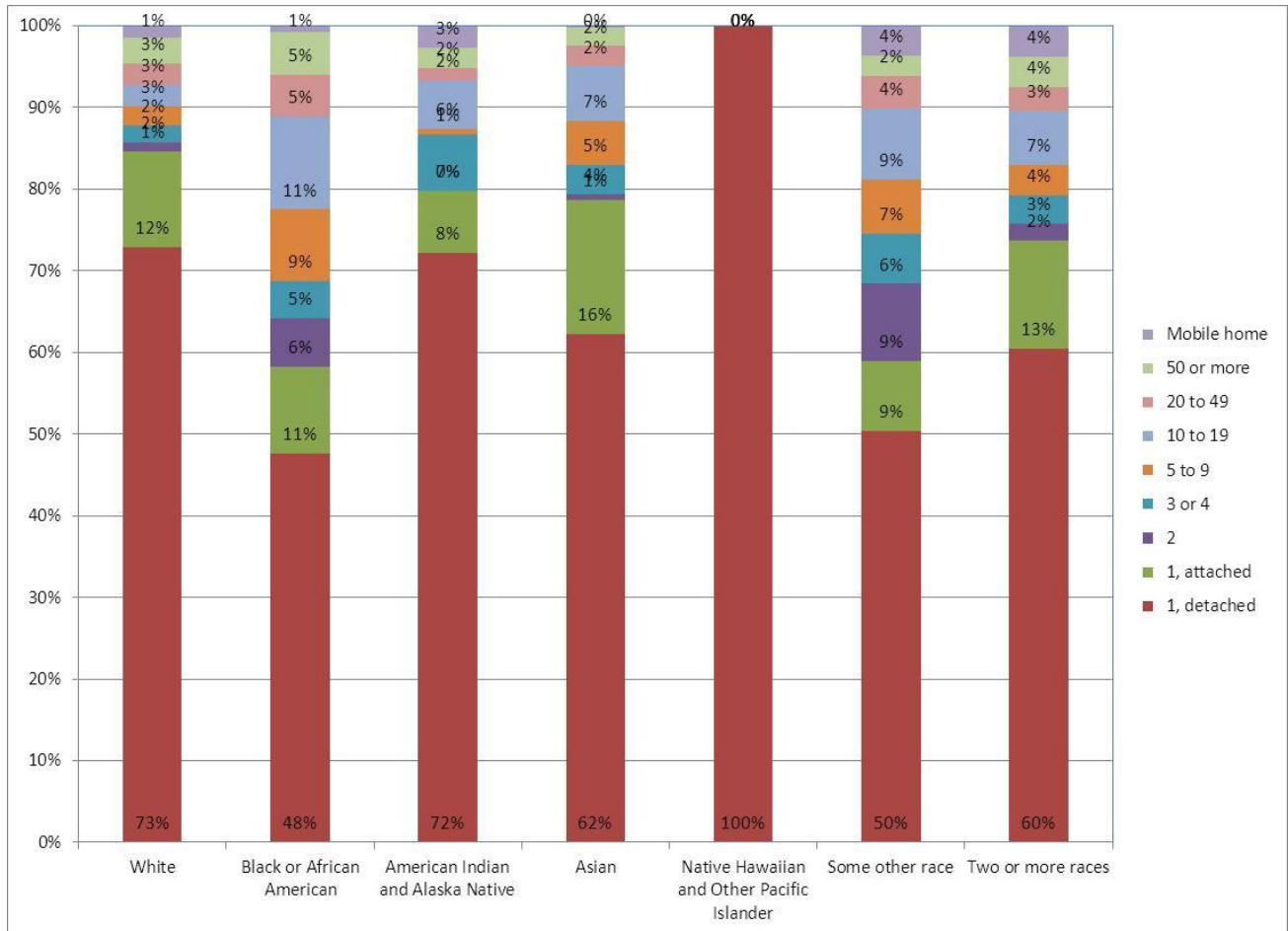
Source: U.S. Bureau of the Census

HOUSING

Lake County Housing Inventory Characteristics

Lake County geography, development patterns, and demographics contribute to the variety of housing stock present in County municipalities and unincorporated areas. Lake County, historically a blend of scattered urbanized areas and rural settlements with abundant open space, forests, and waterways, has grown into a county of 52 municipalities. The County offers housing that ranges from single-family detached dwellings to apartment buildings with more than 75 units. As will be discussed, the largest housing development boom was during the 1990s, rendering more than one-third of the total stock relatively young, at 25 years of age or less.

**Exhibit III-37.
Use of Different Housing Types by Ethnicity in Lake County**

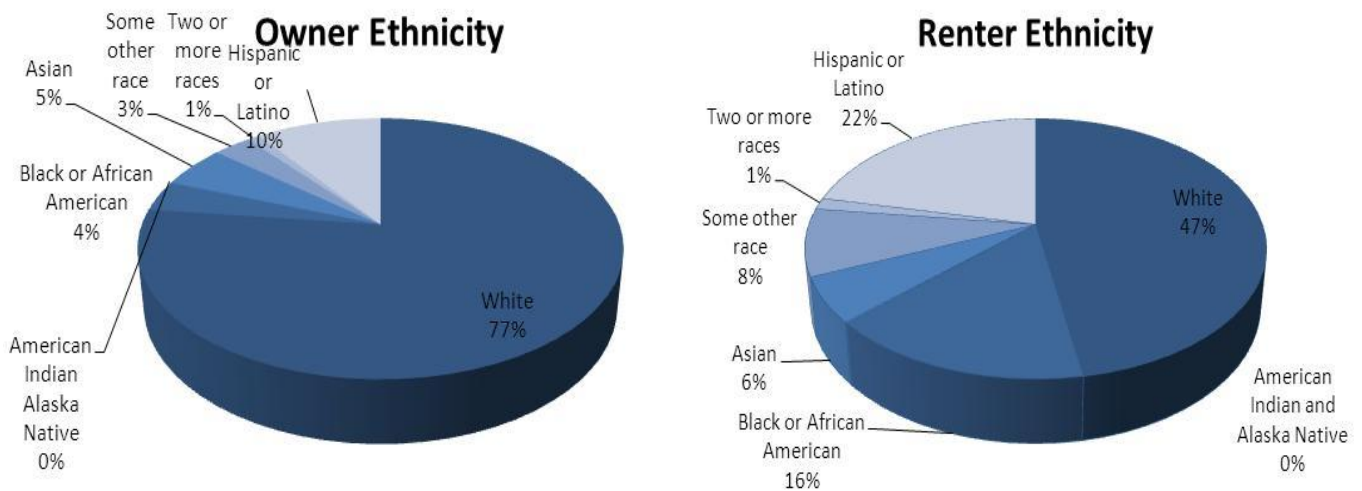


Occupancy

In 2012, there were 260,020 total housing units in Lake County (both villages and unincorporated), of which 7.4 percent were vacant.¹⁵ This number reflects a 13 percent increase since the year 2000, as the county gained 34,008 housing units. Nearly one-quarter of the units (23 percent) were renter-occupied units.

In further evaluating the characteristics of owners and renters in Lake County, a majority of owner-occupied units are owned by White households, totaling almost 77 percent of actual units, though 84 percent of White households are homeowners, as opposed to 16 percent of White households that rent. Black or African-American households occupy slightly less than 4 percent of ownership units, and 43 percent of Black or African-American households own units while 57 percent of households rent. Nearly 75 percent of Asian households in the County own the unit in which they live and occupy just over 5 percent of owner-occupied units. Finally, households identified as Hispanic or Latino own slightly less than 10 percent of the owner-occupied units, as 59 percent of Hispanic or Latino households own homes, while 41 percent of households rent units.

Exhibit III-38.
Occupancy Types by Race/Ethnicity



¹⁵ American Community Survey 2012 1-Year estimates.

Age of Housing

Lake County was first incorporated in 1839, with the original county seat in what today is Libertyville. In 1841, the county seat was moved to Little Fort, now known as Waukegan. The early development patterns of housing reflect these settlements, with the oldest housing stock located in Libertyville and other municipalities in close proximity, such as Mundelein, Waukegan, and the eastern border of the county abutting Lake Michigan. Additionally, older housing stock is found along the two major rail corridors of the county, including along the eastern border and the rail line that reaches the northwestern end of the County through the Round Lake area to Fox Lake. Known recreational areas, such as Illinois Beach State Park, which borders Zion and Waukegan, and the waterways of Fox Lake and the Chain of Lakes also factor into the aged housing development. The following exhibit provides the age of housing by tenure.

Exhibit III-39.
Age of Owner- and Renter-Occupied Housing in Lake County

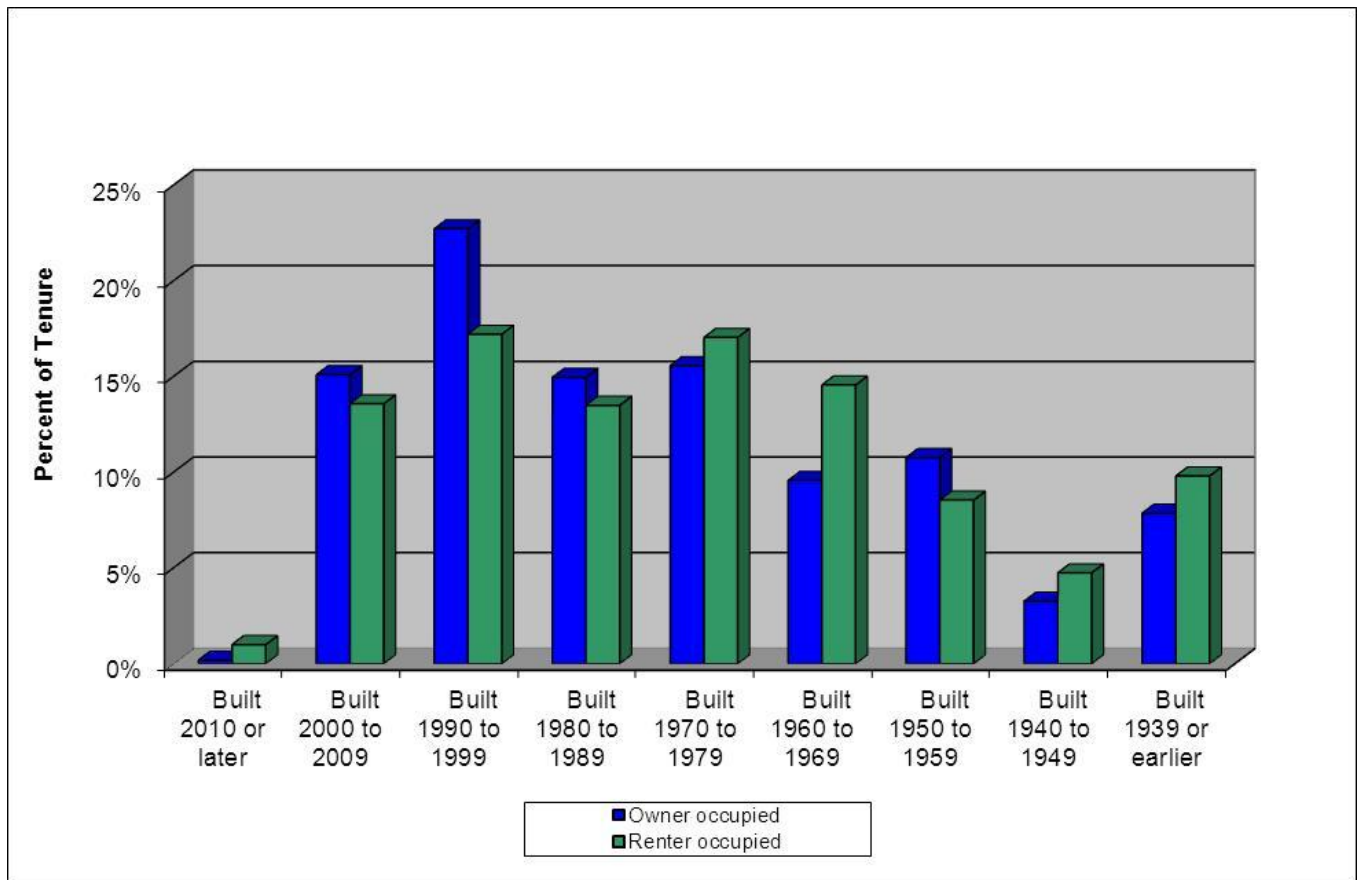
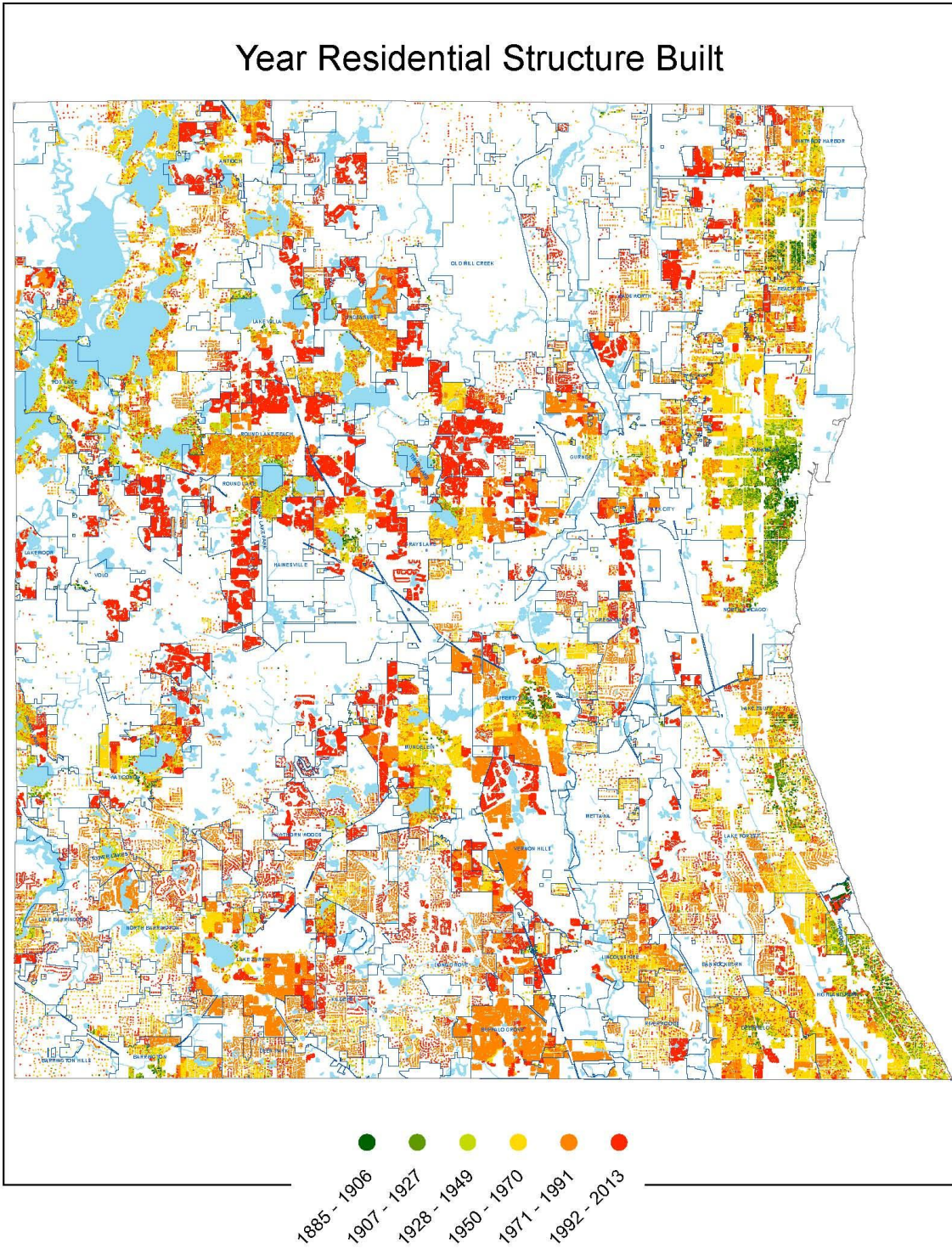


Exhibit III-40.
Year Residential Structure Built in Lake County



Both the table and the map above demonstrate the dramatic growth of housing since the 1970s, with a predominant amount of housing developed from 1990 through 2009. Of this growth, 69 percent of the owner-occupied housing stock and 62 percent of the rental stock was developed since 1970. The 1990s saw the largest growth in development of housing for both owner- and renter-occupied housing stock, with more than one-third of the County’s housing stock built from 1990 to the present. It should be noted that not all “rental” housing stock is deemed as multifamily dwellings. Rather, a significant portion of Lake County’s rental housing stock is contained within the single-family dwelling unit classification.

HOUSING AFFORDABILITY

Housing affordability is calculated using generally accepted cost burden principles to assume that a household should pay no more than 30 percent of household income toward housing payments (rent or mortgage). The median household income for Lake County, based on the 2012 American Community Survey, was \$79,085. For evaluation, the table below shows the affordable monthly housing payment (an amount calculated to prevent a household from being considered “cost burdened”) for a household at the 2012 median income level by race and ethnicity of the household. These calculations do not take into account other housing costs such as utilities and maintenance or the condition of the housing units. These additional costs can result in a household becoming cost burdened.

**Exhibit III-41.
Housing Affordability**

Race/Ethnicity of Household	Median Household Income	Maximum Monthly Housing Payment
White	\$ 86,159	\$2,154
Black or African American	\$ 44,036	\$1,101
American Indian and Alaska Native	\$ 46,943	\$1,174
Asian	\$ 100,408	\$2,510
Some other race	\$ 46,739	\$1,168
Two or more races	\$ 60,658	\$1,516
Hispanic	\$ 44,457	\$1,111

Note: Insufficient data available for Native Hawaiian and Other Pacific Islander.
Source: 2012 ACS 1-Year Estimates.

White and Asian families can afford significantly more housing than other demographic classes in the County, with the median income for Whites nearly double that of Black or African-American or Hispanic households. Asian households are the highest-earning households in Lake County. This data, used when analyzing the rental and sales (ownership) costs that follow, is indicative of the ownership and rental trends presented earlier in this document: a larger majority of White and Asian households can afford homeownership, as compared to Black or African-Americans or Hispanic households.

Rental Housing

The following analysis of 2012 contract rent was calculated using American Community Survey data. Although the American Community Survey is the most readily available source for rental data in all communities, the data do not fully reflect current housing market realities. This is in part because the American Community Survey rent figures do not account for the difference in “new” rents, meaning rents that were established for a household residing in a unit one year or less, versus those with lease renewals that are usually renewed at below market increases. Some Lake County communities, especially those with a higher percentage of minority populations and rental housing stock, have a correlating lower rate of occupancy beyond one year. The following table denotes the one-year occupancy totals for Consortium municipalities that also carry a majority of minority households.

Exhibit III-42.
Length of Time in Housing Unit

Municipality	Percentage living in same housing unit one year or more
North Chicago	56.9%
Waukegan	84.1%
Lake County Average	87.9%

Source: American Community Survey, 5-Year Estimates.

Currently, market rents in Lake County and the surrounding region are lower than other major metropolitan markets and even the minimum rent for some federal programs. The table on the next page identifies the Lake County average monthly rents and the correlating percentage of rent basis.

At incomes at or above their 2012 median incomes, White and Asian households can afford nearly 100 percent of the rental units in Lake County. At incomes at or above their 2012 median incomes, Black or African-American households and Hispanic

households, having a much lower monthly affordability level, can only afford 68 percent of the rental units in the county. In areas of the county with known higher concentrations of Black or African-American households or Hispanic households, such as North Chicago, Waukegan, or Round Lake Beach, Black/African-American and Hispanic households at or below the median income would be cost burdened in more than one third of the rental units.

Exhibit III-43.
Contract/Asking Rent for Lake County

Contract/Asking Rent	Number	Percent
Less than \$100	1,061	0.50%
\$100 to \$149	568	0.40%
\$150 to \$199	1,358	1.30%
\$200 to \$249	830	0.50%
\$250 to \$299	301	0.70%
\$300 to \$349	533	0.80%
\$350 to \$399	392	0.70%
\$400 to \$449	855	1.20%
\$450 to \$499	856	1.60%
\$500 to \$549	2,549	2.70%
\$550 to \$599	1,832	2.20%
\$600 to \$649	2,717	4.90%
\$650 to \$699	2,931	6.20%
\$700 to \$749	3,851	7.90%
\$750 to \$799	3,278	7.50%
\$800 to \$899	7,332	19.40%
\$900 to \$999	5,327	9.50%
\$1,000 to \$1,249	8,945	13.90%
\$1,250 to \$1,499	5,617	5.60%
\$1,500 to \$1,999	3,850	6.10%
\$2,000 or more	3,262	3.10%
No Cash Rent	3,119	3.40%
Total	61,364	100.00%

Source: 2012 ACS 1-Year Estimates.

Owner-Occupied Housing

Utilizing sales data from the Multiple Listing Service (MLS) and assumptions of a traditional 30-year fixed mortgage, with average interest of 4.5 percent and a 15 percent buyer down payment, the average monthly mortgage was calculated relative to sales trends and total units sold in Lake County. This information does not account for the quality or size of housing units relative to the end use; that is, household size or habitability. The following table identifies sales data for all of Lake County, including a separation of conventional sales and foreclosure sales, as the latter tends to skew market conditions.

Exhibit III-44.
Units Sold in Lake County, 2013

Sale Price	All Units		Conventional Units		Cash only, foreclosure, short-sale, and court-approved		Estimated Monthly Mortgage Payment*
	Number of Units Sold	% of Units Sold	Number of Units Sold	% of Units Sold	Number of Units Sold	% of Units Sold	
Less than \$49,999	936	8%	138	2%	798	20%	\$215 or less
\$50,000-\$99,999	1777	16%	547	8%	1,230	32%	\$215-\$431
\$100,000-\$149,999	1671	15%	968	14%	703	18%	\$431-\$646
\$150,000-\$199,999	1177	11%	783	11%	394	10%	\$646-\$861
\$200,000-\$249,999	954	9%	708	10%	246	6%	\$861-\$1,077
\$250,000-\$299,999	844	8%	667	9%	177	5%	\$1,077-\$1,292
\$300,000-\$349,999	715	6%	622	9%	93	2%	\$1,292-\$1,507
\$350,000-\$399,999	544	5%	470	7%	74	2%	\$1,507-\$1,723
\$400,000-\$449,999	423	4%	386	5%	37	1%	\$1,723-\$1,938
\$450,000-\$499,999	376	3%	345	5%	31	1%	\$1,938-\$2,153
\$500,000-\$549,999	301	3%	276	4%	25	1%	\$2,153-\$2,369
\$550,000-\$599,999	243	2%	220	3%	23	1%	\$2,369-\$2,584
\$600,000-\$649,999	194	2%	178	2%	16	0%	\$2,584-\$2,799
\$650,000-\$699,999	171	2%	159	2%	12	0%	\$2,799-\$3,015
\$700,000-\$749,999	118	1%	111	2%	7	0%	\$3,015-\$3,230
\$750,000-\$799,999	108	1%	106	1%	2	0%	\$3,230-\$3,445
\$800,000-\$849,999	91	1%	85	1%	6	0%	\$3,445-\$3,661
\$850,000-\$899,999	60	1%	54	1%	6	0%	\$3,661-\$3,876
\$900,000-\$949,999	55	0%	52	1%	3	0%	\$3,876-\$4,091
\$950,000-\$999,999	40	0%	36	1%	4	0%	\$4,091-\$4,307
\$1,000,000 and greater	268	2%	251	4%	17	0%	\$4,307 and above
Total	11,066	100%	7,162	100%	3,904	100%	

Source: Midwest Real Estate Data, LLC.; Applied Real Estate Analysis, Inc.

As indicated in the table above, no one demographic group can afford 100 percent of the housing units sold in Lake County based on sale prices and the estimated median household income. However, it is worth noting that, based on median income, Asian and White households can still afford the majority of homes sold in Lake County, as 88 percent of total units sold are within the assumed mortgage range of both races. Based on median income, Blacks or African-American and Hispanic households can only afford 59 percent of the total home sales. When analyzing conventional sales alone, the percentage of affordable sales for all demographics drops; 83 percent of sales are affordable to White and Asian households, while only 44 percent of sales are affordable to Black or African-American and Hispanic households (based on median income). In removing the often lower-cost foreclosure sales from the analysis, it is clear that African-American and Hispanic households have, on average, less buying power in the ownership market. Further, as may be concluded by mortgage analysis in the following section, minority households may have a more difficult time procuring average or lower mortgage interest rates and terms.

In the current market, mortgage rates range, on average, from 4 percent to 4.875 percent. Also, depending on loan product availability, some banks are offering no- or low-mortgage-insurance loans, which require financing at higher interest rates. Lending regulations, including credit evaluation and increased down payments, have also continued to become stricter in the current market.

Property Taxes

Lake County continues to yield some of the highest average property tax rates in the region. The tax structure in the county, comprised of multiple taxing bodies for any given taxing district, often produces higher taxes on residential property located in lower opportunity areas versus higher opportunity areas.¹⁶ These areas generally lack the diversified base of commercial and industrial properties needed to provide local economic opportunities. The lack of a non-residential tax base in these areas often translates to higher property-tax rates for residences in order to provide the funds needed to support education systems and functions of local government. In other instances, areas of inherently higher housing value can often provide lower property-tax rates while maintaining revenue needed; this is due to the substantial income generated as a result of taxing higher assessed value, while the inverse is true in areas of lower housing value.

¹⁶ Lukehart, John, Tom Luce, and Jason Reece, "The Segregation of Opportunities: The Structure of Advantage and Disadvantage in the Chicago Region," May 2005.

**Exhibit III-45.
Regional Property Tax Rates**

Place	Median Effective Property Tax Rate
DuPage County	1.98%
Kane County	2.33%
McHenry County	2.37%
Will County	2.31%
Kendall County	2.53%
Lake County	2.46%
Illinois	1.93%

Source: Tax Foundation, "Property Taxes on Owner-Occupied Housing as Percentage of Median Home Value, by State, Calendar Year 2010."

In Exhibit III-46, below, four selected communities are contrasted to evaluate effective property-tax rate growth; note that communities with a generally lower median sales price and presence of minority populations have higher taxing rates and higher population growth.

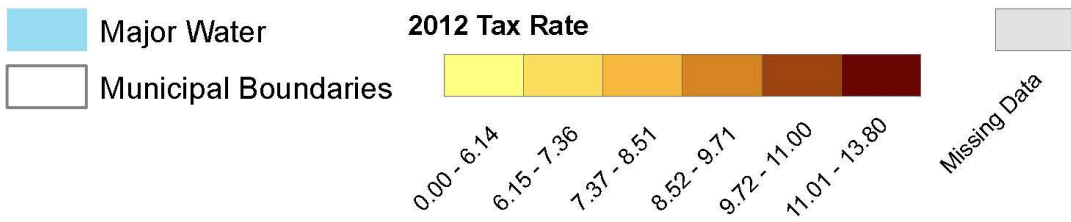
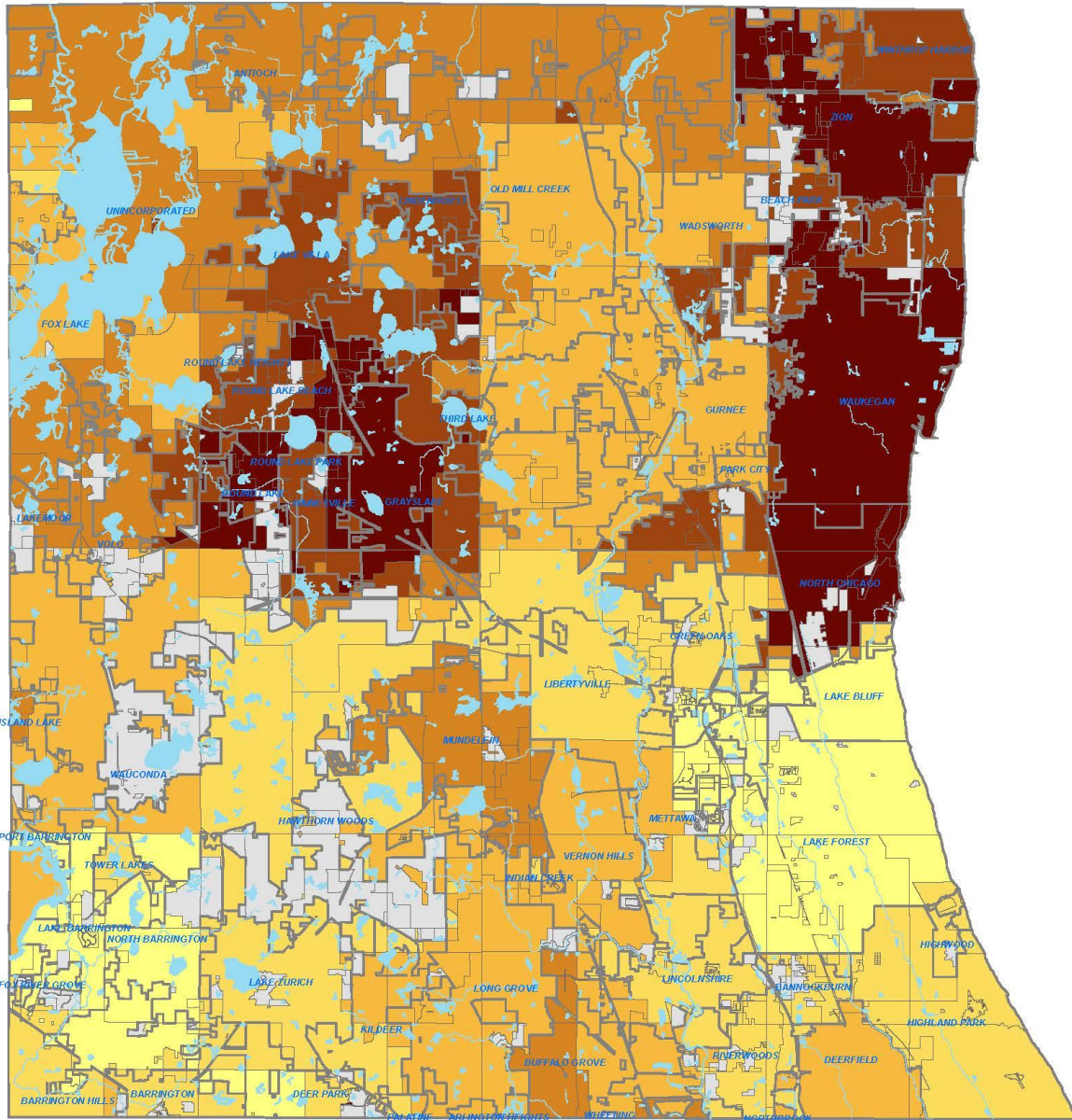
**Exhibit III-46.
Effective Property Tax Rate**

Select Communities	2010	2011	Difference	Median Sales Price
Fox Lake	3.27%	3.99%	22.0%	\$80,000
Buffalo Grove	3.01%	3.27%	8.6%	\$219,000
Lake Forest	1.64%	1.75%	6.7%	\$671,500
Waukegan	5.15%	6.48%	25.8%	\$52,873

Source: The Chicago Civic Federation, "Estimated Effective Property Tax Rates 2002–2011: Selected Municipalities in Northeastern Illinois."

