



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Grants Management Division

m e m o r a n d u m

TO: Bruce K. Walden, Chief Administrative Officer

FROM: Elizabeth H. Tyler, AICP, City Planner/Director

DATE: September 17, 2003

SUBJECT: **AN ORDINANCE APPROVING THE ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE FOR THE CITY OF URBANA (FY 2003-2004)**

Description

As a recipient of entitlement funds from the U.S. Department of Housing and Urbana Development, the City of Urbana is required to update an Analysis of Impediments (AI) to Fair Housing Choice.

Included in this packet is a copy of the ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE FOR THE CITY OF URBANA (FY 2003-2004).

Staff requests the Urbana City Council approve the Ordinance approving the ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE FOR THE CITY OF URBANA (FY 2003-2004).

Issues

The Urbana City Council is requested to review and approve the ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE FOR THE CITY OF URBANA (FY 2003-2004).

Considering the size of the document and the range of topic areas addressed, staff submits that City Council can take time to become familiar with the document and officially approve the AI at a later Council meeting.

Background

As recipient of CDBG and HOME funding from the U.S. Department of Housing and Urban Development, the City of Urbana is required to update their Analysis of Impediments to Fair Housing Choice.

The last update to the Analysis of Impediments to Fair Housing Choice was 1990.

Staff and the Community Development Commission have invested considerable time and effort preparing this update of the Analysis of Impediments (AI) to Fair Housing Choice. The following is a summary outline of these efforts.

July 2002

Analise Fonza was hired as an intern to begin the process of updating the AI. Ms. Fonza briefed the Community Development Commission on her findings at the July CDC meeting.

January 2003

Melissa Headley joined the Grants Management Divisions as an intern and was assigned to prepare a “working draft” of the AI.

February 2003

The Community Development Commission reviewed the working draft of the Analysis of Impediments. The CDC provided extensive comments on the analysis conducted and the form and structure of the AI and charged staff to incorporate their comments and suggestions.

March 2003

The Community Development Commission reviewed an updated draft of the AI. CDC again provided a significant amount of feedback and direction to staff.

July 2003

Staff provided CDC members a copy of the near final version of the AI for review at the August 2003 CDC regular meeting. Staff indicated that they were requesting that the CDC provide a recommendation concerning the AI to the Urbana City Council at the August CDC meeting.

August 2003

Community Development Commission members provided final comments and suggestions to staff to improve the AI. The CDC provided two specific comments that are notable. The first recommendation is that the Analysis of Impediments be reviewed annually. To make this evident, the Commission members recommended that the cover of the AI note that it applies to the fiscal year 2003-2004. The second recommendation is that staff should encourage continued feedback on the AI. Staff have prepared a “mailer” that will allow persons reviewing the AI to easily submit comments. Staff also plans to provide an e-mail feedback arrangement, when the final version of the AI is placed on the City of Urbana website.

After the Urbana City Council has approved the ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE FOR THE CITY OF URBANA (FY 2003-2004) the document will be forwarded to the HUD Regional Office in Chicago.

Options

The Urbana City Council can pursue the following options:

1. Approve the Ordinance that approves the ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE FOR THE CITY OF URBANA (FY 2003-2004) as it is currently drafted.
2. Approve the Ordinance that approves the ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE FOR THE CITY OF URBANA (FY 2003-2004) with changes to the AI and/or Ordinance.
3. Do not approve the Ordinance that approves the ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE FOR THE CITY OF URBANA (FY 2003-2004).

Fiscal Impacts

There are no immediate fiscal impacts associated with approving the ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE FOR THE CITY OF URBANA (FY 2003-2004).

However, in the future, as efforts are made to implement programs to address impediments to fair housing, CDBG and HOME funds could be used to fund such activities.

Recommendations

Staff recommends that Urbana City Council become familiar with the AI and be prepared to move approval the ORDINANCE APPROVING THE ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE FOR THE CITY OF URBANA (FY 2003-2004) at the October 13, 2003 meeting of the Committee of the Whole.

Memorandum Prepared By:

Bob Grewe, AICP
Manager, Grants Management Division

Attachments:

ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE FOR THE CITY OF URBANA (FY 2003-2004)

ORDINANCE NO. 2003-09-103

AN ORDINANCE APPROVING THE ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING
CHOICE FOR THE CITY OF URBANA

(FY 2003-2004)

WHEREAS, the City of Urbana receives Community Development Block Grant (CDBG) and HOME Investment Partnership Act (HOME) funding from the U.S. Department of Housing and Urban Development;

WHEREAS, as a recipient of these funds, the City of Urbana is required to develop and update an Analysis of Impediments to Fair Housing.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. That the Analysis of Impediments to Fair Housing Choice for the City of Urbana, in the form of the copy of said document attached hereto and hereby incorporated by reference, be and the same is hereby authorized and approved.

Section 2. That the Mayor of the City of Urbana, Illinois, is hereby authorized to execute said document as so authorized and approved for and on behalf of the City of Urbana, Illinois.