The map on the following page illustrates the effective property tax rates of known taxing district in the County. The higher taxing districts correlate to areas with higher concentrations of minority populations.

**Exhibit III-47.
Property Tax Rates in Lake County**



Government-Subsidized Affordable Housing

The assisted housing stock in Lake County is developed or purchased utilizing subsidies from a number of federal, state, and local programs, including Low-Income Housing Tax Credits, State Historic Tax Credits, Project-Based Vouchers, Illinois Housing Development Authority Trust Funds, HUD Public Housing funds, Housing Choice Vouchers, and local HOME Investment Partnerships Program, Community Development Block Grant, and Lake County Affordable Housing Program funds.

Public Housing and Housing Choice Vouchers

The Lake County Housing Authority (LCHA) oversees 620 units of public housing units in seven multifamily buildings, 125 units of townhomes, and 163 scattered-site single-family homes. LCHA's rental buildings for seniors are located in Antioch, Grayslake, Gurnee, Round Lake Beach, Wauconda, and Zion. The anticipated demolition by mid-2014 of LCHA's 125 units of townhomes for families is anticipated to be followed by new construction of 186 units, also in North Chicago. LCHA's scattered-site houses for families are separated into:

- Scattered Sites East: Beach Park, Grayslake, Gurnee, Lake Bluff, Lincolnshire, Mundelein, Palatine, Prairie View, Wadsworth, Unincorporated Waukegan, and Zion
- Scattered Sites West: Antioch, Barrington, Gages Lake, Ingleside, Island Lake, Lake Villa, Lake Zurich, Lindenhurst, McHenry, Round Lake, Wauconda, and Wildwood

Various floor plans are available for residents who require wheelchair accessibility.

Resident Characteristics

HUD regularly reports data on the characteristics of subsidized housing program participants. The following Exhibit III-48 illustrates such summary characteristics:

**Exhibit III-48.
Lake County Subsidized Housing Residents' Characteristics
as of September 30, 2014**

	Total Units ²	Average Annual Household Income	Households with children (%)	Race of Head of Household ¹				
				White (%)	Black / African American (%)	Other Races (%)	Asian (%)	Hispanic (%)
Public Housing	1,216	\$11,937	19	44	52	4	1	14
HCV	3,511	\$12,965	22	33	62	3	0	8
PBV and Certificates	271	\$14,139	12	61	30	3	6	8

¹ Numbers may not total 100 due to rounding.

² Total units includes only units for which data was submitted to HUD by the reporting entity. This number may vary from the actual number of units.

Waiting Lists

The waiting list for LCHA's family units included 2,691 households at the end of 2013, presenting a waiting period from one to five years. For family housing, the composition of the waiting list at the end of 2013 is shown below, in Exhibit III-49.

**Exhibit III-49.
LCHA Waitlist Summary: Family Housing**

	Households	Families with Children	Families with Disabilities	Families of Minority Race or Ethnicity
Family Housing	429	268	165	337
North Chicago Townhomes	36%	22%	42%	37%
West Scattered Sites	32%	40%	31%	30%
East Scattered Sites	31%	38%	27%	33%

Source: Lake County Housing Authority.

The waiting list for families had been closed for over four years but was opened on April 1, 2014, for a one-month application period. The waitlist for senior housing, however, has remained open during this period; it consists of 206 households, of which 63 percent include people with disabilities and 42 percent are a minority race or ethnicity.

The LCHA is a participating member in the HUD Project Opportunity Pilot Program, through which to date the Housing Authority has served over 200 families to assist them in moving to better opportunity areas.

LCHA manages the Housing Choice Voucher (HCV) program—formerly known as the Section 8 program—that provides rent assistance in privately owned rental units for low-income individuals and families. As of late 2013, the LCHA had issued 2,803 HCVs, plus 263 total project-based vouchers (in which the assistance is assigned to the site). Project-based vouchers (PBVs) are currently dedicated by LCHA to subsidizing 20 units for victims of domestic violence in Zion, 59 units for low-income families in Zion, and 186 units for seniors in Grayslake, Antioch, and Zion. LCHA’s HCV waiting list has been closed and contained 1,825 households at the end of 2013, of which 42 percent were families with children, 38 percent were families with disabilities, and 59 percent were non-White.

To assist in expanding the supply of units available to HCV holders, the LCHA participates in the State Tax Abatement Program, whereby eligible properties, based on location, can receive reduced tax rates, thus incentivizing the landlord to rent to HCV holders. As noted in the LCHA Five-Year Plan, the Housing Authority is planning to submit an application to HUD to convert public housing units to PBVs under the Rental Assistance Demonstration Program.

State of Illinois Affordable Housing Planning and Appeals Act

In 2003, the State of Illinois passed the Illinois Affordable Housing Planning and Appeals Act to encourage the inclusion of more affordable housing in communities across the state. Specifically, the Act provides that at least 10 percent of a community’s housing stock should be affordable; communities with an affordable housing share of less than 10 percent are defined as “non-exempt.”

Of the 68 non-exempt communities in Illinois identified in 2013, 18 communities are located in Lake County. Non-exempt communities were required to develop and approve an affordable housing plan to be implemented toward the goal of increasing affordable housing unit production. Some communities adopted plans that included affordable housing development and financing tools such as inclusionary zoning or the establishment of a trust fund. Others modified zoning ordinances to provide for more affordable multifamily opportunities. Generally, these communities are also considered higher opportunity areas, as related to housing values, proximity to jobs, and education; thus, housing stock affordability is tangentially related to housing access by the protected classes. A table of non-exempt communities in Lake County and the 2013 figure for affordable housing share is provided in the Appendix.

EMPLOYMENT

Historical Background on Employment in Lake County

Since the post-World War II period, Lake County communities have shifted from Chicago-focused commuter towns to the formation of local economic centers. With a

growing local population, businesses increasingly located or expanded in the County to capitalize on that growth. The Lake County Regional Framework Plan states that during the 1990s, private sector employment in the county increased by over 49 percent, while population increased by 25 percent over the same period.

This employment section will analyze information concerning job location, employment characteristics, and workforce demographics for the overall county plus the cities of Waukegan and North Chicago, where, over 18 percent and 23 percent, respectively, of the residents live in poverty.

Recent Employment Trends

Even during the turbulent economic years since the early 2000s, Lake County achieved positive private sector employment growth. According to the Illinois Department of Employment Security, private sector employment in the county grew 0.7 percent between the years 2001 and 2011, while in the six-county region, private sector employment decreased 2.9 percent over the same period. As can be seen in Exhibit III-50, employment opportunities continue to grow in the county. Between the years 2012 and 2013, total employment numbers went up by 2,270, or 1 percent. Although positive, this growth was less than the six-county region rate of 2 percent.

According to the Illinois Department of Employment Security report “Where Workers Work 2014,” the Lake County industries in which jobs grew the most between 2000 and 2011 were manufacturing (+3.4 percent), management of companies and enterprises (+15.1 percent), accommodations and food services (+4.4 percent), and retail trade (+1.5 percent). The industries with declines in employment included transportation and warehousing (13.8 percent). As of August 2013, the U.S. Bureau of Labor Statistics reported the unadjusted unemployment rate in Lake County at 7.9 percent, compared to 8.7 percent in August 2012 and 9.3 percent in 2011. Therefore, while unemployment has decreased, the demand for jobs still outstrips the supply.

**Exhibit III-50.
Employment Trends*
Chicago Metropolitan Area, 2012 to 2013**

	Total Employment 2013	Total Employment 2012	Increase	Percent
Cook County	2,095,533	2,073,558	21,975	1%
DuPage County	529,732	509,888	19,844	4%
Kane County	166,598	160,955	5,643	4%
Lake County	275,106	272,836	2,270	1%
McHenry County	75,940	76,677	-737	-1%
Will County	171,353	167,339	4,014	2%
Total Chicago Metropolitan Area	3,314,262	3,261,253	53,009	2%

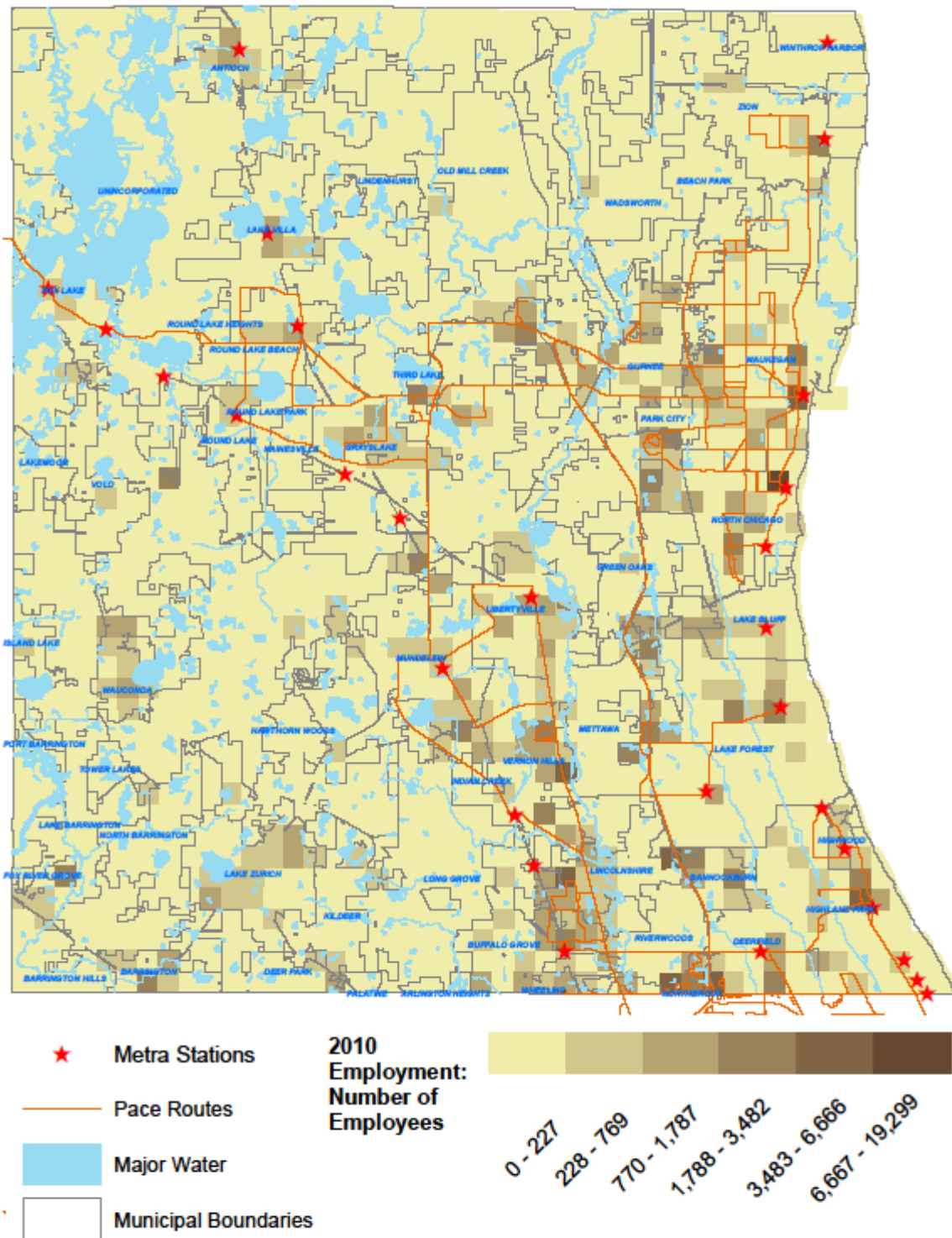
*Unemployment Insurance–Covered employment.

Source: Illinois Department of Employment Security, “Where Workers Work 2013” and “Where Workers Work 2012.”

Employment Concentrations

The following three maps illustrate the concentration of jobs in Lake County and in the former lakeside industrial areas of Waukegan and North Chicago. The darker areas show the clustering of employment in the three target areas. The county map, created by the Lake County Planning, Building and Development Department, shows multiple areas of dense job concentration. However, there is a general concentration that runs parallel to I-94 along the coast on the east and along Routes 21 and 45 on the west. The map is also overlaid with Pace routes and Metra stops to indicate transit linkages between job concentrations. The employment concentrations in the eastern, central, and northwestern areas of the County appear to be well connected and serviced by public transportation opportunities. However, the northern, western, and southwestern job clusters lack public transportation connectivity.

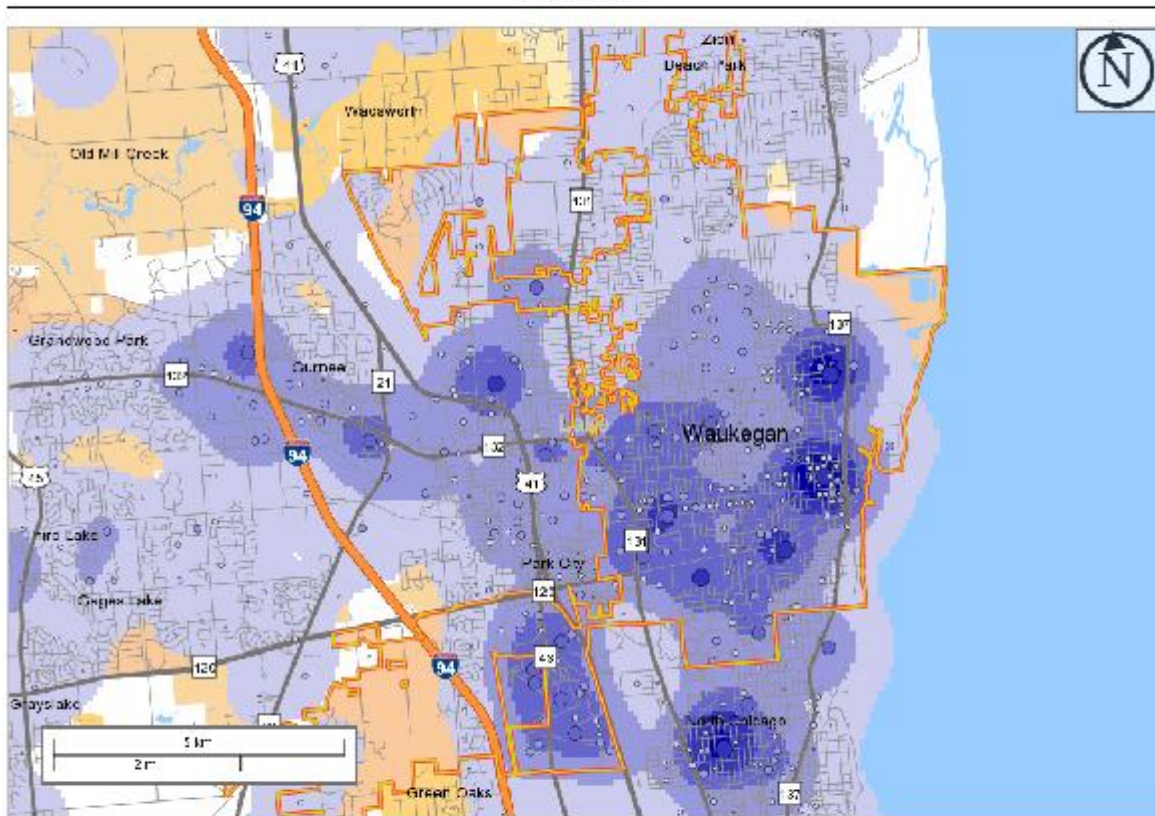
**Exhibit III-51.
Transit and Employment Centers in Lake County**



The North Chicago and Waukegan maps were created using the U.S. Census Bureau’s “OnTheMap” tool, with Census data from 2011. North Chicago has two areas of employment concentration: one located in the north that contains multiple nodes, and one in the south. Waukegan’s map shows many different areas of employment concentration, primarily in the southern and eastern portions of the city. The most significant concentrations are located on the eastern side and include the historic downtown, where Lake County government offices are situated. The location of these job concentrations impact the local workforce and housing.

**Exhibit III-52.
Employment Density in County Seat (Waukegan)**

**Counts and Density of Work Locations for All Jobs in Home Selection Area in 2011
All Workers**



Map Legend

- Job Density [Jobs/Sq. Mile]**
- 5 - 102
 - 103 - 395
 - 396 - 883
 - 884 - 1,565
 - 1,566 - 2,444

- Job Count [Jobs/Census Block]**
- 1 - 2
 - 3 - 19
 - 20 - 94
 - 95 - 295
 - 296 - 721

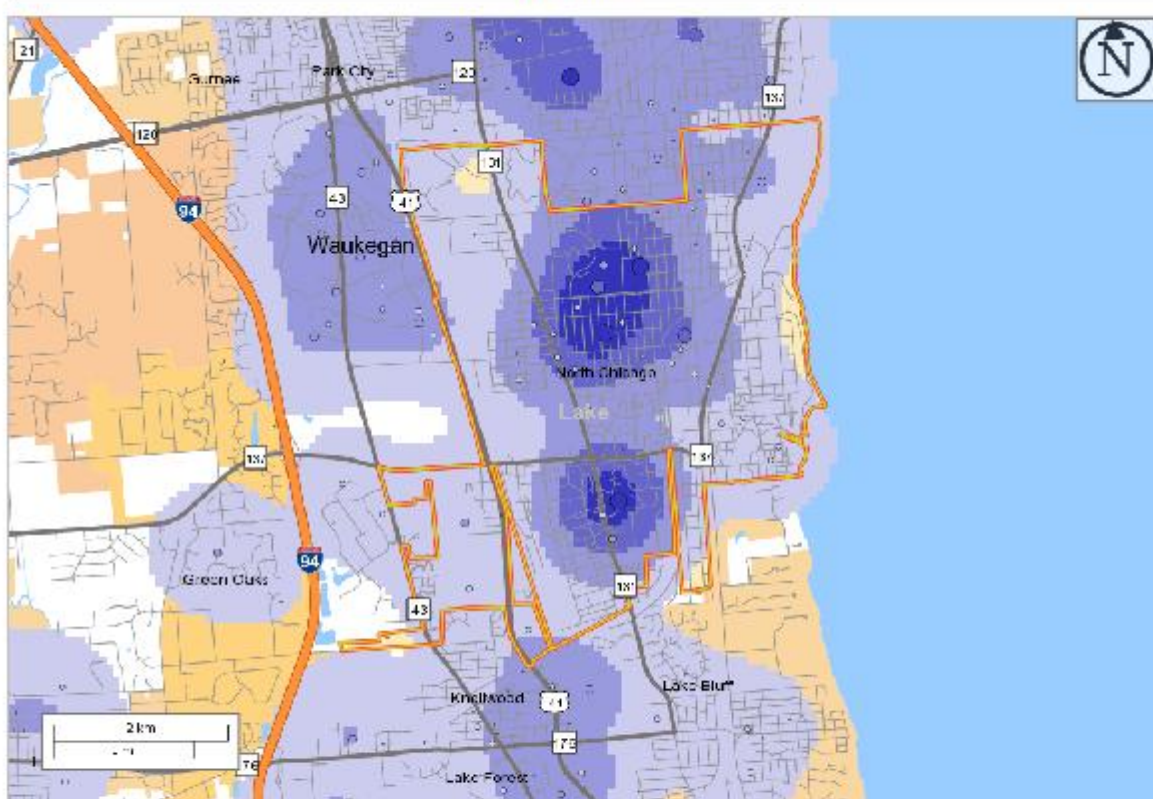
- Selection Areas**
- ⚡ Analysis Selection



Exhibit III-53. Employment Density in North Chicago

Counts and Density of Work Locations for All Jobs in Home Selection Area in 2011

All Workers



Map Legend

Job Density [Jobs/Sq. Mile]

- 5 - 37
- 38 - 134
- 135 - 295
- 296 - 521
- 522 - 812

Job Count [Jobs/Census Block]

- 1 - 2
- 3 - 10
- 11 - 32
- 33 - 74
- 75 - 145

Selection Areas

- Analysis Selection



Top Local Industries

U.S. Census data from 2011 reveals the breakdown of industry share and job types located in the three target areas. The top five industries with highest percentage shares of the total jobs are especially important as they comprise at least 50 percent of the employment in each target area. Lake County jobs are primarily dominated by the following industries: 1) manufacturing, 2) retail trade, 3) health care and social assistance, 4) educational services, and 5) professional, scientific, and technical services. These five sectors combined make up 53 percent of total Lake County jobs.

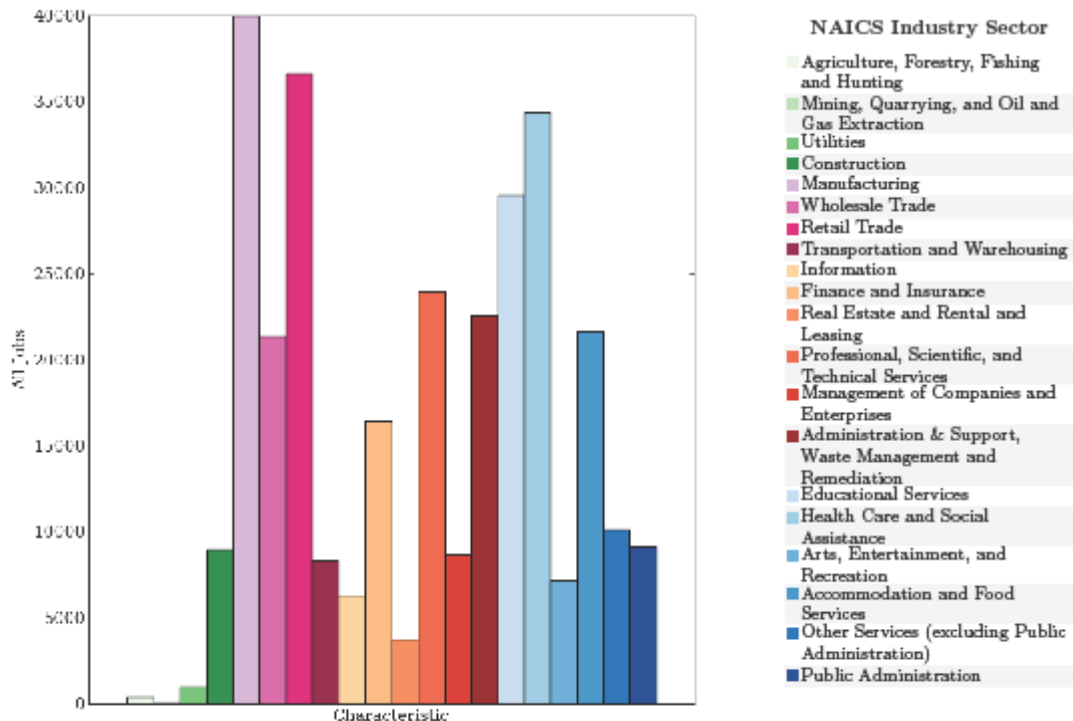
Lake County Partners—the county’s economic development partnership—target five major industries: pharmaceuticals, health care, arts and culture, advanced manufacturing, and professional/technology services.

The top five industries in North Chicago are the following: 1) manufacturing, 2) retail trade, 3) administration and support, waste management, and remediation, 4) health care and social assistance, and 5) accommodation and food services. These five combined sectors make up 57.7 percent of North Chicago jobs.

Waukegan jobs are dominated by the same five industries as in North Chicago, comprising 61.6 percent of total jobs. Due to the dominance of these five industries within the cities of North Chicago and Waukegan and the concentration of jobs within those industries, these cities provide less employment diversity than Lake County as a whole.

Exhibit III-54.
Types of Jobs in Lake County

All Jobs for All Workers by NAICS Industry Sector in 2011
 Living in Selection Area



Home to Work Travel

To further study the relationship between location of jobs and location of employees, it is important to look at work travel. U.S. Census data show the inflow and outflow of employees to their jobs. In Lake County, there is a fairly even split between county residents who live and work in the county (152,761), those that leave the county for work (157,759), and those that come from outside the area to work (163,533).

In Waukegan, the number of people living and employed in the area (6,572) is far fewer than those who leave the city for work (26,313) and those who enter the city for work (25,461).

North Chicago is in a similar situation to Waukegan, with a low number of people who live and work in the city (655) compared with high levels of people who leave the city for work (8,301) and those who enter the city for work (18,308). The employment situation in Waukegan and North Chicago is challenging for city residents. However, both cities also have high rates of inflow, which suggests that the jobs in each city could potentially be accessible to local residents.

Workforce Demographics

According to the U.S. Census Bureau, county residents are employed in high-earning positions. The earnings are split into three brackets: \$1,250 per month or less; \$1,251 to \$3,333 per month; and more than \$3,333 per month. Approximately 48 percent of employed residents have earnings above \$3,333 per month, while 22 percent earn \$1,250 or less per month. However, these concentrations of high-earning residents do not live in every county community. Compared to the overall county number, Waukegan and North Chicago have lower shares of high-earning residents. In Waukegan, 30 percent are higher earners, 45 percent are middle earners, and 25 percent are lower earners. North Chicago residents earn similar wage levels with 35 percent high, 38 percent middle, and 27 percent lower earners. So, while residents across all of Lake County have rates of higher-per-month earnings, these statistics are not the reality for communities such as North Chicago and Waukegan.

Another important characteristic of the Lake County workforce to consider is the racial and ethnic composition. In the county, the three races and ethnicities with the highest representation in the workforce are White (85 percent), Black or African-American (6.5 percent), and Asian (7 percent). Hispanic or Latino workers make up 13 percent of the total workforce, no matter their race. The workforce composition for North Chicago and Waukegan are vastly different than the county levels, showing higher concentrations of Black and Hispanic or Latino residents. The North Chicago workforce is comprised of 64 percent White, 27 percent Black, and 22 percent Hispanic or Latino workers, while in Waukegan the workforce is comprised of 71 percent White, 20 percent Black, and 39 percent Latino employees.

ROLE OF PUBLIC TRANSIT

The attendees of the 2013 Lake County Partners Annual Meeting were asked what must happen for Lake County to become a magnet for young talent. The results:

- 43 percent called for improvements to transportation (including public transit and Route 53 extension)
- 37 percent cited better jobs
- 20 percent said the economy
- 13 percent said entertainment

Lake County has a broad spectrum of transportation access, one ranging from formerly rural areas with scarce infrastructure and no transit to established industrial areas with aging infrastructure and a legacy of public transit. All areas of Lake County have in common the traffic and infrastructure demands resulting from growth in the number of residents, homes, jobs, and cars.

The 470 square miles of Lake County are slow to traverse by car, difficult to cross by bus, and inaccessible by train from east to west. Interstate 94 travels from north to south and bisects the county, but it has no perpendicular equivalent to help residents move rapidly from east to west or vice versa. Although traveling long distances across Lake County—by means other than rail or highway—can be challenging, strides are being made to “reduce congestion and improve transportation systems,” one of Lake County’s current strategic plan goals.

Following the hub-and-spoke pattern common to commuter rail systems focused on the traditional commute downtown from bedroom communities, three Metra commuter rail lines (and a fourth one with a stop near Lake County’s southwestern corner) dissect Lake County into uneven slices. While the lakefront Union Pacific North line runs in a straight line all the way to Wisconsin from downtown Chicago, Metra’s newer North Central Service and Milwaukee District North lines both fall west of Interstate 94 and even cross each other when one spoke bends west to Fox Lake, near the border with McHenry County. Metra’s 2006 onboard survey found that the “traditional inbound commute to Chicago is very strong. This market is about 90 percent of rail trips produced in Lake County.”¹⁷

¹⁷ Cambridge Systematics, Inc., “Lake County Transportation Market Analysis Final Report,” p. 7–9. <http://www.lakecountyil.gov/Transportation/ProgramsPlansStudies/Pages/LCTMA.aspx>

Lack of rapid direct transportation between parts of the county and from parts of the county without rail or highway to downtown Chicago have inevitably created several Lake County neighborhoods with inadequate transportation access to jobs and services. In September 2012, the Lake County Division of Transportation completed a countywide Transportation Market Analysis authored by Cambridge Systematics with MKC Associates.¹⁸ This Transportation Market Analysis found that 83 percent of work-related destinations for workers in Lake County were well served by existing transit. Only 23 percent of origins, however, were reported to be well served, reflecting the need for those residents to most likely use their cars as the most convenient transportation option.¹⁹

As illustrated in Exhibit III-55, approximately 48 percent of Lake County housing lacks direct access to public transit (that is, is within one-half mile of either a Pace fixed bus route or a Metra rail station), making it necessary for those residents to have a car or other access to vehicular transportation.²⁰ The options available to these residents are explored further below.

This AI is focused on fair housing access, in which transportation systems play several supporting roles in the following ways of furthering fair housing:

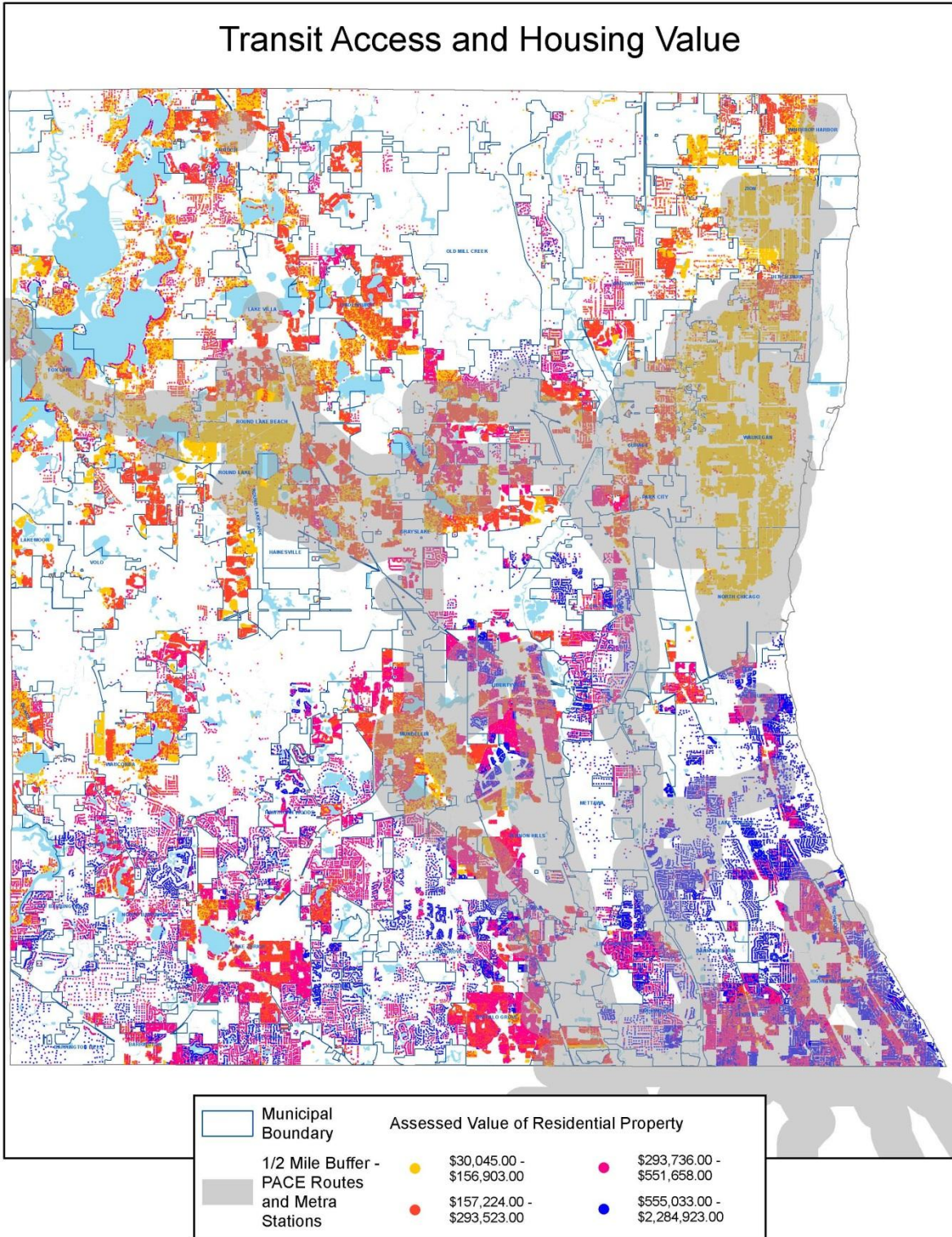
- Mitigating regressive impact
- Addressing mobility challenges
- Increasing opportunity through access to jobs

¹⁸ <http://www.lakecountyil.gov/Transportation/ProgramsPlansStudies/Pages/LCTMA.aspx>

¹⁹ Transportation Market Analysis Executive Summary, p. 4-2.

²⁰ GIS Analysis conducted by Lake County Planning, Building and Development.

**Exhibit III-55.
Transit Access and Housing Value in Lake County**



Mitigating Regressive Impact

High transportation costs and lengthy commute times have a “disproportionately regressive impact” on low-income households.²¹ Public transit enables lower-income households to reduce the need to own a car, thereby realizing a cost savings benefit.

Connecting residents of lower density areas, such as northwestern Lake County, to jobs and services was a focus of the Transportation Market Analysis. (For this analysis, consultants for the Lake County Division of Transportation convened a focus group from the northwestern corner of the county: the villages of Antioch, Lake Villa, and Lindenhurst.) The group reported that transportation to medical services is extremely challenging. For example, Antioch residents lack public transit options, and the focus group expressed the importance and need for access to the new Lindenhurst Medical Center as well as connections to the College of Lake County, Gurnee Mills Mall, and other medical facilities in the Round Lake area.

“Also cited were the lack of transportation options for senior citizens and young teens that often lack access to private vehicles, as well as ... low-income Section 8 housing residents who are transplanted from relatively transit-rich environments.”²² The analysis concluded, “A broadly defined market from the northwestern part of Lake County to the North Central Lake-Cook Road (area) shows potential for transit services. The population growth projected in the Greater Round Lake Area and the projected level of economic activity in the Lake-Cook Road area are likely to produce travel flows concentrated along corridors linking these areas.”²³

Mobility Challenges

In a suburban area such as Lake County, mobility can be especially challenging for seniors and people with disabilities due to inconsistent sidewalks and lack of mobility features in the developed areas. In some cases, the building code may lack sidewalk requirements and mobility features. Fixed-route buses operated by Pace are reported to be accessible in compliance with the federal Americans with Disabilities Act (ADA), although many suburban bus stops cannot be navigated by wheelchair (due to lack of sidewalk, curb ramps, and/or accessible gradient).

The ADA requires paratransit service to be provided to people whose disability or health condition prevents them from using fixed-route services for some or all of their travel. In Lake County, Pace provides paratransit service within three-quarters of a mile of a fixed bus service and during the same hours of operation as the fixed-route bus service. Riders must be certified by the Regional Transportation Authority in order to use paratransit services.

²¹ Lukehart, John, Tom Luce, and Jason Reece, “The Segregation of Opportunities: The Structure of Advantage and Disadvantage in the Chicago Region,” May 2005.

²² Transportation Market Analysis Executive Summary, p. 4-3.

²³ Transportation Market Analysis Final Report p. 7-4.

In some areas, Pace has a financial partnership with a city or township to pay for and operate a “dial-a-ride” service that provides curb-to-curb demand-response service that can be scheduled in advance.²⁴ With only two exceptions, this service is available only to seniors and persons with disabilities. The areas in which this service is available to the general public and therefore also helpful to low-income households (of which minorities represent a disproportionate number) are:

- Zion Township and Benton Township²⁵
- Lake County Northwest Demonstration Project²⁶

Where Pace services are not available, various agencies, senior centers, municipalities, and townships have opted to provide a taxi subsidy program or their own transportation service to fulfill the needs of their residents and clients. Local jurisdiction transportation services are comprised of demand-response/dial-a-ride service where the local entity operates its own fleet of buses or vans to provide transportation to residents. Each local entity defines service area and hours, fare levels, and eligibility (in some cases only seniors and people with disabilities).²⁷

Although residents may be eligible for a specific local transportation service, the service area boundaries in a place as large as Lake County create barriers to accessing medical facilities or employment if the site is outside the local service area. Many of these local services do not currently coordinate trips; therefore, mobility and access may be significantly limited for many Lake County residents.

The Lake County Coordinated Transportation Services Committee (LCCTSC) is a broad-based coalition of government officials, service providers, and advocacy groups concerned with the provision of transportation in and around Lake County. Since its inception, the LCCTSC strives to impact the overall direction of transportation services in Lake County, including fostering coordination and improving transit and transportation services for seniors and persons with medical needs or disabilities, persons with work transportation needs, and the low-income population. One of its projects has been the Northwest Demonstration Project, a demand-response transportation service for a six-township area in northwestern Lake County. The service area covers the townships of Antioch, Avon, Fremont, Grant, Lake Villa, and Wauconda, and some additional destinations such as the Gurnee Mills Mall area, Greenleaf Avenue medical offices, the

²⁴ Barrington, Ela Township, Fox Lake/Grant Township, Fremont Township, Libertyville/Libertyville Township/Mundelein, Northeast Lake/Warren Township, and Northwest Lake.

²⁵ This dial-a-ride service also provides service to medical facilities in Gurnee and Waukegan every Tuesday and Thursday between 8:30 am and 3:30 pm.

²⁶ A demonstration project funded by a federal Job Access Reverse Commute through 2015, this service would be able to serve only seniors and people with disabilities if additional funding is not identified after 2015.

²⁷ A full list of the local entities providing transportation services, as well as service parameters, can be found on the Lake County website at:

www.lakecountyil.gov/Transportation/Transit/Paratransit/Pages/LocalJurisdictionandTaxiSubsidyProgram.aspx.

Mundelein Metra Station, Advocate Condell Hospital, Lake County Center for Independent Living, and the Libertyville Sports Complex.

The LCCTSC Northwest Demonstration Project Steering Committee, which acts as the service's advisory committee, is comprised of the six township supervisors and two nonprofit organizations. Lake County and Pace staff work closely with the steering committee and provide technical support in order to offer flexible local and accessible transit for the residents in lower-density areas of the county. To date, the Northwest Demonstration Project has proved successful and is working to identify long-term financial sustainability. According to data from the Lake County Division of Transportation, the Northwest Demo provided 15,779 one-way trips in 2013. Of these, 1,502 were school trips (about 10%) and 7,638 were work trips (about 48%).

The LCCTSC hopes to establish a similar coordinated project in the southeastern portion of the county and to increase connectivity for seniors and persons with disabilities with Pace fixed-route bus and Metra rail services in that area. The LCCTSC continues in collaboration with Lake County to advance its mission to facilitate the implementation of coordinated, efficient, reliable, and affordable public transportation throughout Lake County, especially paratransit that will serve the needs of persons with disabilities or medical challenges, the elderly, low-income residents, and those in need of transportation for access to employment.

Increasing Opportunity through Access to Jobs

By intentionally providing connections to members of protected classes from their homes to desired jobs and services that fit their needs, the County can work to affirmatively further fair housing. Specifically, access to jobs would help low-income households—a significant number of which are minority and disabled persons—to increase housing stability, maintain a home, and/or grow household income.

The Transportation Market Analysis identified that “transit service that links residents of districts with high unemployment rates to employment centers in Lake County may be appealing to transit dependent populations in Waukegan, Zion, Newport (Township), Fox Lake and Greater Round Lake districts.”²⁸ To this list, North Chicago should be added, due to the issues outlined in the “Employment” section, above.

Consortium member cities of North Chicago and Waukegan have unique transportation challenges. As explored in the “Employment” section, the number of people who enter either city for work far surpasses the number of residents who stay in either city to work. According to the Transportation Market Analysis, “the profile of Waukegan residents and Waukegan transit users underscores the value of current transit service and the potential for future service enhancements in this part of Lake County. The higher population and employment densities coupled with the expected continued growth suggest the need to closely examine the sub-markets for transit in this part of Lake

²⁸ “Transportation Market Analysis,” Final Report, p. 7-3.

County.”²⁹ The Transportation Market Analysis states specifically that “more direct and faster service to the job centers in the South Central Corridor might create greater job opportunities for the lower-income residents in Waukegan.” In North Chicago, public transit is largely absent; it continues to lack local bus routes.³⁰

The Transportation Market Analysis recommended three key service improvements, specifically in the Consortium member cities of North Chicago and Waukegan:

- “Direct services can be considered between (North Chicago’s) Abbott Laboratories and its vicinity and areas north of Washington Street.”
- “Another direct connection can be further studied between Park City and North Chicago destinations.”³¹
- An express route connecting the Waukegan transportation hub via Interstate 94 to retail jobs in Vernon Hill’s Hawthorne Mall and Lincolnshire Commons, both located on Milwaukee Avenue at Townline Road (Route 60) and at Aptakisic Road, respectively.

In the fall of 2013, Pace Suburban Bus worked with Lake County to implement some of the short-term recommendations highlighted in the Transportation Market Analysis so as to address the transportation needs in Lake County. One of the recommendations was the Lake County Restructuring Initiative. In preparation, Pace announced that “with the increase of activity occurring in the Central Lake County region, Pace will implement a new transit structure in order to provide better and more reliable service to residents and businesses in the area. The goal of this project is to increase frequency on routes that are experiencing overcrowding, improve on-time performance, and increase connectivity in west-central Lake County and new timed connections at the College of Lake County.”³² These key short-term improvements were implemented in two phases, with the first phase occurring in December 2013 and the second following in the spring of 2014.

²⁹ “Transportation Market Analysis,” Final Report, p. 7-4.

³⁰ The sole bus route serving North Chicago is Pace route 563.

³¹ “Transportation Market Analysis,” Final Report, p. 7-6.

³² Press Release dated December 11, 2013 (www.pacebus.com).

SECTION IV.

FAIR HOUSING POLICIES AND PROCEDURES

FAIR HOUSING POLICIES AND PROCEDURES

Lake County does not have a County Board–approved fair housing ordinance or fair housing policy statement. Such an ordinance would state the County’s commitment to fostering equal opportunity to purchase, rent, and occupy housing without discrimination. Additionally, it would state that ordinance regulations should be consistent with both state and federal laws. It could also include provisions related to accessibility, including required standards for newly constructed multifamily buildings as well as existing housing and reasonable accessibility modifications to rental properties.

Several Lake County municipalities have Fair Housing ordinances, policies, or resolutions, including but not limited to:

- City of Barrington
- City of Hawthorn Woods
- City of Highland Park
- City of Highwood
- City of Libertyville
- City of Mundelein³³
- City of Waukegan

These municipal ordinances, policies and resolutions share several common elements:

- Adherence to federal requirements of equal opportunity in housing and nondiscrimination in the sale or rental of housing built with federal assistance.
- Commitment to affirmatively furthering fair housing in the sale or rental of housing.
- Intent to assist residents who may have been subject to housing discrimination through the Illinois Department of Human Rights or the U.S. Department of Housing and Urban Development.
- Assignment of specific person to coordinate such efforts and respond to public inquiries.

The Fair Housing Center of Lake County was operated for nearly a decade by a local affiliate of the nonprofit SER Jobs For Progress, Inc.³⁴ Since May 1, 2011, the County

³³ Human Relations Commission Ordinance

has entered into an annual written agreement with Prairie State Legal Services, Inc. (PSLS), to administer the Fair Housing Program of Lake County from its office in Waukegan. This agreement is funded by County CDBG funds, and PSLS performs additional fair housing work in Lake County funded by HUD directly. Per the CDBG agreement, PSLS is responsible for the following fair housing activities: education and outreach, counseling and referrals, investigation and testing, negotiation and legal services, communications and marketing, and fundraising. The activities under each of these categories are listed in the following sections.

Education and Outreach

- Provide educational programs for Lake County community organizations and landlords, and attend regular meetings of the Lake County Apartment Association.
- Respond to requests from the County to provide educational information to County municipalities and reach out to developers and managers of apartment communities.

Counseling and Referrals

- Answer questions from individuals and families who may not receive “fair and lawful” treatment in their housing search.
- Provide information on housing rights.
- Refer households to enforcement agencies or other programs as needed.

Investigation and Testing

- Investigate complaints of discrimination. If discrimination is indicated, conduct testing *if* funding is available under the grant.
- Monitor public information on housing issues, including in the media. If advertising or media coverage is not complying with the Fair Housing Act, advocate for practices that do comply with the act.

Negotiation and Legal Services

- Assist households by providing negotiation and dispute resolution in response to discrimination claims.
- Provide counsel and support to households on the process for determining whether or not to follow through with litigation.

³⁴ The Lake County Fair Housing Center was established in 2003 and operated by SER Jobs for Progress, Inc., a national direct service organization with a Lake County affiliate until 2011.

- Prepare legal resources for litigation and legal advice as well as represent households in the federal and state administrative enforcement processes.

Communications and Marketing

- Assist in promoting fair housing by educating Lake County media sources on fair housing and through the distribution of brochures on fair housing.
- Maintain a working relationship with the local housing authorities.

Fundraising

- Request financial support from Lake County municipalities to support fair housing activities.
- Identify additional sources of financial support including corporations, state funds, and federal funds, including the HUD Fair Housing Initiatives Program.

The County's agreement also includes a reporting component. PSLS is to provide a quarterly report to the County on activities funded by the grant. This report includes demographic information on households assisted, program performance and outcomes, expenses related to the grant, and the fiscal solvency of PSLS. PSLS's activities in Lake County (funded by a combination of direct HUD and CDBG funding) are summarized in Section VI.

COMPLAINT PROCESS

The County's process for handling fair housing complaints is to refer the complaints to the Fair Housing Program for Lake County (FHPLC), a program of Prairie State Legal Services (PSLS), in its Waukegan office. However, this process has not yet been advertised extensively to residents or County employees. County residents or staff can access the FHPLC by calling its dedicated hotline (855-FHP-LAKE) or the Prairie State Waukegan Office (847-662-6925). The FHPLC conducts legal assessments of the issues callers present. The FHPLC provides direct assistance to callers with actual housing discrimination issues and refers non-discrimination issues to Prairie State's general legal services program. The County contracts with PSLS to:

- Provide legal assessments of claims of housing discrimination.
- Make referrals of discrimination cases to the U.S. Department of Housing and Urban Development (HUD), the Illinois Department of Human Rights/Illinois Human Rights Commission (IDHR/IHRC), or for legal representation, as appropriate.
- Conduct investigations and testing.

- Provide non-litigation negotiation assistance in situations where investigation or testing has confirmed the presence of discrimination.

PSLS is a private fair housing enforcement organization; it is not an enforcement agency as is HUD or IDHR/IHRC, which have subpoena powers and the legal authority to adjudicate complaints. PSLs generally seeks to resolve a fair housing complaint by attempting to engage in negotiations on behalf of a complainant with a housing provider. Where negotiations between a complainant and a person/organization alleged to have conducted an act of discrimination do not result in an agreement between the parties, PSLs will represent the complainant through the HUD or IDHR administrative process or in court using CDBG or HUD funds, or will refer the complaint to HUD or to IDHR, to its general program for litigation on behalf of the complainant, or to the private bar or other fair housing specialists.

REGIONAL FRAMEWORK PLAN

The County's 2004 Regional Framework Plan, in its chapter on community revitalization, has stated that "redeveloping the older, built up areas of the County should be emphasized in order to utilize the infrastructure that already exists and to also increase the value of the properties. Revitalization of these areas will provide jobs for people in these areas, encourage home ownership, provide for stable communities, and reduce development pressure on open space locations." The plan, in its chapter on housing, also indicates that "Transportation-efficient developments, such as Employment Oriented Development and Transit Oriented Development...should be encouraged. These compact developments can minimize traffic impacts and preserve open space."³⁵

The Regional Framework Plan acknowledges that "by having local governments show the areas of minority concentration and identify the location of federally assisted activities (such as public facilities and social services), HUD can determine whether or not there is discrimination in the allocation of program funds. In addition, HUD's site and neighborhood selection standards attempt to ensure that housing for lower-income persons is developed in areas other than those of minority concentrations."

Ten of the Plan's 21 identified "municipal revitalization areas" were in areas with high minority concentrations; none of those in unincorporated Lake County—over which the County has direct jurisdiction—is in high minority concentration areas. In 2004, the following revitalization areas were identified as meeting the HUD reporting requirement for concentrations of minority populations of 25 percent or more: Fox Lake, Fremont Township, Gurnee, Hainesville, Highwood, Mundelein, North Chicago, Round Lake

³⁵

<http://www.lakecountyil.gov/Planning/PlanningandSupportServices/Documents/FrameworkPlan//Chapters2-13-07/Chapter8.pdf>.

Beach, Round Lake Park, Waukegan and Zion. Since this plan was established, \$8.1 million (over 40 percent) of Lake County's CDBG public infrastructure investments have been targeted in these areas.

CONSOLIDATED PLAN

The Lake County Consolidated Plan for 2010–2014 identifies providing access to fair housing for residents as a high-priority goal. The plan states:

All Lake County residents will be assured of equal, fair, non-discriminatory, and open access to decent, safe, and sanitary housing choices. Everyone who is eligible to participate in the Consortium’s housing programs as a developer, owner, sponsor, or resident will have access to the benefits of the fair housing laws, executive orders, and regulations.

The fact that the County has identified equal access to housing as a high-priority goal is laudable. However, fair housing is a right not only for current residents of Lake County but also for *non-resident* households who would like to relocate to the County, a subtlety the Consortium can make more clear in subsequent Consolidated Plans and County/City materials.

FUNDING APPLICATIONS

A central requirement of receiving CDBG and HOME funds is that entitlement communities must affirmatively further fair housing. This responsibility flows down to any subrecipient of funding. AREA reviewed the Lake County application for 2014 CDBG, HOME, and ESG funds to identify references to fair housing activities. Although the County has a separate application for a contractor to manage its fair housing program, the other applications for funds have no explicit references to fair housing. Though the applicants are informed that they must comply with all applicable federal laws, the application does not explicitly outline the funding applicants’ responsibilities for affirmatively furthering fair housing.

The fair housing responsibilities of all the County’s funding recipients (“subrecipients”) are clearly stated, however, in Lake County’s grant agreement that each subrecipient must sign before receiving federal pass-through funds. The fair housing responsibilities of the subrecipients stated in the grant agreement (signed by each subrecipient and the Lake County Board chairman) include:

A) Compliance with Provision Governing Nondiscrimination in Housing

This Agreement is subject to Executive Order 11063 as amended by Executive Order 12259 and the implementing Regulations of 24 CFR - Part 107 concerning nondiscrimination because of race, color, religion (creed), sex, handicap, familial status or national origin, in the sale, leasing, rental, or other disposition of residential property and related facilities (including land to be developed for residential use), or in the use of occupancy thereof, if such property and related facilities are, among other things, provided in

whole or in part with the aid of loans, advances, grants, or contributions made with federal monies.

B) Nondiscrimination Toward Handicapped Individuals

This Agreement is subject to Section 504 of the Rehabilitation Act of 1973, as amended, (Pub. L. 93-112) and any implementing Regulations hereafter issued pursuant thereto. Subrecipient shall not exclude from participation in, deny the benefits of, nor subject to discrimination any otherwise qualified handicapped individual, as defined in Section 7 (6) of said Act, in connection with the program project or activity funded in whole or in part pursuant to this Agreement.

C) Compliance with Architectural Barriers Act of 1968

This Agreement is subject to the Architectural Barriers Act of 1968, 42 U.S.C. 4151, which requires that the design of any facility constructed in whole or in part with funds received under this Agreement, comply with the "American Standard Specification for Making Buildings and Facilities Accessible, and Usable by the Physically Handicapped", Number A-117.1R-1971, [as modified 41 CFR 101-19.603].

SECTION V.

FAIR HOUSING PROGRAMS, ACTIVITIES, AND OUTREACH

Fair Housing Program and Activities

Over the decade since the last completed Analysis of Impediments to Fair Housing Choice, in 2004, Lake County leadership and staff completed the following activities to affirmatively further fair housing:

- With its Consortium partners the cities of North Chicago and Waukegan, it developed and financed the Fair Housing Center of Lake County, which was in operation until March 2011.
- The Lake County Board's Regional Framework Plan goals and policies include affordable housing development, one of the recommended action steps.
- The Consortium developed an Affirmative Marketing Policy for its HOME Housing Fund projects in 2008. All rental and homebuyer projects containing five or more HOME-assisted housing units are required to develop and to follow affirmative marketing procedures.
- Staff incorporated equal opportunity standards into its grant agreements.
- Local housing authorities and partner nonprofit housing organizations have provided services to families seeking housing outside of areas with low-income and minority concentrations.

In 2004, Lake County began funding a local affiliate of a national nonprofit organization, SER Jobs for Progress, Inc., to operate a new Lake County Fair Housing Center based in Waukegan. Between its founding in 2004 and its closure in 2011, the Fair Housing Center of Lake County performed the following program activities:

- Provided fair housing support services (for example, handling discrimination complaints and/or problems with landlords) to numerous clients.
- Recruited numerous fair housing testers.
- Expanded outreach and education activities in the western communities of Lake County.
- Presented to County leadership periodically on developments in the interpretation and implementation of fair housing law.

With its Consortium partners the cities of North Chicago and Waukegan, the County financed the Fair Housing Program for Lake County, operated by Prairie State Legal Services, Inc., starting in May 2011 through the present. PSLS, as a subrecipient of CDBG funds, provides the following services to Lake County residents:

- Legal education programs to community organizations, chambers of commerce, corporations, realtors associations, landlords, developers, apartment complex managers, and local government entities, among other groups, upon request, focusing on tenants' and homeowners' legal rights in connection with federal and state fair housing laws, as well as the fair housing obligations of housing providers and governmental jurisdictions.
- Fair housing brochures and other legal resource materials describing tenants' and homeowners' legal rights in connection with federal and state fair housing laws, as well as the fair housing obligations of housing providers.
- Legal assessments of claims of housing discrimination.
- Legal representation in administrative enforcement process at the U.S. Department of Housing and Urban Development (HUD) and the Illinois Department of Human Rights/Illinois Human Rights Commission (IDHR/IHRC), as appropriate.
- Referrals of discrimination cases to HUD and IDHR/IHRC.
- Referrals of cases with certain housing or other issues to the PSLS general program or to private attorneys, as appropriate.
- Legal investigations.
- Fair housing testing with CDBG funds when available, and with its Fair Housing Initiatives Program (FHIP) grant from HUD.
- Advocacy for fair housing practices where advertising or media coverage has failed to comply with provisions of the Fair Housing Act.
- Negotiation and dispute resolution assistance in situations where investigation or testing has confirmed the presence of discrimination.
- Legal counsel for Lake County residents considering whether to proceed with litigation.

Education and Outreach

Lake County believes that education is one of the most important tools to ensure that fair housing opportunities are provided and, therefore, is one of the most important components of fair housing services. Education gives residents, landlords, and realtors

the knowledge to understand their rights and responsibilities, recognize discrimination, file a complaint, and locate resources. The primary fair housing service providers in Lake County are Prairie State Legal Services and Open Communities.

Open Communities (OC): A nonprofit community organization dedicated to housing, economic, and social justice in northeastern Illinois (including parts of Lake County), OC acts as a watchdog on fair housing issues and takes fair housing, as well as general housing, complaints and helps to resolve them, free of charge. OC educates individuals, real estate professionals, condominium and homeowners' associations, and municipal officials about fair housing laws and responsibilities, provides fair housing education materials, investigates claims of housing discrimination, and refers cases to attorneys who specialize in fair housing litigation.

Prairie State Legal Services (PSLS): As described in the preceding sections, Prairie State Legal Services is under contract with Lake County and the cities of Waukegan and North Chicago to administer the Fair Housing Program for Lake County. In this capacity, PSLS provides education regarding fair housing and tenant/landlord rights on an ongoing basis to community organizations, chambers of commerce, corporations, realtors associations, landlords, developers, apartment complex managers, and local government entities, among other groups.

PSLS also educates County residents by providing a response to all individuals who question whether they are receiving fair and lawful treatment in their attempts to secure or maintain housing. PSLS accomplishes this by providing legal advice and consultations; supplying information on housing and fair housing rights; informing possible victims of housing discrimination about their legal options, including use of PSLS investigation and legal representation services and about their potential remedies; and by making referrals to fair housing enforcement agencies such as HUD and the Illinois Department of Human Rights, social service providers, PSLS's general program for legal representation, and outside legal services providers, as appropriate. PSLS provides further education on fair housing law through its process of recruiting and training volunteers from the community to serve as fair housing testers.

PSLS has been providing fair housing education to the Lake County community for a number of years. From 2003 through 2012, PSLS did so through a HUD funded FHIP Education and Outreach grant, and since May 2011 through the CDBG-funded Fair Housing Program for Lake County. Since January 2013, PSLS has received a FHIP Fair Housing Enforcement grant through HUD, which also funds its fair housing education efforts in Lake County. Through these combined education grants, PSLS provided hundreds of fair housing training presentations throughout Lake County. Since it began to receive CDBG funding in May 2011, PSLS has provided over 60 fair housing presentations and/or training sessions, which last on average one to one-and-one-half hours, to more

than 1,300 individuals in Lake County. The majority of the those receiving training have been housing providers, social service providers, and individuals who are members of or advocates for particularly vulnerable groups such as people with disabilities, veterans, single mothers, victims of domestic violence, seniors, Spanish speakers, and other protected classes.

In its presentations, PSLS covers the 14 personal characteristics that are protected from housing discrimination under the federal Fair Housing Act and the Illinois Human Rights Act, namely: race, color, national origin, sex, familial status, physical and mental disability, religion, age, arrest record, marital status, sexual orientation, unfavorable military discharge, military status, and orders of protection. All presentations include information on how victims of discrimination can enforce their fair housing rights, including information on how to contact HUD or IDHR directly, but with a special emphasis on the services PSLS provides for victims: assistance with investigation, negotiation, filing administrative complaints, and litigation assistance, as is appropriate. PSLS includes in its presentations information on the rights of people with disabilities (reasonable accommodations and modifications), as studies show this area is particularly misunderstood or ignored. PSLS conducts outreach and advertises its program through extensive e-mails, flyers delivered throughout the community, mailings, attendance and announcements at meetings of social service providers and other key agencies, and hosting two annual fair housing fairs in April 2013 and 2014. PSLS's outreach and education has targeted several audience types:

- **Public Sector:** During the first quarter of 2014, PSLS provided a series of three training sessions to the Lake County Community Development Commission (CDC), which provides HUD funding recommendations to the Lake County Board. The CDC is comprised of five county board members, five elected municipal officials, and five citizen representatives from throughout the County. PSLS has also provided education to other key agencies in the public sector, including the public housing authorities and representative of various townships. PSLS has notified all townships of the services it provides under the Fair Housing Program for Lake County.
- **Housing Providers:** PSLS contacts Lake County developers, property managers, and landlords to offer education on rights and responsibilities under the Fair Housing Act, which includes discussion of compliance with the act's provisions in their advertising and marketing policies and procedures. Discussions are under way with the Main Street Association of Realtors (which absorbed the membership of the Realtors Association of Northwest Chicagoland) to help train its members on their and their clients' fair housing rights and responsibilities. Through its trainings, PSLS has educated hundreds of housing providers, including landlords, employees of the housing authorities, and owners or managers. Recently PSLS conducted training for the members of the Lake County Property Investors

Association, which absorbed the Lake County Apartment Owners' Association, and is comprised mostly of landlords.

- For landlords, PSLS training includes information on building requirements under the Fair Housing Act and other related laws and on tenants' right to reasonable accommodations and modifications. It is crucial for landlords to receive education on the issue of reasonable accommodations and modifications because properly implemented accommodations make housing available and accessible to people with physical and mental disabilities. Studies show that many landlords have an insufficient understanding of their responsibilities not only to grant reasonable accommodations and modifications but also to engage in an interactive process when presented with a request for an accommodation with which they disagree. PSLS confirms the results of those studies from its daily experiences with housing providers of all types.
- Service Providers: Since May 2011 PSLS has provided trainings for advocates and clients at numerous coalitions or agencies that provide direct advocacy or services for the most vulnerable residents of Lake County. Some of the agencies where PSLS has conducted training include but are not limited to RESPOND (a coalition of social service agencies from North Chicago, Waukegan, Zion, Benton, and Shields townships), the Lake County Homeless Coalition, Lake County Housing Action Coalition, Lake County Center for Independent Living, YWCA of Lake County, Lovell VA Health Center, Urban Muslim Minority Alliance Center, St. Vincent DePaul, Safe Place, Lake County Center for Independent Living, Child Serv, Family Network, Catholic Charities, Latino Coalition of Lake County, NAACP, Community Action Partnership, Consumer Credit Counseling Services, and the St. Vincent De Paul Society. PSLS has further educated service providers through a webinar presented for social workers and has addressed various support groups, including those for seniors, single mothers, and people with disabilities.
- Direct Outreach: PSLS has conducted numerous fair housing and renters' rights workshops and presentations to members of the community, including but not limited to Spanish-language radio programs, clients of the Lake County Housing Authority, groups of public school parents and guardians, high school student government classes, English as a Second Language classes, church groups, senior groups, and tenant groups. PSLS can provide any training in either English or Spanish.

Each presentation is tailored to the needs of the audience. For example, PSLS tailors presentations for social service providers who work with female victims of domestic violence to include more information on the protected characteristics of sex, familial status, and order of protection status. PSLS emphasizes the additional rights of people with disabilities to a group such as the Lake County Center for

Independent Living, or support groups for veterans with disabilities. PSLS pays special attention to national origin and familial status to providers who serve Spanish speakers.

Recently, to streamline the process for referring clients to its Fair Housing Program, PSLS entered into a Memorandum of Understanding with various partner agencies that serve Lake County residents, including Lake County Center for Independent Living, Lake County Haven, Youth Conservation Corps/Lake County YouthBuild, Transitional Living Service, Love Inc. of Lake County, Catholic Charities, Consumer Credit Counseling Services, St. Vincent De Paul Society, Lake County Housing Authority, Independence Center, Nicasa, Community Youth Network, and Turning Point.

In addition to fair housing education, the County supports diversity awareness and training through a broad range of initiatives:

- The Lake County Board created in March 2013 a Cultural Diversity Committee to plan an annual cultural diversity seminar and develop other educational events and materials to foster an understanding of the numerous cultures, races, religions, and beliefs in Lake County.
- The Lake County Forest Preserve has a Diversity and Cultural Awareness Committee comprised of five county board members.
- Lake County Health Department and Community Health Center has a Diversity Committee that developed a diversity policy section for its own employee policies and procedures in October 2008. This policy defines employees' "responsibility to provide culturally competent care to an ethnically diverse patient/client population."
- In July 2011, the Lake County Community Development Commission (CDC) adopted a vision statement that includes, "we envision Lake County as a place, unified by diversity, where residents of all income levels have the opportunity to live, work, and thrive by building successful partnerships with local governments, service providers, developers, and fellow residents," with the intent of using this statement to guide the CDC in its future decision-making processes.

Legal Services and Referrals

In Section IV, the complaint process, as well as general information on how PSLS addresses the needs of complainants who contact the Fair Housing Program for Lake County, was addressed. As described in that section, the Fair Housing Program will provide legal advice and information on filing a fair housing complaint with HUD or IDHR, representation in those proceedings, and referral to other fair housing legal services. PSLS may refer callers with non-discrimination housing issues or other issues to the PSLS general legal services program or to the private bar. PSLS refers all

potentially eligible clients to HUD or the State of Illinois Department for Human Rights so that they may file a housing discrimination complaint.

The County's investment of CDBG funds in both SER Jobs for Progress, Inc. (2004 to 2011) and Prairie State Legal Services (2011 to present) has accommodated direct legal services and/or referrals (handling discrimination complaints and/or tenant-landlord disputes) for hundreds of Lake County residents. In quarterly reports, PSLS has provided the following observations from its legal services and referrals work:

- “Of the legally protected classifications, the protected category of “disability” continues to be the one that sees the greatest number of victims of possible (housing) discrimination.” Examples of challenges faced by clients with disabilities include:
 - Denial of entry into housing due to a disability
 - Denial of a request for reasonable accommodation or modification, such as a request for a support animal
 - Unfair/different terms and conditions because of the person's disability
 - Failure to engage in discussion with a person requesting an accommodation
 - Threat of lease termination, voucher termination, or eviction over a request for reasonable accommodation
- “...callers believed they faced discrimination on the basis of familial status.”
- PSLS also assisted clients who felt they were being discriminated against based on race, national origin, order of status protection (for victims of domestic violence), sexual orientation, and gender.
- Many landlords fail to return security deposits.

Some of the issues repeatedly raised by complainants, as reported by PSLS in their quarterly reports, include:

- Lack of affordable housing
- Inability to find housing due to criminal records
- Sexual harassment by a housing provider
- Foreclosure, or rights of tenants in a foreclosed property
- Habitability issues; e.g., mold, bed bugs, landlord's failure to maintain appliances or windows
- Landlords' failure to return security deposits
- Landlords' failure to provide quiet enjoyment
- Landlords' failure to provide accounting /balance disputes
- Fear of retaliation by a landlord if the tenant seeks to enforce their rights

- Evictions, terminations, loss of housing subsidies
- Issues related to the tenant's limited English proficiency in subsidized housing.

**Exhibit V-1.
Fair Housing Program of Lake County Clients,
2012–2013**

	2012	2013	Total
White	26	27	53
African American	53	47	100
Asian	1	2	3
Two or More Races	9	12	21
Total	89	88	177

Percent Hispanic	15.7%	14.8%	15.3%
------------------	-------	-------	-------

Consortium Member Breakdown by Resident

North Chicago	7.9%	10.2%	9.0%
Waukegan	31.5%	26.1%	28.8%
Other	60.7%	63.6%	62.1%

Source: Prairie State Legal Services Quarterly Reports.

SECTION VI.

FAIR HOUSING COMPLAINTS

Individuals who are seeking housing in Lake County and who want to file a housing discrimination complaint with an enforcement agency can file the complaint with the U.S. Department of Housing and Urban Development (HUD) Office of Fair Housing and Equal Opportunity (FHEO) or the State of Illinois Department of Human Rights (IDHR). Both HUD and IDHR provided Lake County with data on fair housing complaints filed in the County from 2008 through 2013.

In reviewing the complaint data, there are two points that should be kept in mind. First, in some cases, a complaint may have been originally filed with HUD, which in turn assigned it to the State to investigate. As a result, there may be duplicate complaints submitted to FHEO and IDHR. Second, the protected classes at the federal and state levels differ. The federal protected classes include race, color, religion, sex, national origin, disability, age, and familial status. The State of Illinois expanded upon these classes by adding religion, sexual orientation, marital status, military status and unfavorable military discharge, arrest record, victims of sexual harassment, and individuals with orders of protection, for victims of domestic violence.

Exhibit VI-1.

Filed Fair Housing Complaints,
Lake County

Fiscal Year Filed	Number of Filed Cases: HUD	Number of Filed Cases: IDHR
FY 2008	19	18
FY 2009	28	23
FY 2010	24	23
FY 2011	30	35
FY 2012	12	14
FY 2013	19	21
Total	132	134

Source: Illinois Department of Human Resources;
U.S. Department of Housing and Urban
Development.

HUD FAIR HOUSING COMPLAINTS

According to HUD, Lake County complaint cases were based primarily on race, disability, and national origin. Overall, FY2011 showed the highest number of complaints, with 30. In FY2012 and FY2013, the number of complaints decreased significantly, with complaints of 12 and 19, respectively. Thirty-five percent of HUD cases overall listed race as a basis for the discrimination complaint, 28 percent listed disability, and 20 percent listed national origin. Familial status, color, sex, and religion were also represented within the complaint data, but were not as prevalent.

According to the HUD FHEO office, of the 132 complaints filed, 136 protected classes were listed in the discrimination complaints. Some complaints listed more than one protected class. The complaints received by HUD are listed in the following table.

Exhibit VI-2. HUD Fair Housing Complaints, Lake County

Fiscal Year Filed	Number of Filed Cases	Protected Classes							Total
		Disability	Race	Color	National Origin	Familial Status	Sex	Religion	
FY2008	19	9	6	0	2	4	0	0	21
FY2009	28	10	9	1	10	5	1	0	36
FY2010	24	7	11	1	5	1	2	0	27
FY2011	30	13	10	0	7	1	1	1	33
FY2012	12	4	6	0	0	1	1	0	12
FY2013	19	4	11	0	4	2	3	0	24
TOTAL	132	39	48	2	27	10	8	1	136
		29.75%	36.71%	1.56%	20.21%	7.80%	6.22%	0.78%	

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

ILLINOIS DEPARTMENT OF HUMAN RIGHTS COMPLAINTS

According to the Illinois Department of Human Rights (IDHR), Lake County complaint cases were based primarily on race and disability. Differing from the HUD figures, discrimination based solely on national origin only accounted for 11 percent of total complaints. This difference may be related to the additional protected classes at the state level. Overall, the highest number of complaints in one year, 34, were received during FY2011. In FY2012 and FY2013, the amount of complaints decreased significantly, with complaints of 14 and 16, respectively. Over 65 percent of the complaints cited disability or race as the protected class within the complaint. The bases of the complaint cases are listed in the following exhibit.

Exhibit VI-3. STATE OF ILLINOIS FAIR HOUSING COMPLAINTS

FY Filed	Number of Filed Cases	Protected Classes for Which a Complaint Can be Filed										
		Disability	Race	Color	National Origin	Familial Status	Sex	Religion	Marital Status	Retaliation	Age	Sexuality
FY2008	18	8 44.44 %	6 33.33 %	0 0.00 %	1 5.56%	2 11.11 %	0 0.00%	1 5.56 %	0 0.00 %	0 0.00%	0 0.0 0%	0 0.00 %
FY2009	24	8 33.33 %	6 25.00 %	1 4.17 %	2 8.33%	4 16.67 %	1 4.17%	0 0.00 %	2 8.33 %	0 0.00%	0 0.0 0%	0 0.00 %
FY2010	23	10 43.48 %	5 21.74 %	0 0.00 %	4 17.39 %	2 8.70%	1 4.35%	0 0.00 %	0 0.00 %	1 4.35%	0 0.0 0%	0 0.00 %
FY2011	34	13 38.24 %	11 32.35 %	1 2.94 %	4 11.76 %	1 2.94%	2 5.88%	0 0.00 %	0 0.00 %	0 0.00%	1 2.9 4%	1 2.94 %
FY2012	14	3 21.43 %	7 50.00 %	0 0.00 %	1 7.14%	2 14.29 %	0 0.00%	0 0.00 %	0 0.00 %	1 7.14%	0 0.0 0%	0 0.00 %
FY2013	16	3 18.75 %	6 37.50 %	0 0.00 %	3 18.75 %	0 0.00%	2 12.50 %	0 0.00 %	0 0.00 %	2 12.50 %	0 0.0 0%	0 0.00 %
FY2014	5	3	1	0	0	1	0	0	0	0	0	0
Total	134	48	42	2	15	12	6	1	2	4	1	1
% of Total		35.82 %	31.34 %	1.49 %	11.19 %	8.96%	4.48%	0.75 %	1.49 %	2.99%	0.7 5%	0.75 %

Source: Illinois Department of Human Rights.

The State of Illinois also provided data on the offending act during which the alleged act of discrimination occurred. Complainants are allowed to identify more than one act. Therefore, the total number of types of acts is greater than the total number of cases filed during the FY2008 through FY2013 timeframe.

Of the 132 cases filed, about half (73) are composed of only one complaining act, while the remainder contain more than one discriminatory act. The majority of the alleged acts were related to the terms, conditions, privileges, or services and facilities (complaint type 380 in Exhibit VI-4); the second most frequent act was related to the terms, conditions, or privileges related to renting housing (complaint type 382).

Of the complaints, 24.6 percent could be classified as general discriminatory acts, with no indication if the actions reference rental property or the purchase of real property. Nearly 67 percent could be classified as acts of discrimination in reference to a rental property, and 8.7 percent of the complaints were filed as acts of discrimination in reference to the purchase of real property.

The following table presents Lake County's discrimination complaints from FY2008 through FY2013, by classification of the offending acts contained within the complaints.

Exhibit VI-4.**State of Illinois Fair Housing Complaints by Offending Act, Lake County**

Type of Complaint	Count	%
320 - Discriminatory advertising, statements and notices	22	11.3%
410 - Steering	2	1.0%
430 - Otherwise deny or make housing unavailable	10	5.1%
450 - Discriminatory acts under Section 818 (coercion, etc.)	1	0.5%
470 - Noncompliance with design and construction requirements (handicap)	13	6.7%
Subtotal: Neither Rental nor Sale Specific	48	24.6%
310 - Discriminatory refusal to rent	21	10.8%
311 - Discriminatory refusal to negotiate for rental	1	0.5%
312 - Discriminatory refusal to rent and negotiate for rental	9	4.6%
322 - Discriminatory advertisement - rental	2	1.0%
332 - False denial or representation of availability - rental	1	0.5%
380 - Discriminatory terms, conditions, privileges, or services and facilities	35	17.9%
382 - Discrimination in terms/conditions/privileges relating to rental	30	15.4%
384 - Discrimination in services and facilities relating to rental	2	1.0%
500 - Failure to permit reasonable modification	2	1.0%
510 - Failure to make reasonable accommodation	27	13.8%
Subtotal: Rental Specific	130	66.7%
300 - Discriminatory refusal to sell	4	2.1%
301 - Discriminatory refusal to negotiate for sale	2	1.0%
302 - Discriminatory refusal to sell and negotiate for sale	1	0.5%
330 - False denial or representation of availability	2	1.0%
350 - Discriminatory financing (includes real estate transactions)	2	1.0%
355 - Discrimination in the brokering of residential real property	1	0.5%
381 - Discrimination in terms/conditions/privileges relating to sale	4	2.1%
383 - Discrimination in services and facilities relating to sale	1	0.5%
Subtotal: Sale Specific	17	8.7%

Regional Description of Fair Housing Complaints

HUD FHEO five-year complaint data lists the municipality in which the offending act occurred. Complaints in Lake County have been filed in 27 of the 52 incorporated municipalities plus one from unincorporated Ingleside. Though the highest number of complaints occurred in more highly populated municipalities, the per-capita complaint data shows a higher concentration in the north-central part of the County. This includes the communities of Gurnee and Grayslake as well as in Zion. Though Bannockburn shows high per-capita complaint data, this is a result of a small population size, with one complaint filed over a period of five years. There are 24 incorporated municipalities in Lake County that did not receive a complaint during that five-year period.

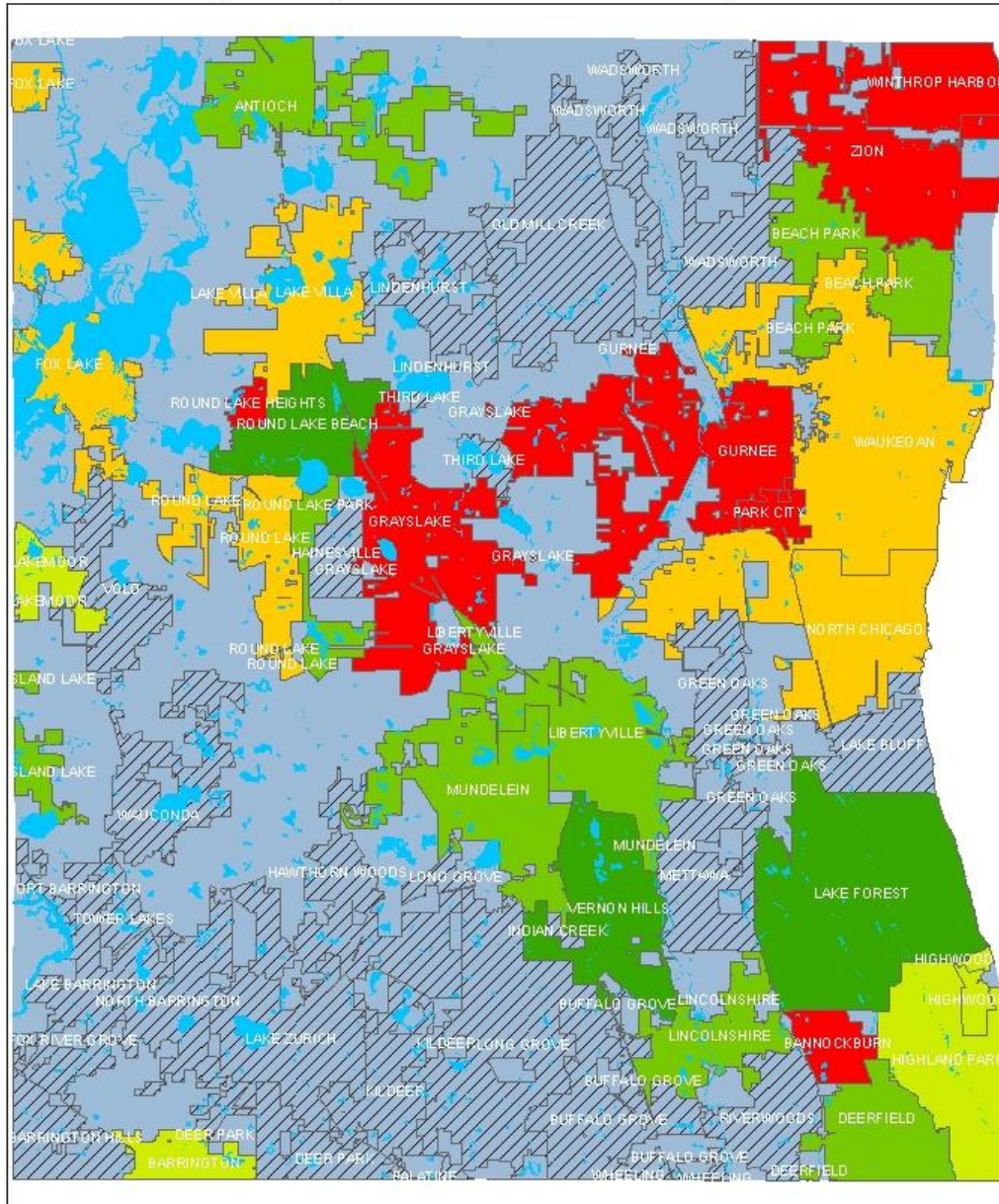
Exhibit VI-5. HUD Fair Housing Complaints by Municipality

Municipality	Number of complaints	Municipality	Number of complaints
Waukegan	25	Barrington	2
Zion	18	Beach Park	2
Gurnee	14	Antioch	2
Grayslake	12	Deerfield	2
North Chicago	9	Vernon Hills	2
Highland Park	5	Round Lake Beach	2
Park City	4	Bannockburn	1
Round Lake	4	Highwood	1
Mundelein	4	Lakemoor	1
Winthrop Harbor.	3	Lincolnshire	1
Fox Lake	3	Round Lake Park	1
Libertyville	3	Island Lake	1
Round Lake Heights	2	Ingleside*	1
Lake Villa	2	Lake Forest	1

*Unincorporated

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

Fair Housing Complaints in Lake County FY 2008-FY 2013



Per Capital Complaints (1 Complaint / # of Persons)



Waukegan Fair Housing Complaints

The City of Waukegan shows the highest number of fair housing complaints at 25 total complaints over five years between 2008 and 2013. Waukegan is the largest municipality in Lake County, though, and these complaints taken on a per capita basis show the complaint level in Waukegan near the median for all municipalities in Lake County. Of the complaints filed in Waukegan, nine list race as the protected class, eight list disability, six list national origin, three list family status, and three list gender.

In 2012, the City of Waukegan passed an official fair housing ordinance and fair housing enforcement policy as a section of their municipal code. It has also funded Prairie State Legal Services with Community Development Block Grant Funds to assist seniors and disabled persons with legal defense for violation of human rights, including the right to fair housing.

North Chicago Fair Housing Complaints

The City of North Chicago shows nine fair housing complaints over a five-year period. This amount is near the high end for all municipalities in Lake County but at the median for per-capita complaints in Lake County. Of the complaints filed in North Chicago, five listed disability as the protected class, two listed national origin, two listed race, and one listed family status. Each complaint can contain more than one offending act and/or protected class, so the total number of protected classes listed is greater than the number of complaints.

COMPLAINT-BASED FAIR HOUSING TESTING

Complaint-based testing refers to housing discrimination testing conducted at a given property in response to a specific complaint. Both Open Communities (OC) and Prairie State Legal Services (PSLS) have conducted complaint-based testing in Lake County. The results of most complaint-based testing are confidential because the testing is associated with fair housing litigation.

OC has conducted complaint-based testing in several communities in Lake County for three years. Testing for fair housing complaints has occurred in Highwood, Highland Park, and Deerfield. Since 2009, OC has investigated 16 cases of alleged fair housing discrimination acts, six of which were tested by using the complaint-based testing method.

PSLS provides investigation for persons and families alleging discrimination. They provide for testing in selected discrimination to the extent appropriate for the specific case, with consideration of the available grant funds and the contracted fees charged by the fair housing testing agency.

PAIRS TESTING

Pairs testing is a simulation of the housing search in order to identify potential acts of discrimination. As implied in the name, pairs testing involves two or more testers who pose as renters, home purchasers, residential mortgage applicants, or residential insurance applicants. The only significant difference in the characteristics of the testers is in a protected class characteristic. For example, one tester may be a veteran, while the other tester is not a veteran. The two testers then participate in a real estate transaction and provide details on the transaction to the testing organization. The testing organization then uses the information from the testers to determine whether discrimination occurred.

Over the past year, 45 pairs tests have been conducted in Lake County, 30 by OC and 15 by PSLS. Details on the pairs testing are presented in the following sections.

Open Communities Testing

Open Communities keeps an existing pool of testers from which to draw when organizing a test. All testers have completed fair housing tester training that includes a three-hour interactive classroom session and video component. Testers are trained in fair housing laws, protected classes, and testing protocol. Volunteers then “practice” testing by going into the community and attempting to rent or buy an advertised unit, but the event is not paired with another tester for comparison. The practice is used to develop the volunteer tester’s skills as an active tester.

In 2013, OC tested for general fair housing violations in the communities of Highland Park, Highwood, and Deerfield. The tests were designed with both rental and sales components and were analyzed for terms offered, units shown, location of units/suggested homes, questions asked by housing provider, types of documentation requested, materials provided, follow-up of housing provider, comments made by housing provider, and steering.

Highland Park. Five paired rental tests were conducted to test for race, sex, national origin, and disability discrimination. One case of possible discrimination was found in the paired disability test. The non-disabled tester was shown two more units than the disabled tester was shown. In the four other tests conducted, no discrimination was found.

Five paired sales tests were conducted to test for disability discrimination. Possible discrimination was found in two cases. In the first case, the non-disabled tester was shown one additional property and given an offer to see more properties, whereas the disabled tester was only shown one property and rushed through the appointment. In the second test, the control tester was shown multiple properties and the protected class tester was shown fewer properties.

Highwood. Five paired rental tests were conducted to test for race and national origin discrimination. In all cases, no discrimination was found.

Five sales tests were conducted for race, familial status, and disability discrimination. In two of the five cases, possible discrimination was found. In the first case, the control tester was shown the property and given information about additional listings. The protected tester (female, African American) was shown the property but not given information about additional listings. In the second case, when circumstances prevented a unit from being shown by a particular agent, the control tester was given a referral to a new sales agent but, the protected tester (female, African American) was not given a referral to a new sales agent, although she asked for a different agent.

Deerfield. Six paired rental tests were conducted for race, familial status and disability discrimination in Deerfield. Neither race nor familial status discrimination was found, but in the disability discrimination testing, a landlord mentioned an additional security deposit for a service animal, which is discriminatory. A letter was sent by Open Communities to the management company to clarify the fair housing requirements. In one test for familial status discrimination, national origin discrimination was found and will be tested in a follow-up test.

Four paired sales tests were conducted for race, disability and national origin discrimination. These types of discrimination were not found, but potential familial status discrimination was found when a family with children was warned away from a townhome in a predominately elderly community that did not have any formal age restrictions. Further testing is planned.

Prairie State Legal Services

HUD provides direct funding for PSLS testing, and its coverage expands beyond Lake County. A matched pair of testers, one matching the variable being tested and the other as the control, are assigned to visit an available property. The testers are matched in relation to age, income, dress, employment background, and housing needs. The testers are assigned “profiles,” or identities.

Since its in-house testing program started in January 2013, PSLS has trained 27 fair housing testers for Lake County.³⁶ PSLS’s training for fair housing testers consists of an overview of the history of fair housing laws, methodology of testing, and reinforcement of the qualities needed in a tester. Practice tests and role playing are a part of tester training.

In June 2013, PSLS received a HUD Fair Housing Initiatives Program grant to complete 15 fair housing tests in Lake County. The PSLS Fair Housing Project executed a mix of complaint-based and audit testing. The basis of the tests were disability (two), familial

³⁶ Funded by the Fair Housing Initiatives Program (FHIP) of the U.S. Department of Housing and Urban Development to augment the CDBG-funded fair housing enforcement project in Lake County.

status (two), national origin (three), and race (eight). In seven of the 15 tests, PSLs noted differences in treatment between the protected tester and the control tester, thereby indicating possible housing discrimination on the basis of disability (one), familial status (one), national origin (one), and race (four).

SECTION VII.

FAIR HOUSING SURVEYS

As part of the analysis, AREA developed three surveys to ascertain the perspective of residents, municipalities, and real estate professionals on the subject of fair housing. The surveys were distributed in both English and Spanish at client-facing agencies (including the Lake County Health Department, placed on the County website), e-mailed to various stakeholders by Prairie State Legal Services, and e-mailed by the County to Lake County municipalities, nonprofit agencies, and real estate industry professionals. A total of 636 surveys were returned: 80 municipalities surveys, 56 real estate professionals surveys (including one in Spanish), and 500 resident surveys (including 14 in Spanish). This survey was intended only to provide input from a wide range of stakeholders and is not statistically significant.

Additional details on survey responses are included as an appendix.

RESIDENT SURVEY FINDINGS

Of the 500 resident respondents, the highest number (96) identified Waukegan as the community in which they lived. This was followed by Zion (37), Gurnee (34), Highland Park (33), Mundelein (29), Round Lake Beach (25), and Grayslake and North Chicago (24 each). Combined, these communities represent 60 percent of the survey respondents. Nearly 67 percent of respondents have lived in Lake County for 10 years or more. A large portion of the respondents own their home in Lake County (49.8 percent). The remaining respondents are renters (37.4 percent), live with family without any housing payment (2.2 percent), live with family (2.8 percent), do not have a permanent place of residence (4 percent), lived in supportive housing (0.2 percent), or did not provide an answer (3.6 percent).

Most the respondents identified themselves as female (56.4 percent), and 28.6 percent identified themselves as male. The remaining respondents declined to provide their gender. The largest number of respondents was in the 50–59-year-old age cohort (21.6 percent), followed closely by the 30–39-year-old cohort (21.4 percent). Approximately 44 percent identified their race as White, 22.8 percent as African American, and 17.8 percent as Hispanic or Latino. Approximately 4 percent indicated that they are a person with a disability, and an additional 4 percent indicated they have a household member who is a person with a disability.

Of the 500 respondents, 451 responded to the question “Do you feel that housing discrimination is common in Lake County?” A large percentage of respondents indicated they did not know if housing discrimination is common. The responses are listed in the following exhibit.

Exhibit VII-1a.
Do You Feel that Housing Discrimination Is Common in Lake County?

	Number of Respondents	Percentage of All Respondents
Yes, it is extremely common	56	11.2%
Yes, it is somewhat common	114	22.8%
No, it is not common	97	19.4%
Don't know	164	32.8%
Prefer not to answer	20	4.0%
No response	49	9.8%
Total	500	100.0%

Source: Applied Real Estate Analysis, Inc.

Survey respondents from North Chicago and Waukegan were more likely to report that discrimination is common in Lake County. Approximately 38 percent of respondents from North Chicago and 39 percent of residents from Waukegan indicated that discrimination is extremely or somewhat common in Lake County.

Exhibit VII-1b.
Do You Feel that Housing Discrimination Is Common in Lake County?

	North Chicago		Waukegan	
	Number of Respondents	Percentage of All Respondents	Number of Respondents	Percentage of All Respondents
Yes, it is extremely common	5	20.8%	13	13.5%
Yes, it is somewhat common	4	16.7%	24	25.0%
No, it is not common	2	8.3%	16	16.7%
Don't know	9	37.5%	29	30.2%
Prefer not to answer	1	4.2%	1	1.0%
No response	3	12.5%	13	13.5%
Total	24	100.0%	96	100.0%

Source: Applied Real Estate Analysis, Inc.

Of the 500 respondents, 104 (21 percent) indicated that they have experienced discrimination while looking for or living in housing in Lake County. The rates were similar in North Chicago and Waukegan. Most who replied that they had experienced discrimination indicated that the discrimination occurred while they were looking for rental housing. Most respondents indicated that race was the basis of the act of discrimination. Source of income and Housing Choice Vouchers were listed as the second and third most common bases for discrimination. More than 96 percent of those who experienced discrimination indicated that a landlord or property manager was the person who discriminated against the respondent.

The survey also asked respondents what action, if any, they took in response to the discrimination. Respondents identified 56 incidents in which they took action and 85 in which they did not take action.³⁷ In the 56 responses in which the respondents did take action, more than half did not provide a response as to any action taken. The most commonly identified action was contacting a housing or nonprofit organization.

Exhibit VII-2a.
If You Have Experienced Housing Discrimination, Did You Do Any of the Following? (multiple responses allowed)

	Number of Respondents	Percentage of respondents who took any action (<i>n</i> = 56)
Contacted a lawyer	3	5.4%
Contacted a housing or nonprofit organization	11	19.6%
Contacted my local government	3	5.4%
Contacted Lake County	5	8.9%
Contacted HUD	6	10.7%
Prefer not to answer	0	0.0%
Other	5	8.9%
No response	29	51.8%

Source: Applied Real Estate Analysis, Inc.

³⁷ The sum of the number of respondents who took action (56) and the number of respondents who did not take action (85) does not equal the number of respondents who indicated that they experienced discrimination (104). This may be because respondents could have experienced multiple incidents of discrimination and reacted differently in each incident.

Exhibit VII-2b.
If You Have Experienced Housing Discrimination, Did You Do Any of the Following?
(multiple responses allowed)

	North Chicago		Waukegan	
	Number of Respondents	Percentage of respondents who have experienced discrimination (n = 6)	Number of Respondents	Percentage of respondents who have experienced discrimination (n = 18)
Contacted a lawyer	0	0%	1	6%
Contacted a housing or non-profit organization	1	17%	2	11%
Contacted my local government	0	0%	2	11%
Contacted Lake County	0	0%	1	6%
Contacted HUD	1	17%	1	6%
Prefer not to answer	3	50%	11	61%
Other	1	17%	6	33%
No response	0	0%	0	0%

Source: Applied Real Estate Analysis, Inc.

For those Lake County respondents who did not take any action (85), the three most commonly cited reasons were “Would not make any difference,” “Didn’t think I would be able to prove discrimination,” and “Didn’t know where to report the information.”

In North Chicago, of the six survey respondents who did not take action when they experienced discrimination, half indicated that they did not know where to report the information. Of note as well is that 33 percent of the respondents stated that they were afraid of retaliation. In Waukegan, the most commonly identified reason for not taking any action was that the respondent thought they would not be able to prove the discrimination. This was followed by respondents stating that reporting the discrimination would not make any difference.

**Exhibit VII-3a.
If You Did Not Take Any Action Regarding the Housing Discrimination,
Why Not? (multiple responses allowed)**

	Number of Respondents	Percentage of respondents who did not take any action (n = 85)
Did not have time	9	10.6%
Didn't know where to report the information	27	31.8%
Afraid of retaliation	14	16.5%
Would not make any difference	33	38.8%
Housing easier to find/sell/rent somewhere else	14	16.5%
Wouldn't want to live near/rent from/purchase from the person discriminating	23	27.1%
Didn't think I would be able to prove discrimination	33	38.8%
It costs too much to pursue	13	15.3%
Discrimination was not that serious	10	11.8%
Prefer not to answer	5	5.9%

Source: Applied Real Estate Analysis, Inc.

Exhibit VII-3b.
If You Did Not Take Any Action Regarding the Housing Discrimination, Why Not?
(multiple responses allowed)

	North Chicago		Waukegan	
	Number of Respondents	Percentage of respondents who did not take any action (<i>n</i> = 6)	Number of Respondents	Percentage of respondents who did not take any action (<i>n</i> = 24)
Did not have time	0	0%	2	8%
Didn't know where to report the information	3	50%	4	17%
Afraid of retaliation	2	33%	1	4%
Would not make any difference	1	17%	6	25%
Housing easier to find/sell/rent somewhere else	0	0%	5	21%
Wouldn't want to live near/rent from/purchase from the person discriminating	0	0%	5	21%
Didn't think I would be able to prove discrimination	1	17%	8	33%
It costs too much to pursue	1	17%	3	13%
Discrimination was not that serious	0	0%	2	8%
Prefer not to answer	0	0%	3	13%

Source: Applied Real Estate Analysis, Inc.

REAL ESTATE PROFESSIONALS SURVEY FINDINGS

There were a total of 56 respondents to the real estate professionals. The largest group of respondents was property managers/property owners/investors. There were also 13 real estate agents or brokers who responded to the survey. More than 62 percent of the respondents have been involved in the residential real estate industry for 11 years or more. Six respondents indicated that their business serves all of Lake County. Twenty-six respondents identified Zion as an area served by their business, making Zion the most frequent answer, followed by Gurnee, Waukegan, Grayslake, Lake Villa, Libertyville, Round Lake Beach, Antioch, and Fox Lake.

The majority of respondents indicated that they have attended a training, class, or information session focused on housing rights and/or fair housing (64.3 percent, or 36 respondents). The trainings were relatively recent, with over 97 percent of respondents indicating that the training occurred within the past five years. Over 60 percent of respondents indicated that their industry has a “very strong,” “strong,” or “somewhat strong” understanding of fair housing laws and best practices. Respondents indicated that their clients’ understanding of their housing rights was also strong, with nearly 60 percent reporting that their clients have a “very strong,” “strong,” or “somewhat strong” understanding of their housing rights. Twelve respondents indicated that they have had a client raise a housing discrimination complaint and that almost all of these clients took an action to address the complaint.

Respondents were divided on the issue of whether or not housing discrimination is common in Lake County. Nearly 43 percent said that it is not common, 16 percent said it is common, and 36 percent said that they did not know or had no opinion.

In terms of various industries and levels of government focusing on fair housing, the respondents generally agreed that the industries and government focused on fair housing or expressed no opinion regarding the focus on fair housing by the federal, state, or local governments; the real estate industry; or the financial industry.

See the exhibit on the following page.

Exhibit VII-4.

Please Indicate How Strongly You Agree or Disagree with the Following Statements. In Your Response, Please Focus on Lake County.

	Strongly agree		Agree		Neutral/Neither agree nor disagree		Disagree		Strongly disagree		No Opinion		No response	
Real estate industry professionals are undertaking more activities to encourage equal access to housing	10	17.9%	17	30.4%	10	17.9%	3	5.4%	0	0.0%	5	8.9%	11	19.6%
Financial industry professionals are undertaking more activities to encourage equal access to housing	10	17.9%	11	19.6%	12	21.4%	4	7.1%	0	0.0%	6	10.7%	13	23.2%
Local government officials are undertaking more activities to encourage equal access to housing	9	16.1%	12	21.4%	14	25.0%	3	5.4%	3	5.4%	4	7.1%	11	19.6%
State of Illinois government officials are undertaking more activities to encourage equal access to housing	7	12.5%	12	21.4%	16	28.6%	1	1.8%	2	3.6%	5	8.9%	13	23.2%
Federal government officials are undertaking more activities to encourage equal access to housing	11	19.6%	13	23.2%	14	25.0%	1	1.8%	2	3.6%	4	7.1%	11	19.6%

Source: Applied Real Estate Analysis, Inc.

Respondents were asked to indicate their agreement with several potential impediments to fair housing in Lake County. Of 500 resident respondents, 22 respondents did not answer this question. Of those that did respond, most did not agree that the issues identified were impediments to fair housing in Lake County. Respondents generally disagreed or were neutral regarding most of the potential impediments. There were four impediments with which 30 percent or more of the respondents indicated that they agreed were an issue for Lake County. Those four impediments were:

- The housing crisis and recession have impacted lower-income households more than higher-income households.
- The housing crisis and recession have impacted minorities more than others.
- Land use, zoning laws, and building codes that make developing housing difficult and/or expensive
- Jobs, housing, and transit are not located near each other.

MUNICIPAL SURVEY FINDINGS

Eighty representatives from municipalities in Lake County responded to the fair housing survey. Approximately 25 percent of the respondents indicated that their municipality has a fair housing ordinance. Thirty-five percent indicated that they do not have a fair housing ordinance, and 32.5 percent stated that they did not know whether their municipality has a fair housing ordinance.

Of the 21 representatives from municipalities with a fair housing ordinance, the date of adoption of the ordinance varied, as shown in the following exhibit. Of note is that seven respondents did not know when the ordinance was originally adopted.

**Exhibit VII-5.
Date Fair Housing Ordinance Was Originally Adopted**

	Number of Respondents	Percentage of Respondents (<i>n</i> = 21)
Less than 1 year ago	0	0.0%
2–5 years ago	1	4.8%
6–10 years ago	3	14.3%
11–15 years ago	1	4.8%
16 or more years ago	2	9.5%
Don't know	7	33.3%
Prefer not to answer	1	4.8%
No response	6	28.6%
Total	21	100.0%

Note: Date was provide by municipal employees.
Source: Applied Real Estate Analysis, Inc.

The municipal representatives were also asked on the survey the reason the fair housing ordinance was adopted. Though 38 percent of the respondents stated that they did not know their municipality’s reason for adopting a fair housing ordinance, the remainder identified the following reasons (respondents were allowed to identify multiple responses):

- Decided it was the “right” thing to do: 5
- Encouraged by community residents to adopt an ordinance: 1
- Encouraged by elected officials to adopt an ordinance: 2
- Encouraged by local organizations to adopt an ordinance: 3
- Don’t know: 8
- Prefer not to answer: 0
- Other (Compliance with grant requirements): 1
- No response: 6

Regarding protected classes, 4 respondents provided the protected classes identified in their ordinance, 3 respondents indicated that they did not know the protected classes, and 13 did not provide a response. Only one municipality indicated that their ordinance includes all of the protected classes listed in the Federal Fair Housing Act and the Illinois Human Rights Ordinance.

**Exhibit VII-6.
Protected Classes Listed in the Fair Housing Ordinance
(multiple responses allowed)**

	Number of Respondents	Percentage of Respondents (n = 21)
Race	4	19.0%
Color	4	19.0%
Sex	4	19.0%
Age	3	14.3%
Religion	4	19.0%
Disability	4	19.0%
National origin	4	19.0%
Ancestry	2	9.5%
Sexual orientation	2	9.5%
Marital status	4	19.0%
Parental status	1	4.8%
Military discharge status	1	4.8%
Source of income	1	4.8%
Gender identity	1	4.8%
Housing status	1	4.8%
Section 8/Housing Choice Voucher	1	4.8%
Don't know	3	14.3%
Prefer not to answer	0	0.0%
Other-Consistent with Executive Order 11063 and Title VIII of the Civil Rights Act	1	4.8%

Source: Applied Real Estate Analysis, Inc.

Five of the respondents indicated that their municipalities have conducted an analysis of impediments to fair housing choice (AI). Twenty-nine respondents stated that they did not know if an AI was conducted in their community. Sixteen percent of respondents stated that municipal employees attend fair housing training sessions.

Most of the municipalities of the respondents do not have systems in place for addressing housing discrimination complaints. Twenty percent of respondents indicated that their community has an established process for receiving fair housing complaints. Twenty-five percent do not have an established process, and 17 percent were not sure whether or not there was an established process. Thirteen of the 80 respondents stated that the municipalities have a municipal employee responsible for addressing fair housing-related issues. Twenty-two respondents said that they have no such employee, and 14 did not know if there was an employee responsible for addressing fair housing-related issues.

In terms of communicating with residents regarding fair housing, 19 of the respondents indicated that they have fair housing materials. Of these, 12 have the materials available in Spanish. None of the respondents indicated that they have materials available in other languages besides English and Spanish.

Twenty-two percent of the respondents indicated that their community would be open to establishing a regional cooperative for receiving fair housing complaints. Another 14 percent said that they would not be interested in such a cooperative, and 20 percent were not sure of their community's willingness to participate in such a cooperative.

Despite the established process, the respondents have received few housing discrimination complaints. Seven stated that on average they have zero complaints in a year. Three indicated that they have 1 to 10 complaints in a year. Two respondents did not know or did not answer.

Seventeen respondents stated that if the County increased the burden of proof for demonstrating that the municipality is affirmatively furthering fair housing as a requirement to receive grant funds, the increased burden could impact their decision to apply for the funds.

Respondents were also asked to express their opinion regarding the frequency of discrimination in Lake County. Ten percent stated that housing discrimination is common in Lake County, 12.5 percent said that it is not common, 37.5 percent did not know or had no opinion, and 40 percent did not respond to the question.

Respondents were also asked to provide their opinion on whether or not various issues were impediments to fair housing in Lake County. Less than half of the 80 respondents provided their opinion. The responses are presented in the following exhibits.

Exhibit VII-7.

Please indicate how strongly you agree or disagree with the following statements. In your response, please focus on Lake County

	Strongly agree		Agree		Neutral/Neither agree nor disagree		Disagree		Strongly disagree		No opinion		No Response	
	Number of Respondents	Percentage of All Respondents	Number of Respondents	Percentage of All Respondents	Number of Respondents	Percentage of All Respondents	Number of Respondents	Percentage of All Respondents	Number of Respondents	Percentage of All Respondents	Number of Respondents	Percentage of All Respondents	Number of Respondents	Percentage of All Respondents
Real estate industry professionals are undertaking more activities to encourage fair housing	3	3.8%	11	13.8%	11	13.8%	2	2.5%	1	1.3%	19	23.8%	33	41.3%
Financial industry professionals are undertaking more activities to encourage fair housing	4	5.0%	7	8.8%	12	15.0%	3	3.8%	2	2.5%	19	23.8%	33	41.3%
Local government officials are undertaking more activities to encourage fair housing	4	5.0%	14	17.5%	14	17.5%	0	0.0%	1	1.3%	13	16.3%	34	42.5%
State of Illinois government officials are undertaking more activities to encourage fair housing	3	3.8%	11	13.8%	14	17.5%	1	1.3%	1	1.3%	17	21.3%	33	41.3%
Federal government officials are undertaking more activities to encourage fair housing	6	7.5%	14	17.5%	11	13.8%	1	1.3%	0	0.0%	15	18.8%	33	41.3%

Source: Applied Real Estate Analysis, Inc.

Exhibit VII-8.

Please rate whether or not you think any of the following are impediments or barriers to fair housing choice in Lake County.

	Very Strong Barrier/Impediment		Strong Barrier/Impediment		Somewhat of A Barrier/Impediment		Minor Barrier/Impediment		Not A Barrier/Impediment		N/A		No Response	
	Number of Respondents	Percentage of All Respondents	Number of Respondents	Percentage of All Respondents	Number of Respondents	Percentage of All Respondents	Number of Respondents	Percentage of All Respondents	Number of Respondents	Percentage of All Respondents	Number of Respondents	Percentage of All Respondents	Number of Respondents	Percentage of All Respondents
Lack of awareness of fair housing rights by residents	3	3.8%	7	8.8%	11	13.8%	6	7.5%	7	8.8%	5	6.3%	41	51.3%
Lack of awareness of fair housing rights by real estate agents	2	2.5%	7	8.8%	6	7.5%	4	5.0%	14	17.5%	6	7.5%	41	51.3%
Lack of awareness of fair housing rights by landlords and property managers	3	3.8%	7	8.8%	11	13.8%	5	6.3%	8	10.0%	5	6.3%	41	51.3%
Lack of awareness of fair housing rights by banks and mortgage companies	2	2.5%	6	7.5%	5	6.3%	7	8.8%	12	15.0%	6	7.5%	42	52.5%
Lack of awareness of fair housing rights by property insurance companies	2	2.5%	4	5.0%	7	8.8%	6	7.5%	13	16.3%	7	8.8%	41	51.3%
Lack of awareness of fair housing rights by appraisers	2	2.5%	4	5.0%	5	6.3%	7	8.8%	13	16.3%	8	10.0%	41	51.3%
Lack of awareness of fair housing rights by local government staff	1	1.3%	5	6.3%	11	13.8%	4	5.0%	14	17.5%	4	5.0%	41	51.3%
Land use, zoning laws, and building codes that make developing housing difficult and/or expensive	4	5.0%	10	12.5%	6	7.5%	6	7.5%	9	11.3%	5	6.3%	40	50.0%
Prevalent "fear of others" among residents, including NIMBYism	4	5.0%	8	10.0%	9	11.3%	4	5.0%	6	7.5%	8	10.0%	41	51.3%

Source: Applied Real Estate Analysis, Inc.

Exhibit VII-9. Please rate whether or not you think any of the following are impediments or barriers to fair housing choice in Lake County.

	Very Strong Barrier/Impediment		Strong Barrier/Impediment		Somewhat of A Barrier/Impediment		Minor Barrier/Impediment		Not A Barrier/Impediment		N/A		No Response	
	Number of Respondents	Percentage of All Respondents	Number of Respondents	Percentage of All Respondents	Number of Respondents	Percentage of All Respondents	Number of Respondents	Percentage of All Respondents	Number of Respondents	Percentage of All Respondents	Number of Respondents	Percentage of All Respondents	Number of Respondents	Percentage of All Respondents
Members of the protected classes are denied mortgages at a higher rate	3	3.8%	3	3.8%	6	7.5%	3	3.8%	16	20.0%	7	8.8%	42	52.5%
Jobs, housing, and transit are not located near each other	9	11.3%	9	11.3%	9	11.3%	4	5.0%	6	7.5%	4	5.0%	39	48.8%
The housing crisis and recession have impacted minorities more than others	6	7.5%	7	8.8%	8	10.0%	6	7.5%	6	7.5%	7	8.8%	40	50.0%
The housing crisis and recession have impacted renters more than owners	5	6.3%	3	3.8%	9	11.3%	11	13.8%	7	8.8%	5	6.3%	40	50.0%
The housing crisis and recession have impacted lower-income households more than higher-income households	9	11.3%	9	11.3%	7	8.8%	5	6.3%	6	7.5%	5	6.3%	39	48.8%
Certain Lake County policies and procedures do not encourage fair housing	2	2.5%	1	1.3%	4	5.0%	7	8.8%	16	20.0%	10	12.5%	40	50.0%
Lack of a regional or countywide approach to fair housing planning	5	6.3%	4	5.0%	8	10.0%	3	3.8%	10	12.5%	9	11.3%	41	51.3%
An insufficient supply of affordable housing in Lake County	9	11.3%	11	13.8%	4	5.0%	5	6.3%	5	6.3%	6	7.5%	40	50.0%
There are highly segregated communities in Lake County	9	11.3%	13	16.3%	3	3.8%	5	6.3%	5	6.3%	6	7.5%	39	48.8%

Source: Applied Real Estate Analysis, Inc.

SECTION VIII.

IMPEDIMENTS AND ACTIONS

The purpose of this section is to provide an initial list of the impediments identified during the course of this analysis. The impediments were developed after thorough analysis of the various data sources highlighted in the preceding chapters, discussions with stakeholders, and reviews of previously conducted studies on fair housing. This list of impediments is not intended to be all-inclusive, there are possibly other impediments that exist that were not revealed in our discussions or in the review of data.

The impediments identified through the analysis have been divided into three primary groupings. Within these groupings, some impediments were further subdivided:

PUBLIC SECTOR IMPEDIMENTS

- Impediment 1. The County does not have a comprehensive, long-term strategy for fair housing education for existing residents, potential residents, businesses, and officials in Lake County. Consequently, there is a lack of awareness of fair housing laws.

- Impediment 2. The County has not developed a fair housing policy statement or fair housing ordinance that applies to incorporated and unincorporated areas.

- Impediment 3. Developments that require approval from the County or municipalities are not asked to demonstrate any actions taken to affirmatively further fair housing.

- Impediment 4. Zoning laws can limit the number of housing options for members of the protected classes.

- Impediment 5. There is not a dedicated Lake County staff person responsible for fair housing.

- Impediment 6. There is not a long-term process in place for receiving and addressing housing discrimination complaints.

- Impediment 7. There is limited information on fair housing on the Lake County website.

- Impediment 8. The County government does not maintain a comprehensive log of incidents of discrimination that occur within the county.

- Impediment 9. CDBG, HOME, and ESG funding applicants are not required to provide information on the applicants' efforts to affirmatively further fair housing.
- Impediment 10. In general, Lake County municipalities lack initiatives that affirmatively further fair housing.
- Impediment 11. It is difficult to ascertain whether households have equal access to public housing and Housing Choice Vouchers.
- Impediment 12. Public transportation is not accessible by all county residents, in particular seniors and persons with disabilities.
- Impediment 13. County information should expand its affirmative marketing materials.

PRIVATE SECTOR IMPEDIMENTS

- Impediment 14. The cost of both purchasing and renting housing in the county is relatively unaffordable for racial and ethnic minorities.
- Impediment 15. Racial and ethnic minorities are denied home purchase mortgages at a higher rate than white applicants.
- Impediment 16. Housing designated for moderate- and low-income families is concentrated in certain communities, not spread throughout the county.

PUBLIC-PRIVATE SECTOR IMPEDIMENTS

- Impediment 17. "Fair housing" and "affordable housing" may often be used interchangeably by individuals in the private and public sectors.
- Impediment 18. Protected classes may not have equal access to housing opportunities.
- Impediment 19. There is a limited understanding of federal and state protected classes, in particular persons with a disability.
- Impediment 20. Throughout the county, there is a strong housing-jobs-transit mismatch.

Following each impediment is a set of recommended actions. Some of the recommended actions may require additional staff and funding support. The County has limited reach, authority, and resources, and it has the responsibility to affirmatively further fair housing.

PUBLIC SECTOR IMPEDIMENTS

Impediment 1. The County does not have a comprehensive, long-term strategy for fair housing education for existing residents, potential residents, businesses, and officials in Lake County. Consequently, there is a lack of awareness of fair housing laws.

1.1 Many affected individuals and families may be unaware when their fair housing rights may have been violated and are unaware of options for redress. Based upon the fair housing survey results, the general public does not have a strong understanding of fair housing laws or remedies for addressing violations of those laws. As a result, if their rights have been violated, they may recognize that they have been treated unfairly but they do not equate it with a violation of a law.

1.2 Public sector individuals appear to lack knowledge and training to know if they may be violating fair housing rights or preventing the furthering of fair housing. Based upon survey data and the lack of established fair housing policies and procedures, municipal officials and County staff do not have a clear understanding of fair housing, including policies and procedures for addressing claims of discrimination. This limited understanding then has a ripple effect. Because municipal staff members do not understand fair housing, they cannot serve as a resource for local residents who are victims of discrimination. They also do not then investigate complaints or establish policies and procedures to prevent housing discrimination within their jurisdiction.

Recommended Actions for Impediment 1

The County needs to increase and expand the amount of education and outreach related to fair housing to municipalities, County staff, the public at large, and housing professionals. To do this, there are several proposed actions.

- **Continue supporting training sessions conducted by local organizations.** The County currently provides financial support for fair housing outreach conducted by PSLs. Although the financial support is important, the County should provide additional support to PSLs by conducting outreach to local businesses and municipalities. These organizations may be more open to participating in training if Lake County initiates the contact as opposed to PSLs.
- **Develop benchmarks for outreach and training.** The County needs to develop benchmarks for outreach and training on an annual and quarterly basis. In the short term, the County should have at least one annual training session providing information on fair housing that includes local resources and the County's fair

housing policies and procedures. Over time, the County should consider expanding the training requirement to quarterly training sessions. Staff from County agencies and offices whose work involves housing should be encouraged to participate in the fair housing trainings. Organizations and municipalities that submit applications to the County for funding should be required to send a staff person to the annual training session as well. Requiring participation from municipalities will help to develop local champions for fair housing.

Although the County should advertise and coordinate the annual fair housing training, the content of the sessions should be developed by local housing organizations such as PSLs, as these organizations regularly conduct such training sessions. An additional benefit would be that more local municipalities could begin to develop relationships with local fair housing organizations and view the organizations as a resource for their community members.

- **Coordinate outreach activities with PSLs and other housing organizations.** PSLs and similar organizations regularly hold training sessions and outreach events throughout Lake County. County representatives should attend these events to provide information on the County's expectations regarding fair housing. Attendance by Community Development staff will also facilitate the development of a consistent message regarding the County's expectations for affirmatively furthering fair housing.

Further, the County should encourage local fair housing organizations to attend County events to provide information on fair housing, including best practices. To encourage funding recipients to attend the events, the County could apply additional points to funding applications for the organizations that attend fair housing events.

- **Host regional housing discussions.** The County could coordinate regular meetings with municipal representatives to discuss housing issues. As part of these meetings, fair housing issues should be discussed.

Impediment 2. The County has not developed a fair housing policy statement or fair housing ordinance that applies to incorporated and unincorporated areas.

Although all real estate transactions in Lake County are subject to the Federal Fair Housing Act as well as the Illinois Human Rights Act, the County has not developed its own fair housing ordinance or policy statement.

Recommend Actions for Impediment 2

- **Develop a fair housing policy statement.** Consider developing a fair housing policy statement. The purpose of the statement is to affirmatively state the County's desire to provide equal access to housing in Lake County, regardless of the individual's or household's characteristics. A statement should also reaffirm

the County's compliance with federal and state fair housing laws, executive orders related to fair housing and [other HUD policies as they develop](#).

- **Develop a fair housing ordinance.** If adopted, a fair housing policy statement could then be used as the basis for developing a fair housing ordinance containing a protocol for reporting complaints of fair housing violations to investigative authorities. A fair housing ordinance typically includes:
 - Definition of the protected classes. At a minimum, the protected classes should include the classes outlined in the Illinois Human Rights Act.
 - Types of real estate transactions that are subject to the ordinance.
 - Identification of the entity responsible for receiving ordinance violation complaints.
 - Identification of the entity responsible for investigating the complaint.
 - Municipalities and home rule counties may adopt an ordinance which sets forth an adjudicative process and fines for violations; however, non-home rule counties do not have that authority. The County of Lake is not a home rule county. Pursuant to the Illinois Human Rights Act (775 ILCS 5/1-101 et. seq.) the Illinois Department of Human Rights (IDHR) has the power to investigate complaints of fair housing violations and if founded files charges against the responsible individuals and entities with the Illinois Human Commission and the Illinois Circuit Courts. Therefore a protocol should be adopted for notifying the public in Lake County that any fair housing complaints made to the County will be promptly forwarded to the IDHR for investigation. Similarly, the protocol should include contemporaneous notification to HUD of complaints of fair housing violations.

Impediment 3. Developments that require permitting are not asked to demonstrate any actions taken to affirmatively further fair housing.

Although the Lake County Consortium requires an affirmative market policy for rental and homebuyer projects containing five or more federally assisted units, it is important to note that the responsibility to provide equal access to housing is not limited to properties that are designated as affordable.

Recommended Actions for Impediment 3

- The building permit and/or zoning approval process can be an opportunity to encourage developers specifically to seek out members of the protected classes and encourages these households to consider renting or purchasing in the developer's project through actions such as:

- Incorporating affirmative market procedures into their marketing plan. HUD has developed a form for developers to use when developing an affirmative marketing plan for properties that receive HUD financing (HUD Form HUD-935.2A). Jurisdictions can select key elements that encourage developers to follow best practices such as:
 - Intentionally selecting marketing methods directed toward those groups that would be least likely to apply for housing.
 - Displaying the federal, state, or Lake County’s fair housing poster onsite and in application/promotional materials.
 - Encouraging sales and onsite staff to attend fair housing training annually.
 - Advertising through community organizations and media that can reach a diverse applicant pool.
 - Providing a brochure (made available in both Spanish and English) to every prospective client who comes to look at housing that clearly identifies illegal discriminatory practices and provides clear contact information for filing a fair housing complaint.³⁸
- **Pair County rental and down payment assistance subsidies with private sector developments.** The County currently uses federal and local funds to finance both rental and down payment assistance programs for low-income residents. As indicated by this AI, many residents of protected classes are also low income, so pairing government subsidy with purchase or rental of private sector–supplied housing may increase housing choice.
- **Consider a variety of housing types to meet varied resident needs.** The County and municipalities should encourage developers of mixed-use and mixed-income, accessible developments to diversify types of housing in Lake County that meet the needs of protected classes; for example, large families, seniors, people with disabilities, and victims of domestic violence. This strategy may dovetail well with housing plans to accommodate needs of young professionals that Lake County wishes to attract, as young professionals need a variety of rental housing choices and affordable entry-level housing (such as townhomes and condominiums).

Impediment 4. Zoning laws and building codes can limit the number of housing options for members of the protected classes.

Identifying impediments related to zoning laws and building codes is challenging, as many of the laws and codes may have been developed with the legitimate goal of maintaining the physical character of a community and ensuring the health and safety of

³⁸ Consistent with this recommendation, Prairie State Legal Services offers to provide such a brochure to any Lake County jurisdiction so the brochure can be adapted to each jurisdiction as appropriate.

residents (for example, not allowing schools to be built next to factories). Zoning laws and practices are unique to every community, and must consider the built environment, size of community, environmental best practices, availability of public infrastructure and regional distribution of various land uses. However, the unintended consequence of some of the regulations may be that a community limits housing choice for particular protected classes. Extensive suburban zoning restrictions can make it difficult for developers who wish to construct a variety of housing types. As suburban zoning boards have the most experience reviewing single-family zoning requests, they may be unfamiliar with the true advantages and disadvantages of projects other than single-family housing. While most governments recognize that codes, laws, and regulations that explicitly exclude a particular group are illegal, more implicit rules and regulations may limit housing choice and serve as proxies for discrimination.

Land use regulations, zoning laws, and building codes become impediments to fair housing if they:

- **Discourage community growth.** In the absence of strong initiatives to affirmatively further fair housing, a community that limits the number of permits it issues below a number practically set through infrastructure and service capacity may inadvertently restrict new people from entering the community.³⁹
- **Discourage the development of housing set aside for seniors or persons with a disability.** Zoning and land-use laws that restrict the development of high-density housing disproportionately affect people with a disability who need access to services and onsite support, as well as seniors who may live in supportive housing communities. In Lake County, the lack of a housing set-aside for seniors, persons with a disability, or low-income families in new developments (where required infrastructure and services are available) causes a missed opportunity to affirmatively further fair housing.
- **Prevent the development of affordable housing, particularly for moderate- and low-income households.** In suburban areas such as Lake County, zoning and land-use regulations that set high minimum lot sizes for single-family homes (in some cases, one acre or more) contribute to the high cost of housing. Also, zoning laws oriented toward single-family homeowners can often make it difficult for potential landlords to convert existing housing stock to rental units. (Leasing vacant houses has been a neighborhood-stabilizing solution in many communities impacted by the foreclosure crisis.)
- **Prevent the development of multifamily housing.** Multifamily housing, in particular rental multifamily housing, is sometimes viewed as a factor in lowering a community's property values as it is seen to encourage "the wrong kind of people" to move into an area. Although Lake County may have few undeveloped sites with the urban infrastructure and services necessary to support a

³⁹ Permits may be restricted for any number of reasons beyond infrastructure and service capacity, including in pursuit of open space and/or economic development goals for a community.

multifamily building, some communities with suitable sites may have barriers in place to prevent the development of multifamily housing on sites zoned, planned, or otherwise well-suited for higher density development.

- **Are not equally enforced.** Independent of the intended users or residents, land use, zoning laws, and building codes must be applied uniformly.
- **Contain expensive construction standards.** A community may determine that in order to increase safety, to maintain a certain community aesthetic, or to enhance durability, residential properties should be built out of materials that may increase construction and/or maintenance costs significantly; for example, they may require homes to be built of brick in lieu of siding. Consequently, housing becomes more expensive, thereby limiting the range of individuals and households who can afford to build in or relocate to the community.

In its review of the County's Unified Development Ordinance, (UDO) and building codes, AREA did not identify impediments to fair housing choice. AREA based this review on HUD requirements for an AI and is not a full legal zoning review. To demonstrate this lack of impediment, the County has articulated in Appendix C the zoning-related options for housing development in unincorporated Lake County.

Recommended Actions for Impediment 4

The County's jurisdiction is over unincorporated areas. There are some actions the County can take to address impediments found in land use, zoning laws and building codes:

- **Request assistance from Prairie State, the Chicago Area Fair Housing Alliance (CAFHA), and CMAP in providing educational seminars.** There are a number of organizations throughout the Chicago metropolitan area that conduct fair housing training sessions that are designed to reach a variety of audiences, including government officials.
- **Develop guidelines for communities to consider.** The County, with assistance from a partner such as the Chicago Civic Consulting Alliance or the Chicago Metropolitan Agency for Planning, should develop a set of guidelines to help municipalities determine whether they might be limiting fair housing choice through their existing land use plans, zoning, and building codes. Specifically in planning for new developments, such guidelines may consider where expensive construction standards may drive up costs and restrict housing choice.⁴⁰
- **Work with HUD funding subrecipients to certify that they do not have laws or regulations that discourage fair housing choice.** Lake County can require that on the application for funding, the applicant certifies that its laws and codes encourage

⁴⁰In existing defined residential developments containing expensive building standards, it should also be considered that lowering construction/building standards for remaining undeveloped parcels may undermine property values.

fair housing choice. The established guidelines would be listed on the certification form.

- **Continue to review Lake County zoning and building codes.** AREA identified no impediments in the County’s current UDO and the County should continue its practice of monitoring its zoning and building codes for currency and to ensure that they do not limit housing choice for members of a protected class.
- **Consider revising the definition of assisted living in the Lake County Unified Development Ordinance (UDO).** The current definition of “assisted living”⁴¹ in the UDO should be revised to match the definition in the Illinois Compiled Statutes (210 ILCS 9/5), which is in line with the definition of assisted living used by the senior housing industry.

Impediment 5. There is not a dedicated Lake County staff person responsible for fair housing.

Although the County has a written agreement in place for the management of its fair housing program, there is not a County staff person who is responsible for monitoring and coordinating fair housing compliance.

Recommendation Action for Impediment 5

- **Create a fair housing liaison responsibility.** If the County elects to continue agreements with outside organizations for managing the fair housing program, the County needs a fair housing liaison who is a County staff person. This liaison would maintain housing complaint forms for HUD and the Illinois Department of Human Rights. Any housing discrimination complaints or concerns expressed to a County staff person would be referred to the liaison. The liaison would track the number of referrals made to the County’s fair housing program manager (currently PSLs). The liaison would also review the quarterly fair housing program reports and monitor the status of actions recommend in the AI. If either the County’s HUD-funded administrative budget does not currently allow or its workload does not justify the addition of a full-time staff person, an existing job description should be amended to include fair housing activities. It is recommended that the fair housing liaison position be housed within the Community Development team.

Impediment 6. There is not a long-term process in place for receiving and addressing housing discrimination complaints.

⁴¹“Residential occupancy of a structure by a group of people who do not meet the definition of “Household Living. Examples include dormitories, fraternities, sororities, monasteries and convents.” Households are defined as “Any of the following: (1) Two or more persons related to one another by blood, marriage, or legal adoption, living together as a single housekeeping unit in a dwelling unit; or (2) up to four unrelated persons living together as a single housekeeping unit in a single dwelling unit; or (3) up to eight persons with physical or developmental disabilities and attendant support staff living together as a single housekeeping unit in a single dwelling unit.”

Although the County has an agreement with PSLs to provide fair housing services, this agreement is funded in part by CDBG funds and requires new funding applications each year. Consequently, the County's fair housing program manager could change each year.

Recommended Action for Impediment 6

- **Develop a long-term plan for receiving and addressing housing discrimination complaints.** In the short term, the County should create and document a complaint process that would include reporting requirements. This process should then be incorporated into the agreement for the fair housing program manager. The agreement should also indicate that detailed reports and a copy of the database must be submitted to the County on a quarterly basis.

In the long term, the County should enter into a multiyear agreement with an organization to receive and address housing discrimination complaints.

Impediment 7. There is limited information on fair housing on the Lake County website.

The County's current website does not have information on fair housing including information on housing rights, as well as links to forms for submitting housing discrimination complaints.

Recommended Actions for Impediment 7

- **Update the County fair housing website.** The current website has extremely limited information on fair housing. The County should update the website with the following information:
 - Basic information on fair housing, including protected classes and the real estate transactions protected by the federal Fair Housing Act, Illinois Human Rights Act, and the Lake County ordinance, once passed.
 - Contact information for PSLs, HUD's Office of Fair Housing and Equal Opportunity, and the Illinois Department of Human Rights.
 - Flyers and posters on fair housing (available from PSLs and HUD).
 - Fair housing best practice documents, including samples of fair housing plans for municipalities.
 - Fair housing events planned by the County as well as other organizations.

The website should be accessible by persons with visual impairments as well as those with limited English proficiency. Municipalities across the country have utilized Google Translate, a free tool, for their websites.

The website will only have value if the content is relevant and updated on a regular basis.

Impediment 8. The County government does not maintain a comprehensive log of incidents of discrimination that occur within the County.

While PSLS submits case and discrimination complaint information to the County on a quarterly basis, HUD and the State of Illinois maintain information on housing discrimination complaints and concerns that the County does not receive on a regular basis.

Recommended Actions for Impediment 8

- **Collect information on discrimination complaints on a regular basis.** The proposed fair housing liaison should compile and review complaints from HUD and IDHR on a quarterly basis. The information should be analyzed to identify if there are any trends in the types of complaints or the location of the complaints. A quarterly summary report should be developed and distributed to Lake County municipalities and the Community Development Administrator.

Impediment 9. CDBG, HOME, and ESG funding applicants are not required to provide information on the applicants' efforts to affirmatively further fair housing.

Municipalities and organizations that receive HUD funding from Lake County are not currently required to submit any information indicating that they are affirmatively furthering fair housing during the application process, although they are required to adhere to non-discriminatory best practices during the administration of the grant. According to the HUD website, "HUD is charged by law to implement and enforce" federal fair housing laws, "not only for members of the public in search of fair housing, but for HUD funded grant recipients as well"⁴²; the requirement to affirmatively further fair housing flows to all entities that receive HUD funding, including municipalities that receive funding through the County.

Because of the limited focus on fair housing by the County, there is increased exposure to the possibility that these funding recipients are not actively furthering fair housing.

Recommended Actions for Impediment 9

- **Implement fair housing activity application requirements for funding recipients.** The Chicago Alliance for Fair Housing has developed recommendations for funding application data requirements for other Illinois HUD funding recipients. AREA recommends that the County incorporate at least some of these requirements into its funding applications. Under these requirements, each applicant shall:

⁴²At www.hud.gov, go to HUD > Program Offices > Fair Housing > Promoting Fair Housing.

1. Certify its written review of the most recently completed Lake County AI, including identification of local actions to overcome the impediments.
2. Review local laws and ordinances to determine if impediments are created. If so, the municipality must provide plans to address those issues.
3. Conduct an analysis of the affordability and accessibility of both rental and owner-occupied housing. Address the need for further development of affordable and accessible housing.
4. Develop a fair housing policy statement if one doesn't currently exist. The municipality should also consider adopting a fair housing ordinance that is substantially equivalent to the Illinois Human Rights Acts.
5. Establish a procedure for receiving fair housing complaints.
6. Market the community to all underrepresented members of the protected classes.
7. Provide information on fair housing rights to current and prospective residents.
8. Encourage real estate professionals and multifamily property owners to attend fair housing training sessions on an annual basis.
9. Request that local lending institutions provide affirmative lending plans.
10. Recommend that residential developers incorporate affirmative marketing best practices into their marketing plans, and educate them about affirmative marketing by providing training materials during the permitting process.

Additional discussions between Lake County and funding recipients should be held to determine the documentation required to be submitted with the application, as well as the deliverables required after receipt of funds to demonstrate that each funding recipient is meeting its responsibility. The fair housing liaison would be responsible for reviewing the documentation submitted for the application and indicating whether or not the requirements were met.

- **Incorporate the responsibilities of each funding recipient into the funding agreement.** After determining the deliverables that will be required to demonstrate that the funding recipient is affirmatively furthering fair housing, Lake County should incorporate the responsibilities into the funding agreement. The agreement needs to clearly indicate that the inability to meet any of the responsibilities may result in a remediation plan, possibly leading up to and including rescission of the award, including a requirement to return any disbursed funds.

After funds are awarded, the fair housing liaison should review the municipalities' deliverables quarterly to ensure that they continue to meet their responsibilities.

Once the quarterly review is completed, Community Development staff should meet to discuss the status of all recipients. Noncompliant recipients will be required to submit a remediation plan. If, during subsequent reviews, the funding recipient does not fulfill its responsibilities and follow the remediation plan, the County should rescind the funds, absent a compelling, documented reason.

- **Consider adopting a tiered approach for fair housing compliance.** AREA has developed an initial framework for a tiered approach to fair housing compliance for CDBG, HOME, and ESG funding recipients. The goal of the tiered approach is to provide a framework to assist funding recipients to continue or expand existing activities related to affirmatively furthering fair housing. Though the tiered approach will be developed in consultation with municipalities and other funding recipients, Appendix A contains a sample of such an approach.

Impediment 10. In general, Lake County municipalities lack initiatives that affirmatively further fair housing.

While some municipalities in Lake County have adopted fair housing ordinances and crafted fair housing policy statements, many others have no such statements. Further, many municipalities lack initiatives that affirmatively further fair housing. Although home rule or entitlement status may be cited in not supporting or taking part in the County's obligation to further fair housing, all municipalities are subject to enforcing fair housing law. While home rule status does limit certain actions by the County, the *United States ex rel. Anti-Discrimination Center v. Westchester County* decision and HUD have made it clear that home rule status cannot be used as a reason for not enforcing the fair housing obligation.

Recommended Actions for Impediment 10

Other actions identified throughout this section will help address this impediment. Additional recommendations that the County and municipalities should consider are listed below.

- **Remind municipalities that receive or apply for funding from the County that they are responsible for furthering fair housing, which includes furthering the County's identified fair housing goals.** This should be achieved through the funding agreements, training sessions, and implementation of the recommended tiered approach to fair housing compliance that will be developed in consultation with municipalities and other funding recipients.
- **Encourage entitlement communities, non-entitlement communities, and other communities that do not receive County funding to review this AI to identify impediments that may exist in their area, as well as identify potential actions they can take to further fair housing.**

- **Work with local housing organizations.** This would ensure that there is an advocate for the County’s fair housing goals in broader Lake County, even in municipalities that are not recipients of HUD funding.
- **Identify a fair housing officer.** Each municipality should identify a fair housing officer who is a member of higher-level municipal staff. The fair housing officer would be responsible for coordinating fair housing activity, including education and outreach.
- **Municipalities should adopt a fair housing ordinance.** Although select municipalities already have a fair housing ordinance, the majority do not. Each municipality should consider adopting a fair housing policy statement in the near term and, ultimately, a fair housing ordinance.
- **Municipalities should identify a fair housing enforcement body.** For those municipalities for which it may not be practicable to establish their own fair housing enforcement body, the municipality should consider adopting one of the following options: the submission of complaints to HUD or IDHR, the establishment of an interjurisdictional fair housing board with other municipalities, or a signed agreement with a local fair housing agency to take complaints and provide enforcement assistance.
- **Review promotional materials for the municipality.** Municipalities should review their promotional materials to determine the extent to which the materials indicate that the community welcomes diversity. At a minimum, these materials should include a diverse group of human models and the equal housing logo. The materials should be available in languages other than English, based upon data on the English proficiency of its residents as well as the English proficiency of the County’s residents. Materials should be accessible to people with disabilities and available in the city, town, or village hall; other public buildings; and on the community’s website.
- **Partner with area fair housing organizations.** If a municipality does not already have an established relationship with a local fair housing organization, it should identify at least one with which to develop a partnership. The purpose of the partnership would be to help the municipality identify education and outreach opportunities.
- **Provide fair housing resources to the municipalities.** The County should provide fair housing information to municipalities on its website, newsletter, and other communication materials. This may include presentations from conferences, links to the HUD and IDHR website resources, or best practice materials such as the “How to Analyze Impediments to Fair Housing and Develop a Plan” prepared by the Ohio Department of Development.

Impediment 11. It is difficult to ascertain whether households have equal access to public housing and Housing Choice Vouchers (HCVs).

Prairie State Legal Services (PSLS), the manager of the Fair Housing Program of Lake County, has found that conducting fair housing testing for public housing and HCV programs is challenging. The primary reasons are that program participants are often on wait lists for long periods of time and testers would have to provide a substantial amount of private information.

Recommended Actions for Impediment 11

- **Encourage housing authorities to participate in fair housing activities.** In the absence of fair housing tests for admission into public housing and eligibility for HCVs, housing authority staff should continue participating in education and outreach programs offered by the County, PSLS, and other fair housing organizations. Public housing and HCV program participants and applicants should also be offered the opportunity to participate in the education and outreach programs.
- **Encourage housing authorities to advertise openings and conduct tenant business in both English and Spanish.** According to Exhibit III-15 of this AI, over 16 percent of Lake County residents speak Spanish at home. To ensure that opportunities both to obtain and to maintain public housing or vouchers reach this substantial number of predominantly Spanish-speaking residents, housing authorities in Lake County, North Chicago, and Waukegan should advertise openings and conduct tenant business (for example, leases, housing policies, eviction notices, and newsletters) in both Spanish and English.

Impediment 12. Public transportation is not accessible by all County residents, in particular seniors and persons with disabilities.

Lake County, similar to other suburban and rural areas, is low density on average. While this is often a desirable characteristic for those seeking housing, it makes the area difficult to serve with traditional public transit systems. Consequently, individuals and families who live in Lake County have higher transportation costs for accessing jobs and services.

One of the recommendations of the Transportation Market Analysis called for flexible service options in lower-density areas, such as the northwestern corner of the county. One service option could be a “call-n-ride” service, a demand-responsive curb-to-curb bus service serving the general public for \$1.75 per ride. Currently, there are two call-n-ride services in lower-density areas in Lake County—Round Lake and the Vernon Hills/Mundelein areas—that help to fill transit gaps and connect residents to other Pace and Metra services.

Recommended Actions for Impediment 12

- **Lake County should continue working to support implementation of various Regional Transportation Authority (RTA) plans to identify opportunities for expanding public transportation options in the area.** The County should continue to remain aware of RTA's activities including changes to routes.
- **Ensure that County activities related to public transportation are in line with the Lake County Coordinated Transportation Services Committee (LCCTSC) Guiding Principles.** LCCTSC developed a transportation plan, which includes a mobility management plan. The guiding principles are presented below.
 1. Work to implement the Inter/Intra-County Paratransit Plan.
 2. Work to provide the opportunity for borderless public transportation to be available for Lake County residents who are transportation disadvantaged, with a priority for seniors, people with disabilities, and low-income individuals.
 3. Encourage the development of transportation services that are compliant with the ADA; cost-effective, efficient, and reliable; reduce duplication and fragmentation of services; financially sustainable over time; and responsive to demand for trips.
 4. Support the development of all public transportation services in the County, including:
 - Coordination with paratransit services provided through townships, municipalities, dial-a-rides, ADA paratransit, and human service agencies.
 - Research and develop appropriate alternative transportation services (such as taxi subsidy programs, volunteer-based programs, and others).
 - Coordination with and improvement of Pace fixed-route and ADA paratransit services.
 - Coordination with and improvement of Metra rail service and stations.
 - Coordination on a regional level with groups such as the RTA and the Chicago Metropolitan Agency for Planning (CMAP).

5. Work to close the geographic and temporal gaps in borderless public transportation services, including areas that are unserved and underserved, intra-county connections, and inter-county travel with neighboring counties.
6. Work with transportation service partners to:
 - Refine/coordinate paratransit eligibility to avoid duplication and fragmentation of services.
 - Explore options for achieving greater service coverage by coordinating hours of service, sharing vehicles, sharing rides, or other strategies.
 - Share other resources (such as insurance, vehicle maintenance, and technology).
 - Support effective cost-allocation strategies to ensure a fair and equitable distribution of costs for shared/coordinated services.

Impediment 13. County should expand its affirmative marketing materials.

While the County currently offers Google translate to facilitate translation of the website into multiple languages, the majority of the reports and document on the website (particular those that are in Adobe publishing software) are only available in English. The site is also not accessible by persons with visual disabilities.

An important part of affirmative marketing is ensuring that photographs on the County's website display images of people from a variety of groups. The County has a number of images representing County staff as well as residents which shows individuals from multiple racial and ethnic groups as well as gender.

Recommended Actions for Impediment 13

- **Review County publications.** While the County Clerk's Office as well as the Health Department have information available in Spanish, the County should identify key documents that will be translated into at least Spanish (the most dominant non-English language) and possibly other languages. These documents can include materials geared toward new residents to Lake County as well as annual plans. Marketing materials, especially the website, should also have options for viewing by persons with visual disabilities. Finally as the County updates its marketing materials, it should continue to ensure that images of people on the website are from a variety of backgrounds. Also, the County should add the fair housing logo.

PRIVATE SECTOR IMPEDIMENTS

Impediment 14. The cost of both purchasing and renting housing in the County is relatively unaffordable for racial and ethnic minorities.

The cost of housing in Lake County is generally unaffordable for certain racial and ethnic groups, based upon the median income of these households. While the cost of housing in the private market is determined by many forces, most of which are out of the County's purview, it is important that the County recognize that the lack of affordable housing is an impediment. It is important to note that "affordable housing" in this context is not limited to housing for lower- and moderate-income households. Affordable housing simply means housing where most households in the area apply no more than 30 percent of their income towards the cost of housing.

A market study released by the National Center for Smart Growth, with funding from the National Association of Home Builders, stated:

As concerns about affordable housing have grown across the country, local governments have adopted a variety of affordable housing programs in response. An approach that an increasing number of local governments are considering is inclusionary zoning, which requires developers to sell a certain percentage of newly developed housing units at below market rates to lower income households. Although specific details of these programs vary widely, they are politically attractive because they are viewed as a way to promote housing affordability without raising taxes or using public funds.⁴³

Recommended Actions for Impediment 14

- **Develop and expand relationships with the private sector to increase the supply of housing that is affordable.** The County should develop partnerships with the private sector to expand the supply of affordable housing. Potential options that the County can explore include:
 - Reaching out to local major employers to develop forgivable grants for purchasing a home or constructing new rental housing.
 - Conducting forums with private developers to identify the barriers to creating lower-cost for-sale and rental housing.
 - Consider establishing programs in which developers can acquire land at below-market prices to reduce the cost of developing affordable housing. The Community Development Commission could recommend, for example, that affordable housing development opportunities could be pursued through the

⁴³ "Housing Market Impacts of Inclusionary Zoning," National Center for Smart Growth Research and Education, February 2008.

Annual Lake County Tax Sale in ways that would sell land at below-market prices to developers of affordable housing.

- **Identify incentives to encourage the development of housing below market-rate levels.** To mitigate the cost associated with developing housing, the County can provide incentives to developers. Potential incentives include:
 - Expediting the permitting process.
 - Adjusting requirements for lot size, setbacks, or parking.
 - Leveraging the County's tax-exempt bond issuance capacity to finance the cost of acquisition, construction, rehabilitation, and improvement of affordable housing developments.⁴⁴
 - The County should also encourage municipalities to identify incentives to encourage the development of affordable housing.
- **Examine establishing an affordable housing trust fund.** Affordable Housing Trust Funds already exist in Highland Park and Lake Forest and can serve as a vehicle for reducing the costs of developing housing. These funds can be used to reduce project costs, thereby allowing developers to offer for-sale and rental units at below market prices and rents.
- **Allocate CDBG funds to help overcome this impediment.** CDBG funds can be deployed to address this impediment in several ways:
 - Use CDBG funds to buy down the cost of land in exchange for inclusion of dwellings affordable to households with modest income.
 - Use CDBG funds to fund water and sewer infrastructure necessary to create affordable housing in unincorporated areas.
 - Use CDBG funds to make areas with existing affordable housing more attractive by investing in public facilities, infrastructure, and economic development there.
- **Consider implementing inclusionary zoning mechanisms.** Inclusionary zoning mechanisms can take on many forms and be customized to individual communities. Such mechanisms could include requiring units to be set aside for sale or rental to families with modest incomes or offer incentives (for example, density bonuses where infrastructure and service capacity can practically support increased density) to developers who create affordable housing. The County and municipalities should consider amending zoning ordinances where infrastructure

⁴⁴ The Lake County Board in 2008 authorized issuance and sale of up to \$10 million in Multi-Family Housing Revenue Bonds for the Carriage House Apartments, a rental building for low- to moderate-income individuals and families in Gurnee, Illinois. Total project cost was over \$15 million.

and services make such practices feasible and where planned density is reasonably compatible (such as in more urban areas) to incorporate inclusionary zoning best practices. While such amendments for unincorporated land will in and of themselves not fully address the high cost of housing, the ordinance could establish the necessary conditions to enable the market to expand housing options.

- **Continue participation in meetings of local affordable housing advocates.** Lake County Community Development staff is an active participant in meetings of the Housing Action Coalition of Lake County. The County should continue its participation in this organization in order to remain abreast of concerns surrounding the availability and quality of affordable housing in Lake County.

Impediment 15. Racial and ethnic minorities are denied home purchase mortgages at a higher rate than white applicants.

Home Mortgage Disclosure Act (HMDA) data for the metropolitan area indicate that racial and ethnic minorities are denied mortgages at a higher rate than white applicants. While there are a number of factors that impact mortgage approvals, national research studies and fair housing testing have indicated that race and ethnicity may inappropriately be used as a factor.

Recommended Actions for Impediment 15

- **Support home purchase counseling.** The Consortium should identify home-purchase counseling agencies in the area. The Consortium should work with these agencies to ensure counseling is advertised to racial and ethnic minorities locally. Information on HUD-approved counseling agencies should be placed on the website of each Consortium partner.
- **Reach out to lenders to expand marketing of mortgage products and assistance.** Though the Consortium cannot require lenders to issue mortgages, it can work with them to provide education to potential homeowners and those at risk of foreclosure. The Consortium can encourage lenders to focus on marketing government-backed mortgages, purchase counseling and products for first-time buyers, and programs to assist homeowners at risk of foreclosure. Additionally, the Consortium should continue working with the lenders and local affordable housing agencies to investigate the possibility of converting bank-owned properties to rental housing.

Impediment 16. Housing designated for moderate- and low-income families is concentrated in certain communities, not spread throughout the county.

This impediment disproportionately affects the protected classes that tend to have lower-than-average incomes, such as racial and ethnic minorities and people with disabilities.

Recommended Actions for Impediment 16

- The County can work with the Housing Action Coalition and technical assistance providers (to be identified) to develop a tool kit that can assist Lake County municipalities in developing a strategic or tactical response to the State of Illinois Affordable Housing Planning and Appeal Act. Such a tool kit could include 1) how to partner with a community land trust, 2) how to establish an affordable housing trust fund, 3) how to apply for County funding to assist in the creation of infrastructure and housing for low-income residents, and 4) how to negotiate an intergovernmental agreement to fulfill responsibilities under the act.
- Municipalities should review their zoning and land-use plans to identify any amendments needed to support the preservation and expansion of affordable housing in high-opportunity areas.

PUBLIC–PRIVATE SECTOR IMPEDIMENTS

Impediment 17. “Fair housing” and “affordable housing” may often be used interchangeably by individuals in the private and public sector.

Individuals, organizations, and municipalities often associate providing affordable housing with affirmatively furthering fair housing. Consequently, the solutions proposed for fair housing then end up focused on the lower-income populations within the protected classes rather than on the totality of the protected classes. Organizations may also assume that they are affirmatively furthering fair housing simply by providing affordable housing independent of the housing’s location or services offered.

The association between fair housing and affordable housing may occur, in part, because entities wishing to provide assistance, with limited resources, must focus their resources on those most in need. This naturally leads to focusing on lower-income individuals and households that experience fewer housing options, independent of discrimination.

Recommendations for Impediment 17

- **Conduct extensive education and outreach.** The confusion between fair housing and affordable housing will be mitigated by conducting extensive consumer, government, and private sector education and outreach as described throughout this document.

Impediment 18. Protected classes may not have equal access to housing opportunities.

Housing choice is limited for protected classes in part because racism and prejudice still exist, individuals are stereotyped based upon various socioeconomic characteristics, and there is a fear of people who are dissimilar living in areas that have been largely homogenous. The consequence is that individuals and households self-segregate by locating in communities with others who are of the same racial or ethnic background.

Upon seeing communities with concentrations of a particular race, ethnicity, or national origin, those who are not a member of the predominant group often develop ideas about that community that prevent them from considering living there. These beliefs and fears then perpetuate historical patterns of segregation throughout places such as Lake County.

There are several communities in the County that have high concentrations of minorities, and some also include high concentrations of lower-income populations. Many of these communities have been observed by researchers as “low-opportunity” areas that lack access to jobs, education, and municipal services.⁴⁵ Although fair housing laws are designed to prevent illegal discrimination, they are not meeting the larger goal of creating integrated communities with equal access to services.

In the public survey described in Section VII, respondents who indicated they have experienced discrimination while looking for or living in housing in Lake County suspected race was the primary reason, with source of income and Housing Choice Vouchers (HCVs) listed as the second and third potential reasons. Housing agencies based in Lake County reported during the public comment period of this AI that households participating in the Housing Choice Voucher (HCV) program participants are often told by landlords that HCVs are not accepted.

Regional fair housing testing has shown that while White HCVs households were told by landlords that HCVs are accepted, Black HCV households were told by the same landlords that HCVs were not accepted.⁴⁶ While Source of Income is a protected class under Illinois law, HCVs are not included in the Source of Income category. Because the HCV program is designed for low- and moderate-income households and because Black and Hispanic households in Lake County have lower incomes than White households on average, refusing to rent to HCV holders can have a disparate impact on Black and Hispanic households in Lake County.⁴⁷

Recommended Actions for Impediment 18

- **Implement actions identified in this analysis of impediments.** Inaccurate beliefs and fears are rarely directly mitigated. Through implementation of the other recommended actions, the hope is that increased understanding of fair housing and interaction with diverse groups of individuals will decrease this impediment.
- **Foster relationships with real estate professionals to expand housing choice.** Real estate professionals play a pivotal role in helping households understand their housing options. Therefore, it is important that local residential

⁴⁵ Lukehart, John, Tom Luce, and Jason Reece, “The Segregation of Opportunities: The Structure of Advantage and Disadvantage in the Chicago Region,” May 2005.

⁴⁶ Lawyers’ Committee for Better Housing. *Locked Out: Barriers to Choice for Housing Voucher Holders. Report on Section 8 Housing Choice Voucher Discrimination.*

⁴⁷ Daniel, T., *Bringing Real Choice to the Housing Choice Voucher Program: Addressing Voucher Discrimination Under the Federal Fair Housing Act.* Georgetown Law Journal Volume 98:769.

real estate agents, brokers, and appraisers are well-versed in fair housing laws and activities including best practices for marketing housing units. The County should support the development of a relationship with local real estate organizations such as the Main Street Association of Realtors (“Main Street”) and housing rights advocates such as PSLs.

Though Main Street and PSLs are currently identifying ways to work together to affirmatively further fair housing, the County should participate in some of these discussions as well. The County should also offer a fair housing training exclusively for real estate professionals. The training could be developed by PSLs, with involvement from Main Street or other real estate organizations. The County, in coordination with PSLs, should also participate in training sessions held by Main Street and the Chicago Association of Realtors.

- **Support the continuation of fair housing testing.** Lake County currently provides funds that support housing agencies who conduct fair housing testing. The County should continue to provide these funds so that current levels of testing can continue. In addition, the County should also consider testing for acceptance rates of Housing Choice Vouchers (HCVs) and expanding the amount of financial support provided so that the number of tests can increase.
- **Review fair housing testing results.** PSLs is in the process of conducting fair housing testing in the Lake County area. Given the County’s existing relationship with PSLs, it should obtain copies of the test results.
- **Conduct trainings on the value of diversity.** The goal of the diversity training should be the enhancement of communication among various groups. The training should strive to dispel some commonly held myths and also provide examples of communities that have diverse populations as well as mass-market appeal.
- **Engage community groups.** There are a number of community groups and nonprofit organizations that focus on ending discrimination and addressing stereotypes, which the County should contact for additional recommendations on steps that can be taken.
- **Encourage municipalities to engage in more affirmative marketing strategies.** Affirmative marketing strategies can yield two important results. First, they can assist in expanding the housing options available to current and potential residents of Lake County. Second, the strategies can combat NIMBYism and the “fear of others” by promoting the value of diversity in communities.
- **Coordinate education on the Housing Choice Voucher (HCV) program.** The Lake County Housing Authority as well as various organizations in the area regularly provide landlord outreach and education training. As part of that

training, these organizations can also provide education for landlords and the community on how the HCV program works and its benefits.

Impediment 19. There is limited understanding of federal and state protected classes, in particular, persons with a disability.

PSLS reported that, based upon their activities throughout Lake County, there appears to be confusion among the population regarding what is considered a disability under the Fair Housing Act. There are many types of disabilities that affect people in different ways. The manifestation of these disabilities may not fit the stereotype that some have of a person with a disability. A common phrase heard by persons with a disability who request support is “you don’t look like you have a disability.” Another common impediment is that renters with a service animal are turned away from units due to the animal.

In addition, there is a limited understanding of reasonable accommodation requirements. PSLS has found that housing providers do not understand reasonable accommodations, including what a reasonable accommodation is and the process for providing reasonable accommodations. Those housing providers that do understand the process have indicated that they see it as a burden. Given the national and regional trends towards deinstitutionalizing persons with a disability and providing housing opportunities in the private market, the limited understanding of reasonable accommodations is an impediment.

Recommend Actions for Impediment 19

- **Provide training sessions on reasonable accommodations for real estate professionals.** These training sessions should be geared toward on-site property managers and maintenance staff. While PSLS may be able to provide some of this training, the County should reach out to other organizations as well, as PSLS sometimes initiates legal actions against landlords and therefore some landlords may not be as receptive to the training.
- **Provide training sessions on reasonable accommodations for the general public.** The general public does not have a strong understanding of disabilities and the rights afforded to persons with a disability. The goal of such training sessions would be to provide information on housing rights, including explaining what constitutes reasonable accommodations. The Lake County Center for Independent Living offers such public education.

Impediment 20. Throughout the County there is a strong housing–jobs–transit mismatch.

Many of the major employers in Lake County are located near highways but not near public transportation. In addition, the public transportation options in the County, Metra commuter rail and Pace bus, do not facilitate travel around the County. Because

minorities have a higher dependence upon public transportation, the lack of easy access to employment centers from their homes becomes an impediment.

Recommended Actions for Impediment 20

- **Assist in expanding the supply of housing near employment centers.** The County could prioritize the allocation of CDBG and HOME funds to projects near public transportation and employment centers.
- **Consider infrastructure project elements that support public transportation.** When making infrastructure improvements, the County may consider adding project elements such as sidewalks or multi-use paths, in accordance with the Lake County Policy on Infrastructure Guidelines for Non-Motorized Travel Investments, to encourage the use of or connection to the public transportation system.

SECTION IX. IMPLEMENTATION

The development of this Analysis of Impediments is the first major step in a larger process to ensure that fair housing is being affirmatively furthered in Lake County. To bring the AI from an analysis and plan to actual actions, it is imperative that the County implement the recommendations proposed as well as continue to work with local fair housing organizations, real estate industry professionals, the public, and HUD, among others.

Given the complexity of AI implementation and outside factors influencing County staff's workload, AREA and the County have highlighted several key recommendations that will help establish a framework for full implementation.

These recommendations include:

- Develop benchmarks for outreach and training
- Host regional housing discussions
- Develop a fair housing policy statement
- Research creation of a fair housing liaison position or staff responsibility
- Develop a long-term plan for receiving and addressing housing discrimination complaints
- Update the County fair housing website
- Implement fair housing activity application requirements for funding recipients

On at least an annual basis, the County will report its progress in implementing these and other recommendations found in Section XIII.

The priority and proposed phasing for implementation of the above recommendations is provided in Exhibit IX-1 on the following page. Implementation strategy and priorities are subject to change at the County's discretion, based upon evolving funding availability, administrative capacity and resources, and local needs and priorities. The development of a detailed timeline is not feasible due to the natural variability in the cycle of project management as well as fluctuations in HUD policy, requests and expectations.

**EXHIBIT IX-1.
IMPLEMENTATION OF PRIORITY RECOMMENDATIONS**

Recommendation	Phase	Activities
Update the County fair housing website	1	<ul style="list-style-type: none"> ▪ Add statement that Lake County seeks to comply with all federal and state housing laws, ordinances, and executive orders ▪ Add federal and state protected classes ▪ List real estate transactions protected by the Fair Housing Act and the Illinois Human Rights Act ▪ Add contact information for PSLS, HUD's Office of Fair Housing and Equal Opportunity, and the Illinois Department of Human Rights. The contact information should include website, telephone number, address, and e-mail address ▪ Add flyers on fair housing ▪ Incorporate calendar with fair housing events planned in the area
Develop benchmarks for outreach and training	1	<ul style="list-style-type: none"> ▪ Identify the number of trainings to be held in the fiscal year ▪ Identify the number of trainings for the public, real estate professionals, and municipalities ▪ Determine who will lead the trainings
Host regional housing discussions	1	<ul style="list-style-type: none"> ▪ Develop goals and themes for discussion ▪ Identify date for first discussion ▪ Determine presenters for discussion ▪ Identify attendees for discussion
Implement fair housing activity application requirements for funding recipients.	2	<ul style="list-style-type: none"> ▪ Refine application requirements ▪ Present draft application requirements to municipalities for comment ▪ Finalize application requirements ▪ Develop and present training to CDBG, HOME and ESG applicants on practical tips for complying with AFFH. This training would be the first step for applicants towards fulfilling that obligation
Research creation of a fair housing liaison position or staff responsibility	2	<ul style="list-style-type: none"> ▪ Identify whether the position will be a separate full-time position or incorporated into another position ▪ Develop list of duties, responsibilities, and qualifications for the position ▪ Identify the department for the position and the reporting structure ▪ Fill the fair housing liaison position or staff responsibility
Develop a long-term plan for receiving and addressing housing discrimination complaints	2	<ul style="list-style-type: none"> ▪ Document process for housing discrimination complaints ▪ Develop agreement for fair housing program that includes reporting requirements and documented complaint process ▪ Consider use of non-grant funds to supplement grant funds for the fair housing program
Develop a fair housing policy statement	3	<ul style="list-style-type: none"> ▪ Identify protected classes to include in the policy statement ▪ Draft statement ▪ Present statement to Board of Commissioners for approval ▪ Post approved statement on County website and in County buildings

APPENDICES

APPENDIX A. PROPOSED TIERED COMPLIANCE APPROACH FOR FUNDING RECIPIENTS



TO: Jodi Gingiss, Community Development Administrator
Lake County Community Development Division

FROM: Alicia Serrano, Vice President
Applied Real Estate Analysis, Inc.

**SUBJECT: PROPOSED TIERED-COMPLIANCE APPROACH FOR LAKE COUNTY
FUNDING RECIPIENTS**

Applied Real Estate Analysis (AREA), Inc., has developed an initial framework for a tiered approach to fair housing compliance for CDBG, HOME, and ESG funding recipients. The goal of the tiered approach is to provide a framework to assist funding recipients to continue or expand existing activities related to affirmatively furthering fair housing. These recommendations are based in part on national fair housing best practices as well as the “Minimum Standards for a Fair Housing Action Plan” prepared by Chicago Area Fair Housing Alliance (CAFHA).

While funding recipients may have a higher burden of proof, a key issue must be considered when implementing a tiered approach: Lake County must invest the resources for monitoring and compliance reviews. Ideally, the annual plans and progress reports would be input into a database and the fair housing liaison would then be able to review the information in a more effective manner.

The proposed approach includes four tiers: Excelling (Tier I), Emerging (Tier II), Challenged (Tier III), and Non-Compliant (Tier IV). The initial proposed criteria for each of the tiers are presented in the following sections. Although a municipality may not possess all the criteria within a given tier, these criteria are intended to serve as a guide for assessing compliance with the HUD requirement to affirmatively further fair housing. The final implemented criteria should be developed in coordination with the funding recipients.

Tier I. Excelling Funding Recipients

1. Existence of a fair housing ordinance that has:
 - a. The protected classes (at a minimum) included in the Illinois Human Rights Act.
 - b. Recently been updated or reaffirmed through a vote by its legislative body (“recently” would potentially be defined as within the past five years).
2. Identifies a fair housing enforcement body that is responsible for reviewing and addressing fair housing complaints.
3. An individual identified as the fair housing compliance officer who:
 - a. Is responsible for receiving fair housing complaints and maintaining a complaint log that has details on the complaint and its status.
 - b. Receives training at least annually on fair housing laws and compliance methods.
 - c. Has a detailed job description with responsibilities.
4. Existence of an action plan for affirmatively furthering fair housing that:
 - a. Is signed by an executive-level municipal official.
 - b. Contains goals with benchmarks (including dates).
 - c. Is updated annually.
 - d. Includes quarterly reports that provide status relative to the goals and benchmarks identified in the action plan.
5. Outreach to the public that is documented and lists outcomes. Outreach activities should include:
 - a. Workshops and information sessions. These may be conducted by the municipality or a fair housing organization. Sessions should address issues particular to homeowners and renters.
 - b. Educational materials available in municipal buildings and on the website. If there is a large concentration of non-English speakers, the materials should be presented in alternative languages.
 - c. Activities to encourage diversity within their community such as printing materials in multiple languages and advertising showing multiple ethnicities.
6. Regular outreach to housing-related industries including the real estate, financial, and property management industries (among others). All outreach activities will need to be documented and outcomes identified.
7. Annual training for all staff, in particular those responsible for answering phone calls from the public.
8. Annual reviews of all land use and zoning ordinances and building codes to ensure they are not impediments to fair housing.

Tier II. Emerging Funding Recipients

1. Existence of a fair housing ordinance or policy statement that has the protected classes included in the Illinois Human Rights Act.

2. An individual identified as the fair housing compliance officer who is responsible for receiving fair housing complaints and maintaining a complaint intake log.
3. Existence of an action plan for affirmatively furthering fair housing that has been updated within the past five years.
4. Fair housing outreach, including workshops and information sessions.
5. Regular outreach to housing-related industries, including the real estate, financial, and property management industries (among others). All outreach activities will need to be documented and outcomes identified.

Tier III. Challenged Funding Recipients

1. Existence of a fair housing ordinance or policy statement that has the protected classes included in the Illinois Human Rights Act.
2. Lack of an identified individual who is responsible for receiving fair housing complaints.
3. Non-responsive to Lake County communications regarding fair housing activities. For example, if Community Development staff requests an updated action plan and the municipality does not provide one by the stated timeline, the municipality would fall within Tier III.

Tier IV. Non-Compliant Funding Recipients

To be considered non-compliant, a funding recipient must not only lack certain criteria, but must also show no effort toward meeting the criteria. For example, if a municipality does not have a fair housing ordinance but it has a staff person drafting one, a lawyer reviewing it, and it is on the agenda for a vote during the next board meeting, the municipality would fall into the Challenged category. If, after a substantial amount of time, the fair housing ordinance still does not exist, the municipality would most likely be moved to the Non-Compliant category.

1. Lack of a fair housing ordinance/policy or an ordinance/policy that:
 - a. Has not been updated or reaffirmed within the past 10 years.
 - b. Does not contain all the protected classes identified in the Illinois Human Rights Act.
2. Lack of a fair housing enforcement body with identified members. Or, a body that has not met within the past 10 years.
3. Lack of a fair housing compliance officer or individual responsible for receiving fair housing complaints and maintaining a complaint log.
4. Land use and zoning ordinances and building codes that have been shown to be impediments to fair housing.
5. A substantial number of fair housing complaints.
6. If the municipality has an individual responsible for logging complaints, a substantial number of unresolved fair housing complaints.
7. Failure to submit quarterly reports or respond to non-compliance notices in a timely manner.
8. No outreach activities (or documentation of outreach activities) within the past year.

APPENDIX B.

AFFORDABLE HOUSING PLANNING AND APPEAL ACT

NON-EXEMPT LAKE COUNTY COMMUNITIES

2013 Non-Exempt Lake County Communities	Percentage of Affordable Housing Share
Bannockburn	6.7%
Deer Park	3.2%
Deerfield	4.0%
Green Oaks	2.3%
Hawthorn Woods	1.6%
Highland Park	6.7%
Kildeer	1.5%
Lake Barrington	9.2%
Lake Bluff	4.8%
Lake Forest	5.6%
Lincolnshire	3.7%
Long Grove	2.3%
North Barrington	3.9%
Port Barrington	8.9%
Riverwoods	1.7%
Third Lake	7.4%
Tower Lakes	3.3%
Wadsworth	4.8%

Source: Illinois Housing Development Authority.

APPENDIX C.

ZONING-RELATED OPTIONS FOR HOUSING DEVELOPMENT IN UNINCORPORATED AREAS OF LAKE COUNTY

Property owners and housing developers proposing group homes, assisted living facilities, or housing developments in unincorporated areas of Lake County can pursue the housing options outlined below to realize their goals. Early Assistance meetings to scope specific proposals can be scheduled by calling (847) 377-2600; all relevant County departments are represented by staff at the meeting to identify applicable regulations and steps to gain plan approval. The options outlined below incorporate land use and zoning considerations, and each proposal will require site-specific review, including the assessment of adequacy of public facilities, natural resources protection, roadway access, water service, sewage disposal, stormwater management, site area and dimensional standards, and building safety.

GROUP HOME

Group homes of “up to 8 persons with physical or developmental disabilities and attendant support staff living together as a single housekeeping unit in a single dwelling unit” meet the definition of a “household” in the Lake County Unified Development Ordinance (UDO). Household living is allowed by right in all residential zoning districts and in the agricultural zoning districts.

ASSISTED LIVING FACILITY

Assisted living facilities are explicitly allowed in the R-4a, R-5, R-6, and RR zoning districts, and they may be established in the agricultural or other residential zoning districts with a Conditional Use Permit (CUP). Conditional Use Permits are appropriate when a use is generally compatible with the underlying zoning district, but certain conditions may be needed to mitigate community impacts, such as landscape buffering, site lighting, established hours of operation, or defined ancillary activities associated with the use. For assisted living facilities, the Lake County Zoning Board of Appeals has authority to approve the CUP, which has been delegated by the Lake County Board.

SUBDIVISION

Larger tracts of land may be subdivided in accordance with the UDO, and natural resources, stormwater management, drinking water availability, wastewater treatment, and roadway access must be addressed. Higher lot density may be granted for Conservation Subdivisions, which cluster residences and preserve natural resources. The Planning, Building and Zoning Committee, a subcommittee of the County Board,

approves all plats of subdivision in unincorporated areas of Lake County, and design and platting may be completed in two stages: preliminary and final plat approval.

PLANNED UNIT DEVELOPMENT

Planned Unit Developments (PUDs) may be approved in all zoning districts, with the exception of agricultural, open space, and rural estate districts. The flexibility afforded by PUDs allows base zoning district dimensional standards to be adjusted, as well as alternation of landscape and internal site design parameters. PUD provisions “are intended to encourage innovative land planning and site design that achieve a high level of environmental protection, energy efficiency, aesthetics, high-quality development and other county goals.”

Affordable housing may be established via the PUD process, as the PUD mechanism is intended, in the case of residential or mixed-use projects, to result in “greater choice in the type of environment and living units available to the public.” PUDs are approved in two stages: preliminary and final approval. After staff review of the preliminary plan, the document is acted upon by the Zoning Board of Appeals; Planning, Building and Zoning Committee; and County Board. When final approval is obtained, the document is acted upon by the Planning, Building and Zoning Committee alone.

APPENDIX D.

CITIZEN PARTICIPATION AND PUBLIC COMMENTS

The public comment period for the draft began on September 9, 2014 and will conclude on October 15, 2014. Lake County held one public comment hearing on September 23, 2014 and a second meeting will be held on October 15, 2014. The public comment period was advertised in the Lake County News Sun on September 4, 2014. Electronic copies of the draft document were placed on the County website and hard copies were placed in various public locations:

- Highland Park Public Library
- Wauconda Public Library
- Round Lake Public Library
- North Chicago Public Library
- Waukegan Public Library
- Lake County Central Permit facility (Libertyville)

Public comment is summarized in Exhibit D-1 along with the County's responses. The full text of the comments follows after Exhibit D-1.

EXHIBIT D-1

PUBLIC COMMENTS AND RESPONSES AS OF OCTOBER 15, 2014

Organization	Comment	Lake County Response
Open Communities	Open Communities commends Lake County and Applied Real Estate Analysis on the thorough and thoughtful Analysis of Impediments. We would like to stress the importance of this document and look forward to the active implementation of the Action steps.	Lake County appreciates the continued support of Open Communities.
Open Communities	Impediment 17 identifies the problem that protected classes may not have equal access to housing opportunities. The review of testing results is identified as a recommended action. We would also encourage continued testing throughout Lake County.	The narrative was revised to indicate that the County should support continued testing.
Open Communities	Testing also allows fair housing centers to look for fair and equal treatment in all housing, as well as accessibility issues in new construction. While the recommended actions focus on reasonable accommodations, the County should also encourage accessibility both in new construction and existing housing stock increases housing opportunity for people with disabilities.	The narrative was revised to indicate that the County should encourage accessibility in new and existing housing.
Open Communities	Under Impediment 2, the AI notes that the county has not developed a fair housing policy statement or fair housing ordinance that applies to incorporated and unincorporated areas. Open Communities suggests that Lake County consider additional protected classes such as source of income, gender identity and housing status.	The County will consider these comments during the process of developing a fair housing policy or statement.
Open Communities	Open Communities would add to the list of Public Sector Impediments the need for addressing multiple language needs. Strategies for affirmative marketing could include municipal promotional materials and website that welcome diversity. Materials should be reviewed for equal housing logos, diverse human models and welcoming language, and all materials for the public should be in multiple languages, particularly Spanish.	As 10.4 percent of Lake County residents speak English less than “very well”, this impediment was added.
Open Communities	When it comes to the Latino community, Open Communities is also concerned about the occupancy codes and “crime free” programs that may have a disparate impact on minority communities.	The County will consider these comments during the process of developing a fair housing policy or statement.
Open Communities	Open Communities would strongly underscore an excellent point made in several places in the “Impediments and Action” section, which is that leadership starts at the top. Lake County should not make home rule status, either of the County or of individual municipalities, an excuse for failing to ask municipalities to undertake as simple task as reminding local residents of existing fair housing laws at the state and federal level.	Lake County recognizes the emphasis placed on this issue by Open Communities.
Open Communities	The County should also make clear to all municipalities that the extent to which they are providing for mixed income housing is a reflection of the extent to which they affirmatively further fair housing.	The County will consider this comment as it works with funding subrecipients.

EXHIBIT D-1

PUBLIC COMMENTS AND RESPONSES AS OF OCTOBER 15, 2014

Organization	Comment	Lake County Response
Open Communities	Open Communities is here to assist with education and testing needs for Lake County and looks forward to a continued cooperative partnership with the County.	Lake County appreciates the continued support of Open Communities.
Steven W. Mandel, Lake County Board District 11	It is because of the importance of this work that I believe we should have a practical way to monitor our progress while implementing it. I am concerned that no timeline was given for any of the initial priority recommendations identified in Section IX, or at least for the three phases in which they were categorized. Also, there was no general time frame given for when we will develop the rest of the AI implementation plan.	Implementation priorities are established in Section IX of this document.
Affordable Housing Corporation of Lake County	The AI is silent as to the all-too common practice of landlords' resistance to accepting housing subsidies toward a rent payment. We recommend that this issue is identified as an impediment in the AI.	The narrative was revised to address this topic in Section VIII of this document.
Affordable Housing Corporation of Lake County	While Section IX identifies a handful of manageable priority recommendations as a starting point, we are concerned that the lack of defined timeframes for implementation will undermine accountability, inhibit results and weaken the County's credibility as to its commitment toward fair housing choice.	Implementation priorities are established in Section IX of this document.
Lake County Housing Action Coalition	Many landlords refuse to rent to voucher holders or participate in rental assistance programs, creating a serious impediment to fair housing choice. We think this should be identified as an impediment in the AI.	The narrative was revised to address this topic in Section VIII of this document.
Lake County Housing Action Coalition	We agree with the report's recommendation that the County support municipalities in reviewing their zoning and building laws and regulations to determine whether there may be provisions that limit housing options. In addition the County should review its Unified Development Ordinance (UDO) and building code requirements to identify any limits to fair housing choice.	The narrative was revised to include AREA's review which did not identify impediments in the County's UDO. Appendix C was added to identify development options in unincorporated areas of Lake County.
Lake County Housing Action Coalition	While recommended actions for Impediment 17 are based upon the assumption that testing will continue, we think that rewording would be helpful to make it explicit that the County will ensure that testing is on going.	The narrative was revised to indicate that the County should support continued testing.
Lake County Housing Action Coalition	A staff person who is clearly responsible for fair housing would focus accountability and help ensure that fair housing is a true priority for the County.	Lake County recognizes the emphasis placed on this issue by LCHAC.
Lake County Housing Action Coalition	Attaching specific timelines to each of the activities or phase identified in the Implementation of Priority Recommendations chart is very important.	Implementation priorities are established in Section IX of this document.
Lake County Housing Action Coalition	The report should include timeline for when the County will develop a timeline for other recommendation actions.	Implementation priorities are established in Section IX of this document.

EXHIBIT D-1**PUBLIC COMMENTS AND RESPONSES AS OF OCTOBER 15, 2014**

Organization	Comment	Lake County Response
Barrington Area Council of Governments	The report states that land use and zoning provisions can impact development's access to utilities, and "best practices" include ensuring all housing types have adequate access to water and sewer utilities. BACOG believes that this paragraph ignores environmental best practices, which in our area include utilization of private wells and septic systems in housing development.	The narrative was revised to note the importance of considering community size, environmental best practices, and other local planning considerations when establishing local zoning and practices.
Barrington Area Council of Governments	We question the report's statement that zoning and land use regulations that set high minimum lot sizes contribute to both the high cost of housing and the introduction of public infrastructure necessary to make housing affordable.	The narrative was revised to focus on the impact of zoning on the cost of housing.
Barrington Area Council of Governments	We agree that the proposed regional forums on fair housing matters would be a good venue for discussion but have concerns about the creation of recommended new staffing and related costs, and new governmental infrastructure.	Lake County recognizes the emphasis placed on this issue by BACOG.
Prairie State Legal Services	Discrimination due to arrest records is not a protected class for housing in Lake County.	Arrest record has been removed as a protected class for housing in Lake County.
Village of Tower Lakes	The report states that "the possibility that housing markets in Lake County are not free of intended exclusion based on race and ethnicity," which is a loaded statement.	The narrative was revised to focus on the analysis process.
Village of Tower Lakes	The AI legitimately notes that older land use and zoning ordinances inadvertently hold back current land use decisions that might otherwise support a range of housing choices. However, what is not discussed is the fact that many communities, especially in the southwest corner of the County are on well and septic, and as such, are limited in what kind of housing they can support.	The narrative was revised to note the importance of considering community size, environmental best practices, and other local planning considerations when establishing local zoning and practices.
Village of Tower Lakes	Tower Lakes does not support using non-federal grant funds to accomplish the goals of this report.	Lake County recognizes the emphasis placed on this issue by Tower Lakes.

Lake County Illinois

*Lake County Courthouse and Administrative Complex
18 N. County Street
Waukegan, IL 60085-4351*



Minutes Report - Draft

Tuesday, September 23, 2014

3:30 PM

**2nd floor Conference Room - Central Permit Facility
500 W. Winchester, Libertyville, IL 60048**

Housing and Community Development Commission

1. ROLL CALL

The Housing and Community Development Commission (HCDC) meeting was called to order at 3:40 p.m.

Guests: Betsy Lassar of the Lake County Housing Action Coalition; Brendan Saunders and Viki Rivkin of Open Communities; Laurel Tustison of YouthBuild Lake County; Christen White of PADS Lake County; Julie Donovan of Habitat for Humanity; Mary Ellen Tamasy of Lake County Residential Development Corporation; Gil Rojas of Community Action Partnership of Lake County; Maya Ziv-El and John Quintanilla of Prairie State Legal Services; Linda Berkowitz of Glenkirk; Rob Anthony of Community Partners for Affordable Housing; David Fries of Catholic Charities; Douglas Larsson of the Lake County Sheriff's Office; Anne Bassi of the Lake County Board; Alicia Serrano of AREA; Gunnar Gunnarson and Janel Christensen of the Lake County State's Attorney's Office; and Ezell Robins of the City of Waukegan.

Staff: Eric Waggoner, Brittany Sloan, Jodi Gingiss, Agnes Monton, Brenda O'Connell, Janel Gomez, Monika Bobo, Sandi Friedman and Laura Walley

Present 14 - Commissioner Russell, Commissioner Krapf, Commissioner Swartz, Commissioner Venturi, Commissioner Hart, Commissioner Carlson, Commissioner Hewitt, Commissioner Cunningham, Commissioner Calabresa, Vice-Chairman Pedersen, Commissioner Rosenthal, Commissioner Swanson, Chairman Rose and Commissioner Armstrong

Absent 2 - Commissioner Molek and Commissioner Mancino

2. APPROVAL OF MINUTES

2.1 14-0957

Approval of the August 13, 2014 Minutes

Attachments: [8.13.14 CDC Minutes.pdf](#)

A motion was made by Commissioner Venturi, seconded by Commissioner Hewitt, to approve the August 13, 2014 minutes. The motion carried by the following vote:

Aye: 11 - Commissioner Russell, Commissioner Swartz, Commissioner Venturi, Commissioner Hart, Commissioner Carlson, Commissioner Hewitt, Commissioner Cunningham, Commissioner Calabresa, Vice-Chairman Pedersen, Chairman Rose and Commissioner Armstrong

Abstain: 2 - Commissioner Rosenthal and Commissioner Swanson

Absent: 2 - Commissioner Molek and Commissioner Mancino

Not Present: 1 - Krapf

3. CHAIR'S REMARKS

The Chairman had no remarks.

4. PUBLIC COMMENTS (items not on the agenda)

There were no public comments.

5. OLD BUSINESS

There was no old business.

6. NEW BUSINESS

6.1 14-0952

Presentation of Draft Analysis Impediments to Fair Housing Choice (AI)

- Ms. Maria Alicia Serrano, Vice President of Applied Real Estate Analysis, Inc. (AREA) will provide an introduction to and summary of Lake County's Draft Analysis of Impediments to Fair Housing Choice (AI). Ms. Serrano represents the consulting firm - AREA - that authored the draft.
- The purpose of an Analysis of Impediments to Fair Housing Choice is to provide Lake County stakeholders with an overview of fair housing, provide factual data, and identify both existing impediments to fair housing choice and potential actions to address the identified impediments, as well as satisfying its obligations as a U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant recipient.

Ms. Jodi Gingiss introduced Ms. Maria Alicia Serrano, Vice President of Applied Real Estate Analysis (AREA), the consultant firm that worked with Lake County staff on the Analysis of Impediments to Fair Housing Choice (AI). Ms. Serrano provided an overview of the draft AI, which the U. S. Department of Housing and Urban Development (HUD) requires of all Community Development Block Grant recipients, to ensure that the recipients are working to affirmatively further fair housing choice in their communities. As Lake County receives these funds, the AI was undertaken to identify any existing impediments to fair housing choice and to provide possible actions to address those impediments. Ms. Serrano said that any actions taken must be tracked, to provide a record of the accomplishments attained. She spoke about the federal requirements and possible ways to address them through funding decisions that would lead to increasing public knowledge of and access to fair housing throughout Lake County. County-wide demographics were presented within the AI, along with information and opinions gathered through surveys completed by the municipalities, real estate professionals and the public. Ms. Serrano went over the County's demographics, speaking about recent changes in the County's composition based on ethnicity, race, age, and disabilities. She also spoke about the County's housing characteristics, which demonstrated a majority of single-family homes. Further, data indicated that the area's non-white households were more likely to reside in multi-family rental housing. While it was noted that Lake County does not have a Board-approved Fair Housing Ordinance or Fair Housing Policy Statement, the County does promote fair housing through its agreement with Prairie State Legal Services to administer the County's Fair Housing Program, including outreach and education to businesses and residents. Ms. Serrano stressed that any entities that receive federal funding through Lake County must also promote fair housing. She added that AREA had reviewed the County's fair housing complaints to gather information to help formulate part of the results presented within the AI. Ms. Serrano recommended a number of actions that Lake County could implement to address the impediments encountered during AREA's study, as identified in Section IX of the draft, which includes three recommended phases of key actions. The HCDC discussed the information presented and the draft AI.

6.2 14-0953

Public Hearing on Draft Analysis of Impediments to Fair Housing Choice (AI)

Attachments: [Lake County 2014 AI 9-5-14 Public Comment Draft.Corrected Maps.pdf](#)
[public comment thru 09.17.14](#)

A motion was made by Commissioner Venturi, seconded by Commissioner Cunningham, to open the public hearing on the AI at 4:16 p.m. The motion was approved by all members.

Ms. Gingiss read into the record the letter submitted by Ms. Lisa Pugliese, Executive Director of the Affordable Housing Corporation of Lake County (AHC). AHC's Board thanked the County for allowing sufficient time for the review of the AI, which they applauded as a well-crafted and thoughtful foundation upon which to base a plan of action. The letter stated that AHC believes two items should be included within the AI: 1) the impediment caused by landlords' resistance to accepting housing subsidies toward rent payments and 2) a lack of defined timeframes for implementation of the recommended actions to address identified impediments.

Ms. Betsy Lassar, of the Lake County Housing Action Coalition (Coalition), also thanked the County for the information presented within the AI, as the identification of impediments would prove useful during the formulation of a comprehensive fair housing action plan. She expressed appreciation for the fact that the County had already reacted to two issues addressed within the letter she had submitted (see agenda packet), namely: 1) the inclusion of the impediment caused by landlords not accepting housing subsidies and 2) the provision of timelines detailing expected implementation of the AI's recommended actions. Ms. Lassar then said that the County should review its Unified Development Ordinance (UDO), which specifies requirements for unincorporated areas of Lake County, to address any zoning and building laws and regulations that could limit housing options. The Coalition felt this would be an important step to encourage the municipalities to follow the County's example. Additionally, the Coalition asked that the AI state specifically that fair housing testing would continue within the County.

Ms. Viki Rivkin, Director of Fair Housing for Open Communities, commended Lake County and AREA on the AI and stressed the importance of fair housing testing. She stated that testing is often the only way to find evidence of discrimination, as many people do not realize that they have been the victims of discrimination. Ms. Rivkin suggested that the County encourage that new construction and existing multi-family dwellings include accessibility for persons with disabilities. Additionally, she stated that public sector impediments should include the need to address multiple language issues. Affirmative marketing strategies should include municipal promotional materials and websites that welcome diversity and are written in multiple languages. Open Communities suggested that the County take an active role to encourage its communities to affirmatively further fair

housing. Ms. Rivkin offered her agency's assistance with the County's fair housing testing.

Ms. Mary Ellen Tamasy, Executive Director of Lake County Residential Development Corporation (LCRDC), spoke of Lake County's leadership position in developing affordable housing. Ms. Tamasy has encountered obstacles to providing housing options, especially in the development of rental housing for families. Many of the County's municipalities have zoning laws that can prevent or create difficulties in developing rental housing, thereby limiting the majority of rental units to five or six communities. She agreed with the Coalition's suggestion that the County review the UDO to ensure that it does not place any impediments to the creation of housing choice within the unincorporated areas, thereby encouraging the municipalities to follow its example and remove any barriers they might impose to fair housing choice.

A motion was made by Commissioner Venturi, seconded by Commissioner Rosenthal, to close the public hearing on the AI at 4:32 p.m. The motion was approved by all members.

6.3 14-0958

Public Hearing on Fifth Amendment to 2013 Action Plan

Ms. Gingiss presented an overview of the four changes incorporated within the Fifth Amendment to the 2013 Annual Action Plan, as detailed within the agenda packet. The first two changes stipulated that the Cities of Waukegan and North Chicago would like to sub-grant their PY2013 HOME funds, usually used for homeowner rehabilitation projects, to non-profit affordable housing developers. Waukegan would sub-grant its funds to Habitat for Humanity, while North Chicago would sub-grant its funds to LCRDC, as part of the North Chicago Strategic Revitalization Program. The third change would involve the switching of locations between the HOME-funded Glenkirk CILA rehabilitation house with the agency's Lake County Affordable Housing Program-funded (LCAHP) house, in order to avoid any possible problems with HUD's rules on facilities versus group homes. As a result of HOME absorbing a more costly Glenkirk rehabilitation, Community Partners for Affordable Housing (CPAH) will have its HOME funds reduced to cover the difference. Ms. Gingiss said that CPAH's reduced HOME funding will be offset by a proposed increase in LCAHP funding during Item #6.5.

A motion was made by Commissioner Venturi, seconded by Vice-Chairman Pedersen, to open the public hearing on the Fifth Amendment to the 2013 Annual Action Plan at 4:39 p.m. The motion was approved by all members.

Ms. Julie Donovan, Executive Director of Habitat for Humanity, thanked the HCDC and the City of Waukegan for continued support of affordable housing and of Habitat. She said that the funds would really make a difference to the community, providing permanent affordable housing for at least five families.

A motion was made by Commissioner Venturi, seconded by Commissioner Hart, to close

*the public hearing on the Fifth Amendment to the 2013 Annual Action Plan at 4:41 p.m.
The motion was approved by all members.*

6.4 14-0959

Joint resolution authorizing the fifth amendment to the Lake County 2013 Annual Action Plan adjusting Home Investment Partnership (HOME) and Community Development Block Grant (CDBG) activities.

- This fifth amendment to the 2013 Action Plan contains modifications in funding allocations to meet federal requirements regarding the commitment of funds, as well as other minor project changes.
- The main funding modification includes shifting Waukegan's and North Chicago's HOME funds to third party affordable housing developers.
- Other changes involve changing the target addresses for two separate HOME projects and housekeeping changes in CDBG.

Attachments: [2013APFifthAmendMemo](#)

[2013APFifthAmend](#)

The HCDC had no questions on the proposed amendment, as presented within Item #6.3.
A motion was made by Commissioner Venturi, seconded by Commissioner Armstrong, to approve the Fifth Amendment to the PY2013 Annual Action Plan. The motion carried by the following vote:

Aye: 14 - Commissioner Russell, Krapf, Commissioner Swartz, Commissioner Venturi, Commissioner Hart, Commissioner Carlson, Commissioner Hewitt, Commissioner Cunningham, Commissioner Calabresa, Vice-Chairman Pedersen, Commissioner Rosenthal, Commissioner Swanson, Chairman Rose and Commissioner Armstrong

Absent: 2 - Commissioner Molek and Commissioner Mancino

6.5 14-0965

Joint resolution revising grant awards from the 2014 Lake County Affordable Housing Program (LCAHP).

- The LCAHP grant awards were made concurrently with the HOME Investment Partnership Program PY2014 funding when approved by the County Board on June 10, 2014.
- The fifth amendment to the Lake County 2013 Annual Action Plan necessitates the following revisions to LCAHP funding awards: \$66,800 (reduced from \$92,000) to Glenkirk for a Community Integrated Living Arrangement (CILA) rehab and \$27,200 (increased from \$2,000) to Community Partners for Affordable Housing for acquisition/rehabilitation of a rental project.
- This resolution also awards \$4,490 of unallocated LCAHP funds to YouthBuild Lake County for expense related to redevelopment of 2127 Honore Ave.
- The HCDC recommends these revisions.

Attachments: [PY2014LCAHP Amendment](#)

Ms. Gingiss explained the changes to the 2014 Affordable Housing Program, which included increasing CPAH's funding, due to the changes made during Item #6.3. She added that CPAH's project would change from the "Walker Avenue Rental Project" to "Scattered Rental Project", as necessitated by infrastructure problems on the Walker

Avenue site.

A motion was made by Commissioner Swartz, seconded by Commissioner Cunningham, to approve the amendment to the PY2014 Lake County Affordable Housing Program funding allocations. The motion carried by the following vote:

Aye: 14 - Commissioner Russell, Krapf, Commissioner Swartz, Commissioner Venturi, Commissioner Hart, Commissioner Carlson, Commissioner Hewitt, Commissioner Cunningham, Commissioner Calabresa, Vice-Chairman Pedersen, Commissioner Rosenthal, Commissioner Swanson, Chairman Rose and Commissioner Armstrong

Absent: 2 - Commissioner Molek and Commissioner Mancino

6.6 14-0852

Delegation of limited signature authority to Community Development Administrator

- On August 13, 2013 the Housing and Community Development Commission (HCDC) acted to recommend the Lake County Board authorize the Community Development Administrator or designee to sign and execute agreements or documents required for community development grant administration activities substantively previously approved by the Lake County Board.
- Such documents typically exist to meet the requirements of the U.S. Department of Housing and Urban Development (HUD) pertaining to ongoing community development grant administration and can include environmental reviews, electronic system logon requests, homebuyer agreements and mortgage documents (including releases) and reports.
- Under the current Housing and Community Development Commission bylaws, most recently amended on September 9, 2014, the Housing and Community Development Commission possesses limited signature authority and may take final action to delegate said authority.

Ms. Gingiss stated that the HCDC's new by-laws provided the Commission with the power to delegate limited signature authority, on projects previously approved by the HCDC and the County Board, to the CD Administrator. Therefore, rather than forwarding last month's recommendation for this signatory authorization to the Board, it was determined to retain this request within the HCDC.

A motion was made by Commissioner Hart, seconded by Commissioner Calabresa, to approve the delegation of limited signature authority to the Community Development Administrator. The motion carried by the following vote:

Aye: 14 - Commissioner Russell, Krapf, Commissioner Swartz, Commissioner Venturi, Commissioner Hart, Commissioner Carlson, Commissioner Hewitt, Commissioner Cunningham, Commissioner Calabresa, Vice-Chairman Pedersen, Commissioner Rosenthal, Commissioner Swanson, Chairman Rose and Commissioner Armstrong

Absent: 2 - Commissioner Molek and Commissioner Mancino

7. STAFF REPORTS

Ms. Gingiss thanked the HCDC and the audience for their consideration and support and said that the second AI public hearing would occur during the October 15th meeting. She provided an update on the work being performed for the 2015 – 2019 Consolidated Plan, stating that surveys have been completed and focus group meetings had occurred.

8. ADJOURNMENT

A motion was made by Commissioner Cunningham, seconded by Commissioner Venturi, to adjourn the meeting at 4:44 p.m. The motion carried by the following vote:

- Aye:** 14 - Commissioner Russell, Krapf, Commissioner Swartz, Commissioner Venturi, Commissioner Hart, Commissioner Carlson, Commissioner Hewitt, Commissioner Cunningham, Commissioner Calabresa, Vice-Chairman Pedersen, Commissioner Rosenthal, Commissioner Swanson, Chairman Rose and Commissioner Armstrong
- Absent:** 2 - Commissioner Molek and Commissioner Mancino

EXCERPT: HOUSING AND COMMUNITY DEVELOPMENT COMMISSION MINUTES

Wednesday, October 15, 2014

3:30 p.m.

County Administration Building

10th Floor Assembly Room

6.3 Public Hearing on the Draft Analysis of Impediments to Fair Housing Choice (AI)

A motion was made by Commissioner Venturi, seconded by Commissioner Hart, to open the second public hearing on the AI at 4:05 p.m. The motion was approved by all members of the HCDC.

Ms. Janet Agnoletti, Executive Director of the Barrington Area Council of Governments (BACOG), highlighted points made in the letter about the Analysis of Impediments to Fair Housing Choice (AI) she sent via email earlier today to Community Development (see Appendix D of the AI). She explained that BACOG was a regional planning organization comprised of nine local governments located in the southwest corner of Lake County, adding that its members were aware of and committed to following fair housing law and creating or maintaining opportunities for fair housing in their communities. She stated that there is no issue with fair housing, as the member communities follow up on any complaints that arise. While BACOG appreciated the AI and many of its assessments, Ms. Agnoletti said that the AI concluded that “bedrock planning principles” should be applied to all communities but did not consider a community’s size, available land and public infrastructure, including available public water and sewage. She suggested that smaller communities of 1,000 – 2,000 residents should be grouped by quadrants with nearby larger communities for the purpose of the study, as larger communities can offer increased housing options, especially those requiring higher density housing. Ms. Agnoletti spoke of BACOG’s environmental best practices efforts, including the minimization of water piping through the use of septic systems rather than public sewage systems. She asked that environmental best practices be recognized and encouraged within the AI. While BACOG agreed with the AI’s proposed addition of a fair housing employee to the County’s staff, they disagreed with the suggestion that non-federal sources help fund the position. Ms. Agnoletti concluded by stating that other points were addressed within her submitted letter.

Ms. Kathleen Leitner, President of the Village of Tower Lakes (a BACOG member community), read her letter to the HCDC, stating that it included many of the points made by Ms. Agnoletti (see Appendix D of the AI). She expressed concern about the AI’s statement that the County’s housing markets were not

free of intended exclusion based on race and ethnicity, requesting that the wording be altered to state that there could be inadvertent exclusion. She said that it was a legitimate concern that older municipal land use and zoning ordinances may inadvertently hold back current land use decisions that could possibly support a range of housing choice. However, the AI did not indicate that Tower Lakes does not have a public sewage facility, which would limit the types of housing that could be supported. Furthermore, most of the small communities in the BACOG area have a minimal number of undeveloped buildable lots, a fact that also limits new construction. As required by the Lake County Health Department, Tower Lakes must adhere to the regulations pertaining to setbacks and load capacity of these lots, all of which are on well and septic, along with storm water management regulations to control the flow of runoff to the area's lakes and streams. Ms. Leitner added that another concern for lower-income households would be the area's limited employment and transportation opportunities. She reiterated Ms. Angoletti's proposals that smaller communities should be grouped by quadrants rather than studied individually and that the addition of a fair housing employee should be fully paid by federal funds.

Mr. John Quintanilla, of Prairie State Legal Services, spoke about the agency's services, which include assisting clients with their fair housing issues and providing fair housing testing and education for the community. He spoke of three areas in which clients often express concerns: 1) racial discrimination without evident proof; 2) discrimination due to criminal history or source of income (i.e., a housing voucher); and 3) discrimination to a member of a protected class, especially discrimination based on disability. If the discrimination was based on a disability that jeopardized a client's current housing, Prairie State would step in to request reasonable accommodations to permit the client to retain residency, as it could be difficult to locate new housing. Mr. Quintanilla stated that his agency was not able to assist complaints based on discrimination due to criminal history or source of income, as those were not protected classes. He said that education to both housing providers and the public was very important, as many were unaware of the protected classes, especially the rights of people with disabilities.

A motion was made by Commissioner Rosenthal, seconded by Commissioner Cunningham, to close the public hearing at 4:32 p.m. The motion was approved by all members of the HCDC.

Steven W. Mandel

Lake County Board Member, District 11, Highland Park - Highwood - Deerfield
2157 Saint Johns Avenue, Highland Park, IL 60035
847.456.6933 cell • 847.831.0373 home • 847.831.0374 fax
smandel@lakecountyil.gov

September 19, 2014

Chairman Rose and Commissioners
Lake County Housing and Community Development Commission
c/o Jodi Gingiss, Community Development Administrator
500 W Winchester Road
Libertyville, IL 60048

Re: Public Hearing on Draft Analysis of Impediments to Fair Housing Choice (AI)

Dear Chairman Rose and Commissioners:

I am pleased that the AI draft has now been submitted to the Lake County Housing and Community Development Commission and that our county is therefore closer to being able to update and renew our focus on working to further fair housing choice throughout the County. It is because of the importance of this work that I believe we should have a practical way to monitor our progress while implementing it.

I am concerned that no timeline was given for any of the initial priority recommendations identified in Section IX, or at least for the three phases in which they were categorized. Also, there was no general time frame given for when we will develop the rest of the AI implementation plan.

The text in the AI makes clear that the recommendations and any specified timelines are subject to change based on administrative capacity, resources, or changes in direction due to changing circumstances. Needed flexibility is there, but it is just basic good government and sound business practice to include at least rough benchmarks so that tasks do not slip through the crack. Experience has taught me that accomplishing things is more doable if there is an expectation of when it will be done.

I am pleased the County is moving ahead on completion of the AI, but I urge you to add timeframes to the recommendations to help ensure this valuable work remains a priority.

Sincerely,

Steven W. Mandel, Lake County Board District 11



Lake County Housing Action Coalition

c/o Affordable Housing Corporation of Lake County
1590 S. Milwaukee, Suite 312
Libertyville, IL 60048
blassar@bpichicago.org
312-759-8272

September 17, 2014

Affordable Housing Corporation
of Lake County

Alexian Brothers The Harbor

Catholic Charities

Community Partners for
Affordable Housing

Habitat for Humanity Lake
County

Housing Commission of
Highland Park

Housing Trust of Lake Forest

Lake County Center for
Independent Living

Lake County Coalition for the
Homeless

Lake County Residential
Development Corporation

Lake Forest Bank and Trust

North Chicago VA Medical
Center

PADS Crisis Services

Prairie State Legal Services

A Safe Place

Waukegan Township Staben
House

YouthBuild Lake County

Chairman Ray Rose and Commissioners
Lake County Housing and Community Development Commission
c/o Jodi Gingiss, Community Development Administrator
500 W. Winchester Rd.
Libertyville, IL 60048

RE: LCHAC Comments on the Draft Analysis of Impediments to Fair Housing Choice

Dear Chairman Rose and Members of the Commission:

The Lake County Housing Action Coalition (LCHAC) has reviewed the Draft Analysis of Impediments to Fair Housing Choice (AI) and believes that it does a thoughtful job of identifying barriers to fair housing choice throughout the County and provides a good foundation for a comprehensive fair housing action plan to help address those barriers.

The Coalition is appreciative of having been involved early on in the data collection phase of the preparation of the draft report. Having now had an opportunity to review the draft and, in particular, the impediments and action recommendations, we hope that our comments at this initial public hearing can help buttress the final document. Our comments fall into three categories: impediments, action recommendations and implementation.

Impediments to Fair Housing Choice

Many of our Coalition members serve very low-income individuals and families who are homeless or at risk of being homeless. Programs like the Housing Choice Voucher Program and Rental Housing Support Program are critical housing programs for this population, many of whom are also members of protected classes. However, many landlords refuse to rent to voucher holders or participate in rental assistance programs, creating a serious impediment to fair housing choice. We think this should be identified as an impediment in the AI.

Recommended Actions

Impediment 4. Zoning laws and building codes can limit the number of housing options for members of the protected classes.

We agree with the report's recommendation that the County support municipalities in reviewing their zoning and building laws and regulations to determine whether there

may be provisions that limit housing options. In addition, however, because the County's jurisdiction is over unincorporated areas, the Coalition believes it is important for the County to review its Unified Development Ordinance and building code requirements so that it can identify and address any such laws and regulations that limit fair housing choice in the unincorporated areas. Such action on the part of the County is important to affirmatively further fair housing in the unincorporated areas and to give the County the necessary credibility to encourage municipalities to do the same.

Impediment 17. Protected classes may not have equal access to housing opportunities.

The Coalition also supports the action recommendation to "review fair housing testing results." (See third bullet point, p. 139.) Testing is a critical tool for determining whether or not there is illegal discrimination of protected classes in the housing market, including by landlords, real estate professionals, lenders and insurers. (See the excellent discussion of testing on pp. 102-104 of the report.) While this recommendation appears to be based on the assumption that testing will continue, we think that rewording would be helpful to make it explicit that the County will continue to ensure that there is ongoing testing to identify possible discrimination in the various sectors of the housing market.

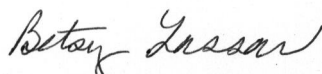
Implementation

The Coalition understands that the AI is a critical first step in the formulation of a fair housing action plan. Even the most thorough and thoughtful AI and action plan will be meaningless unless there is a solid and focused commitment to implementation. To that end, we applaud the recommendation for a County staff person who would be responsible for fair housing compliance and the status of recommended actions. (See p. 127.) The Coalition believes it is critical that fair housing responsibilities do not become diluted or lost in the press of other County business. A staff person who is clearly responsible for fair housing would focus accountability and help ensure that fair housing is a true priority for the County.

The Coalition recognizes staffing is key to the County's ability to implement the AI and appreciates the need to proceed in stages on implementing the recommendations as suggested in Section IX of the draft. However, we do think attaching specific timelines to each of the activities (or to each phase) identified in the chart, (Exhibit IX, Implementation of Priority Recommendations, p. 143) is very important. For example, the timeline could indicate in which quarter of the funding cycle year the activity or the phase will be completed (e.g., 2nd quarter 2015, 1st quarter 2016, etc. – whatever the realistic timelines are). Similarly, while we fully appreciate the statement in the report (p. 142) that "developing a realistic timeline for all the recommended actions is not advisable at this time," we think the AI should include a timeline for when the County expects to develop a timeline for other recommended actions. Such timelines will help to build on the momentum created by the completion of the AI, establish expectations and accountability and send a strong signal that the County is serious about fulfilling its obligation to affirmatively further fair housing.

We look forward to working with the County on the implementation phase and helping to ensure meaningful fair housing choice throughout the County.

Respectfully submitted,



Betsy Lassar, Convener



Affordable Housing Corporation of Lake County

September 19, 2014

Chairman Ray Rose and Commissioners
Lake County Housing and Community Development Commission
c/o Jodi Gingiss, Community Development Administrator
500 W. Winchester Road
Libertyville, IL 60048

Dear Chairman Rose and Members of the Commission:

On behalf of our Board of Directors, we were pleased to have the opportunity to review the draft of the Impediments Analysis to Fair Housing Choice (the "AI") and appreciate the HCDC's commitment to allowing adequate time for citizen review between its release and the initial public hearing. Please accept my written comments as part of the public hearing record, as I will be out of town on September 23 and unable to deliver these comments in person.


We applaud the efforts that resulted in a well-crafted and thoughtful AI that offers a strong foundation for implementing an impactful action plan. In viewing this document through the eyes of our experience, we believe there are two items missing that require inclusion.

First, the AI is silent as to the all-too common practice of landlords' resistance to accepting housing subsidies toward a rent payment. This prevents fair housing choice for protected classes and can easily disallow, for example, a worker from living near employment or a person with disabilities from residing near necessary services. AHC has witnessed this obstacle first-hand in our role as the administrator of the Rental Housing Support Program. We recommend that this issue is identified as an impediment in the AI. Recognizing it as such is the first step to building awareness and, ultimately, creating solutions.

Secondly, while p.143 identifies a handful of manageable priority recommendations as a starting point, we are concerned that the lack of defined timeframes for implementation will undermine accountability, inhibit results and weaken the County's credibility as to its commitment toward fair housing choice. The AI will be in danger of becoming just one more "plan on the shelf" without the motivation of deadlines. Similarly, it is equally important that the initial list of priority recommendations include a timeframe to develop a plan to implement other recommended actions.

We extend our sincere thanks for the Commissioners and staff for their work on this important issue. Please contact me at 847/263-7478 if you have any questions.

Sincerely,


Lisa Pugliese
CEO

1590 S. Milwaukee Avenue, Suite 312, Libertyville, IL 60048
(T) 847/263-7478 (F) 847/263-9381 (W) ahcl.org



614 Lincoln Avenue
Winnetka, Illinois 60093-2331
P 847.501.5760
F 847.501.5722
open-communities.org

BOARD OF DIRECTORS

Susan Marie Connor, *President*
Corrie Wallace, *Vice President*
Arif Choudhury, *Treasurer*
Nancy Goldberg, *Secretary*
Ann Airey
Debbie De Palma
Ravi Deva
Liliana Fargo
Marshall Gardner
Jennifer McQuet
Loretta Sortino
Sharon Staine

EXECUTIVE DIRECTOR

Gail Schechter

MEMBERS

Am Shalom, Glencoe
Baha'is of Evanston
Beth Emeth The Free Synagogue, Evanston
Community Partners for Affordable Housing, Highland Park
Congregation Hakafa, Glencoe
Evanston Catholic Woman's Club
Family Network, Highland Park
Fenix Family Health Center, Highwood
First Congregational Church of Wilmette, U.C.C.
First Presbyterian Church of Wilmette
Glencoe Union Church
Glenview Chamber of Commerce
Hemenway United Methodist Church, Evanston
Lakeside Congregation for Reform Judaism, Highland Park
League of Women Voters of Winnetka-Northfield-Kenilworth
New Foundation Center, Northfield
Niles Community Relations Commission
North Shore Congregation Israel, Glencoe
North Shore Senior Center, Northfield
North Shore Unitarian Church, Deerfield
North Shore United Methodist Church, Glencoe
Northbrook United Methodist Church
Our Lady of Perpetual Help, Glenview
Sacred Heart Parish, Winnetka
Skokie Human Relations Commission
St. Augustine's Episcopal Church, Wilmette
St. Francis Xavier Church, Wilmette
St. Gregory's Episcopal Church, Deerfield
St. Mary's Parish, Evanston
St. Paul's Lutheran Church of Evanston
St. Peter Community Church, Northfield
St. Philip the Apostle, Northfield
Temple Beth Israel, Skokie
Temple Jeremiah, Northfield
Temple Judea Mizpah, Skokie
Trinity United Church of Christ, Deerfield
Unitarian Church of Evanston
Winnetka Congregational Church
Winnetka Presbyterian Church

September 30, 2014

Jodi Gingiss
Community Development Administrator
500 W. Winchester Road, Unit 101
Libertyville, IL 60048

Dear Ms. Gingiss:

Open Communities commends Lake County and Applied Real Estate Analysis on the thorough and thoughtful Analysis of Impediments. We would like to stress the importance of this document and look forward to the active implementation of the Action steps.

As I stated in my comments during the public hearing on Tuesday, September 23, 2014, Impediment 17 identifies the problem that protected classes may not have equal access to housing opportunities. The review of testing results is identified as a recommended action. We would also encourage continued testing throughout Lake County. Our service area extends into the southern portion of Lake County, including Highland Park, Highwood and Deerfield. We have done extensive testing throughout this area and our experience shows time and time again that testing is often the only way to find evidence of discrimination. In many instances, people do not know that they have been discriminated against and it is only through testing that the practice is uncovered.

Open Communities' recently released executive summary of our three year HUD grant showed that while most complaints received by our office were for disability discrimination, instances of discrimination from our audit testing were most found to be based on race. We believe this is because race discrimination is not obvious, and home seekers will not know they are being steered or given different terms and conditions on a lease unless their experience can be compared to that of other home seekers. Members of protected classes will continue to will be treated politely, and then turned away from the housing they are seeking.

Impediment 18 identifies the limited understanding of federal and state protected classes, in particular, persons with a disability. Testing also allows fair housing centers to look for fair and equal treatment in all



Formerly Interfaith Housing Center of the Northern Suburbs



housing, as well as accessibility issues in new construction. While the recommended actions focus on reasonable accommodations, the County should also encourage accessibility both in new construction and existing housing stock increases housing opportunity for people with disabilities.

Under Impediment 2, the AI notes that the county has not developed a fair housing policy statement or fair housing ordinance that applies to incorporated and unincorporated areas. Open Communities suggests that Lake County consider additional protected classes such as source of income, gender identity and housing status.

Open Communities would add to the list of Public Sector Impediments the need for addressing multiple language needs. Strategies for affirmative marketing could include municipal promotional materials and website that welcome diversity. Materials should be reviewed for equal housing logos, diverse human models and welcoming language, and all materials for the public should be in multiple languages, particularly Spanish. When it comes to the Latino community, Open Communities is also concerned about the occupancy codes and “crime free” programs that may have a disparate impact on minority communities.

Open Communities would strongly underscore an excellent point made in several places in the “Impediments and Action” section, which is that leadership starts at the top. Lake County should not make home rule status, either of the County or of individual municipalities, an excuse for failing to ask municipalities to undertake as simple task as reminding local residents of existing fair housing laws at the state and federal level. The County should also make clear to all municipalities that the extent to which they are providing for mixed income housing is a reflection of the extent to which they affirmatively further fair housing.

Open Communities is here to assist with education and testing needs for Lake County and looks forward to a continued cooperative partnership with the County.

Sincerely,

Viki Rivkin
Director of Fair Housing



Barrington Area Council of Governments
112 Algonquin Road
Barrington Hills, Illinois 60010
(847) 381-7871
(847) 381-7882 (Fax)
www.bacog.org

October 15, 2014

Lake County Housing and Community Development Commission
500 W Winchester Road
Libertyville, Illinois 60048

Dear Members of the Housing and Community Development Commission,

Thank you for this opportunity to comment on the Lake County Analysis of Impediments to Fair Housing Choice ("AI") report. Our communities recognize the value of a diverse population, and our leaders are committed to ensuring that all populations have access to housing and the opportunities within our communities. We recognize that we are subject to fair housing law and wish to comply with it.

We believe that the report is a fair assessment of conditions, population characteristics, and policies and programs operating within Lake County, and it clearly presents the consultant's findings based on these factors plus surveys and interviews. This letter will offer comments on several of the report's points, impediments and related recommendations.

General Points

There are statements in the report that seem to conclude what is appropriate for all communities, including the "bedrock planning principle[s]" and the development best practices they follow, for example (page 48). We believe that every community, however, may not set its "bedrock" planning goal to ensure a range of housing choices when it is a very, very small community. Providing a full range of housing options within a community of a few hundred homes may not be the "best practice" that it would be for a larger community comprised of multiple neighborhoods, multiple uses, and thousands of housing units and people.

Consider that a very small municipality like many in Lake County may have a population of 1-2,000 residents. In a larger suburban community, **one subdivision** may have a few hundred homes with a population of 1,000 or so residents. In the fair housing and affordable housing arenas, entire small municipalities are being evaluated apples-to-apples with much larger communities with multiple, qualitatively different neighborhoods. In a very small community, available area or infrastructure systems may be so limited as to lend themselves better to a single type of land use and housing type, comparable to how a single subdivision of a few hundred homes might be designed. The small community-to-subdivision comparison would be more apples-to-apples.

Especially in built-out communities like those in BACOG, it would be difficult, expensive, and perhaps irrational to force changes for infrastructure that does not exist, or set asides for development on unbuilt land that barely exists, for example, for the sake of choice and purportedly to achieve the same level of diversity as might be possible in another municipality. There is an alternative perspective, and that is the acceptance that there are compatible and unique areas containing different uses and housing types that exist between and among small municipalities and unincorporated township areas. It is a similar relationship to what exists within larger communities, between and among their subdivisions and neighborhoods – it is merely that the boundary line has been drawn in a different place. There are opportunities all around, but it seems that in the name of quantifying and promoting “affordable” and “fair”, we lose sight of what makes sense.

The report states that land use and zoning provisions can impact housing development’s access to utilities, and “best practices” include ensuring all housing types have adequate access to water and sewer utilities. BACOG believes that this paragraph on page 48 ignores environmental best practices, which in our area include utilization of private wells and septic systems in housing development. Environmental best practices practically eliminate distribution infrastructure (extensive piping), and they return used water to the ground to recharge the aquifers, in the most environmentally healthy manner. Sewers send wastewater out of the watershed and do not replenish the aquifers from which we draw water for all our needs. While providing sewers and public water is needed in many areas, it is not the only way to build housing, and we would ask that low-impact environmentally-friendly systems also be acknowledged as “best practices” in the report.

Impediment 1. The report states that the county does not have a long term strategy for education about fair housing, and the recommendation is for the county to provide more public education and outreach and to host regional discussions on housing. We generally support the recommendations to further understanding of fair housing issues. The promotion of fair housing is important, our officials are committed to immediately addressing any complaints or violations, and we hope to participate in the county’s planned forums on fair housing.

We would point out, however, that the number of complaints in the BACOG municipalities is miniscule to our knowledge, which knowledge includes our officials talking directly, albeit informally, to local realtors. And so while we support fair housing, pursuing fair housing activities may not be the highest priority for our non-grant receiving local governments due to the lack of local complaints, the very limited ability to create new housing opportunities, and the extremely pressing other needs of local government at this time. We would voice that this may be a limiting factor for the municipalities of BACOG and other areas of the county in the implementation of recommended activities that involve municipal investment.

Impediment 4. This impediment states that zoning and building codes can limit housing options for protected classes. While limiting housing options for anyone is certainly **not** a goal of governments in the BACOG area, maintaining building code standards plus safety and quality of construction **is**.

In built-out communities, there may be inadequate physical area to create transition zones between low density residential areas that offer high quality features, and high density areas with lower quality features. It is not the “people” that residents might object to, as suggested in the report, but the incompatibility of the use and aesthetics with surrounding uses. A main reason zoning was created was to protect property values, and, as pointed out in the report, we understand that zoning has evolved in

recent years; we believe, however, that the protection of property values should not fall away as a purpose of zoning. We believe that communities *should* follow their comprehensive plans and zoning, allow building to standards accordingly, and thus protect community integrity and property values. We would not agree with abandoning quality in design and construction standards in favor of lower costs, especially in mostly built-out communities where existing residents' property values would most likely be affected.

We question the report's statement that [zoning and land use regulations that set high minimum lot sizes contribute to the introduction of public water, sewer and road infrastructure necessary for housing to be affordable] (page 125) and wonder if this is an error or if we are misreading the paragraph. In the BACOG area, higher lot sizes reduce public infrastructure. High lot sizes require far less road infrastructure than high density areas and typically utilize private wells and septic systems which require no public infrastructure. There is no public cost associated with these systems. Public infrastructure is usually necessary for the development of high density housing (community well, sewer) but at least some if not all of the costs would be covered by the developer, which would increase the cost of the housing. Unless we are reading the paragraph incorrectly, we believe the opposite is true from what is stated.

The vast majority of area within the BACOG municipalities is built out. Not only are there very few parcels on which new buildings can be constructed, there are few or no underlying infrastructure systems such as public water and sewer serving the unbuilt areas. We appreciate the report's acknowledgement in several places that infrastructure is required for the introduction of high density housing. In an essentially built-out community, it makes no practical or economic sense to try to build expensive connections to infrastructure outside the municipality for one or two parcels of new development.

We strongly agree with the acknowledgment that placing housing for lower income families or those with disabilities in areas without transportation, services or jobs could be a disservice. Lack of set asides in new development for people with disabilities or senior citizens, for example, is not the real problem with housing opportunity; it is the lack of nearby services (such as care and accessible employment), distance to employment centers, and the lack of public transportation that are true limiting factors to the success of high density housing developments. If people cannot reach jobs because the community is not well-served by public transportation, or medical and other necessary services are not close by, individuals may lose jobs, lose care and services, and become isolated; this would be entirely counter-productive even if their housing choices were enhanced.

Impediments 5-6-10. These impediments identify that there is no staff person responsible for fair housing or a long-term process in place and for receiving and addressing fair housing complaints. The report detailed how surveyed residents did not know where to report incidents of discrimination and did not think reporting would make any difference; officials did not know if they had staff or programs to address discrimination. While our leaders do not necessarily agree with conclusions about staff and officials' understanding of fair housing, and while our six Lake County municipalities have a record of almost no complaints (total of 2 complaints in 5 years), the recommendation for a staff person and for a long-term plan to address complaints makes the connection between reported insufficiencies and possible improvements and so is a supportable recommendation. Another impediment states that municipalities do not have initiatives that further fair housing, and they should consider numerous actions including establishing sub-regional fair housing enforcement boards.

We agree that the proposed regional forums on fair housing matters would be a good venue for discussion of all these topics. We do have concern, however, about the creation of 1) new staffing and related costs, and 2) new governmental infrastructure such as the suggested sub-regional entities that might address complaints on fair housing. Local governments should be included in any decisions related to going forward with these recommendations.

In particular, we disagree with the recommendation to consider the use of non-federal grant funds to supplement federal grant funds for these fair housing program purposes. In pursuing the goals for fair housing under the AI, the county is fulfilling its obligations to the US Department of Housing and Urban Development as a recipient of federal funding. While furthering fair housing is a laudable goal, it is not necessarily considered a priority destination for local tax revenues in light of state revenue cutbacks to local governments, declines in property taxes to local governments, drops in sales and other taxes in light of economic conditions in recent years, and concurrent escalating service and materials costs. The governments of BACOG would not support county/local tax funds supporting new county staff and programs that are driven by the federal government when there is an option for these costs to be entirely provided out of the county's federal program funding such as CDBG. If the proposed fair housing costs exceed the allowable federal guidelines, then the fair housing budget should be limited to what IS allowable.

Thank you for your consideration of our comments. The AI report represents a fair assessment of conditions and a vast improvement over previous reports. The officials of BACOG appreciate the efforts taken by county staff and officials to ensure a quality report from the consultant.

Sincerely yours,



Janet L. Agnoletti
Executive Director

cc: Chairman and Members, BACOG Executive Board
Aaron Lawlor, County Board Chairman
Nick Sauer, County Board Member
Craig Taylor, County Board Member
Jodi Gingiss, Community Development Administrator

President
Kathleen O'Neill Leitner

Trustees
David R. Parro
Sophia de Vries
Tom Bolger
Mike Rolfs
Donna Schardt
Joe Skurla

Chief of Police
Samuel P. Sinacore



Village Treasurer
Carol Rolfs

Village Clerk
Julie Losinski

Deputy Clerk
Debra K. Baggett

Officer Manager
Debra K. Baggett

October 15, 2014

Lake County Housing and Community Development Commission
500 W Winchester Road
Libertyville, Illinois 60048

Thank you for the opportunity to comment on the Lake County Analysis of Impediments to Fair Housing Choice ("AI") report. As a Community Development Block Grant recipient, Lake County has generated this report to satisfy a HUD requirement. The grant funds received directly benefit Waukegan and North Chicago, but also indirectly benefit the rest of the County. As a Lake County municipality, Tower Lakes is committed to building and maintaining healthy and resilient communities and supports the goal of fair housing for all. We find the report to be fairly balanced and appreciate the time and effort spent to accomplish that end. This letter will emphasize several points referenced in the report that have significant impact on a small municipality like Tower Lakes which bear further analysis by the reviewing Board.

Page 38 of the report refers to the AREA Free Market Analysis employed in reviewing Lake County's housing markets, suggesting that there is "*the possibility that housing markets in Lake County are not free of intended exclusion based on race and ethnicity*". That is a loaded statement, implying that any given Lake County community actively engages in racial or ethnic exclusion today. Regardless of a community's history, and I own my community's original prejudices, I am here to say it is most certainly not true of Tower Lakes today, and I would be disappointed to learn if there is one Lake County community that intentionally excludes anyone. Perhaps the phrase above should be changed to allow for "*inadvertent exclusion*".

Putting that aside, the AREA Free Market Analysis goes on to evaluate land use and zoning ordinances in Lake County municipalities, legitimately noting that older ordinances may inadvertently hold back current land use decisions that might otherwise support a range of housing choices. However, what is not discussed at length is the fact that many communities, especially in the southwest corner of the County are on well and septic, and as such, are limited in what kind of housing they can support.

Page 48 of the report notes that "*ensuring a range of housing choices as a bedrock planning principle*" should be the goal of all Lake County municipalities. Tower Lakes is a community of approximately 440 homes and has half a dozen or so buildable lots. All of our lots are on well and septic. Tower Lakes complies with Lake County Health Department ordinances, rules and regulations governing installation and management of these systems, including necessary setbacks and load capacity. These are in addition to storm water management rules, regulations

and ordinances promulgated by Lake County to control the flow of storm water into our lakes and streams, and ultimately into the aquifers that supply our drinking water. I suggest that in the southwest corner of Lake County, housing markets are as much about how water and sewage is managed as any other factor mentioned in this report, and it may be advisable to add access to water/water management as an important factor in the development of housing markets.

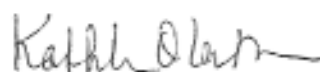
The ability to provide sewer and septic is what allows a municipality to offer a broader range of housing choices, thus promoting fair and affordable housing. Although Tower Lakes has a community well serving a majority of the residences, we cannot afford--and do not qualify for a community block grant-- to install sewer, and therefore cannot offer a range of housing choices. However, we are fortunate to have several communities within a few miles of us who can and do offer a range of housing, including: Barrington, Wauconda, Fox River Grove and Lake Zurich. While it is a worthy goal for all municipalities to offer as broad a range of housing as possible, I suggest that this report could consider the broader housing opportunities available in any given region of Lake County, perhaps as those opportunities match with employment and transportation opportunities.

Page 65 mentions the State Housing Authority Board's goal *"to encourage the inclusion of more affordable housing in communities across the state by requiring that at least 10% of a community's housing stock should be affordable or else be considered non-exempt"*. As has previously been stated, Tower Lakes is almost completely built out and the remaining buildable lots would not comprise 10% of the housing stock if they were built upon. Depending on the ebb and flow of the housing market, Tower Lakes may or may not be in compliance with SHAB's 'encouraged requirement', but there is nothing we can do about it, short of annexing some of unincorporated Lake County. The broader view posited in the previous paragraph would solve this unsolvable problem as well.

Finally, Tower Lakes does not support using non-federal grant funds to accomplish the goals of this report. As an Illinois municipality, Tower Lakes is already fighting state revenue cutbacks as well as declining property and other tax revenue. The proposed fair housing costs should be limited to the amounts allowed in the federal guidelines.

Thank you for considering my comments.

Very truly yours,



Kathleen O'Neill Leitner
Village President, Tower Lakes
Member and Past Chair, Barrington Area Council of Governments ("BACOG")
BACOG Member, Northwest Water Planning Alliance ("NWPA")