PASSED by the City Council this _____ day of

_____, _____.

AYES:

NAYS:

ABSTAINS:

Phyllis D. Clark, City Clerk

APPROVED by the Mayor this _____ day of

_____, _____.

Tod Satterthwaite, Mayor

**Analysis of Impediments
to Fair Housing Choice
For
The City of Urbana
2003-2004**



**Prepared By:
City of Urbana, Illinois
Grants Management Division
September 2003**



Recommended to Urbana City Council by Community
Development Commission August 26, 2003



City of Urbana

Analysis of Impediments to Fair Housing

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City of Urbana

I. Introduction

A. Purpose

The Analysis of Impediments to Fair Housing Choice (AI) is required of all state and local governments that receive federal funds from the U.S. Department of Housing and Urban Development (HUD). This primarily includes grants in the form of the Community Development Block Grant (CDBG) and HOME Investment Partnerships Program (HOME). Each state or local unit of government (hereinafter referred to as “the Jurisdiction”) that receives these housing funds must certify to HUD that it will affirmatively further fair housing and that it will conduct an analysis to identify impediments to fair housing choice within the Jurisdiction. HUD recommends that the Jurisdiction update its AI every three to five years. The City of Urbana last conducted an AI in 1991.

The AI is an exploration of many housing and housing-related policies and practices in use throughout the Jurisdiction that inadvertently or deliberately prevent people from living where they choose. Some factors that might limit housing choice include:

- Discrimination based on race, color, national origin, sex, religion, familial status, and disability
- Lack of affordable housing
- Lack of housing that is accessible to the disabled
- Lack of housing that is accessible to those holding Section 8 vouchers due to discrimination and holds on vouchers
- Location of jobs and availability of housing in the area
- Lack of reasonable and accessible transportation services
- Inability to obtain a mortgage
- Inability to obtain homeowner’s insurance because of where you live

HUD interprets the obligation to “affirmatively further fair housing” to mean that the Jurisdiction will:

- Analyze and eliminate housing discrimination in the Jurisdiction
- Promote fair housing choice for all persons
- Provide opportunities for inclusive patterns of housing occupancy regardless of race, color, religion, sex, familial status, disability, and national origin
- Promote housing that is structurally accessible to, and usable by all persons, particularly persons with disabilities
- Foster compliance with the nondiscrimination provision of the Fair Housing Act

In addition, as stated in the Fair Housing Planning Guide, Volume I, impediments to fair housing choice are:

“Any actions, omissions, or decisions taken because of race, color, religion, sex, disability, familial status or national origin which restrict housing choices or the availability of housing choices; or

Any actions, omissions, or decisions which have the effect of restricting housing choices on the basis of race, color, religion, sex, disability, familial status or national origin.”

B. AI Document Summary

The AI contains a plethora of information on Urbana and its surrounding area. The AI begins by establishing demographic data on the community, housing characteristics and information on local banking institutions.

After examining background data on the community, experiences in the Urbana housing market are explored. This is done through examination of complaints reported to the Champaign-Urbana Tenant Union, the Urbana Human Relations Office, and the City of Urbana’s Building Safety Division. In addition to gathering complaint data, local service providers were interviewed to gather perceptions of impediments to fair housing in Urbana. Also, results from the Neighborhood Visioning Workshops, which were conducted during the City of Urbana’s comprehensive plan process, were used to establish issues important to the neighborhoods.

Following the discussion on experiences in the Urbana housing market, the document reviews programs offered by the City of Urbana and analyzes current public policies and institutional practices impacting fair housing. The document wraps up with a discussion of impediments to fair housing choice in Urbana.

C. Definitions of Terms Used:

“Affirmatively Further Fair Housing” – Agencies involved in housing administration at all levels of government are required “to administer the programs and activities relating to housing and urban development in a manner to affirmatively further the policies” of the Fair Housing Act. The policies of fair housing are intended to put a stop to discrimination and to promote the integration of protected class members throughout the community. This means that governmental agencies that receive certain federal housing funds must review their policies and practices to determine their impact on housing access for protected class population and to take affirmative steps to eliminate barriers to access.

“Analysis of Impediments” – The Analysis of Impediments (AI) to fair housing choice is required by all state and local units of government that receive certain funds from the U.S. Department of Housing and Urban Development (HUD), including Community Development Block Grant (CDBG) and HOME Investment Partnerships Program (HOME) funds. The AI is a comprehensive review of a jurisdiction’s laws, regulations, administrative policies, procedures and practices to determine how they affect the location, availability and accessibility of housing. This includes an assessment of both public and private practices.

“Fair Housing” – Under the Fair Housing Act (FHA), discrimination in the sale or rental of housing, or in the creation and implementation of housing policies and programs, on the basis of race, color, religion, sex, handicap/disability, familial status, or national origin is illegal. Fair housing means access to housing that is unrestricted by discrimination on these grounds.

“Protected Class Member” – Fair housing laws provide protection from discrimination in housing for certain groups, generally referred to as “protected classes.” These groups have been included in fair housing laws because they have been historically denied, barred, or prevented from obtaining housing due to their status as a member of these groups.

“The Jurisdiction” – This term refers to the local unit of government in Urbana, Illinois located in the Champaign County Metropolitan Statistical Area (MSA), that receives CDBG and HOME funds from HUD.

D. Acronyms Used In This Report:

ADA – Americans With Disabilities Act
AI – Analysis of Impediments to Fair Housing
AIDS – Acquired Immune Deficiency Syndrome
AMI – Area Median Income
AWF – A Woman’s Fund
BOCA – Building Officials and Code Administrators Code
CCAA – Champaign County Apartment Association
CCAR – Champaign County Association of Realtors
CDBG – Community Development Block Grant
CHAS – Comprehensive Housing Affordability Strategy
CHDO – Community Housing Development Organization
CRA – Community Reinvestment Act
CUTU – Champaign-Urbana Tenant Union
DCEO – Illinois Department of Commerce and Economic Opportunity
FEMA – Federal Emergency Management Agency
FHA – Federal Housing Administration
FMHA – Farmers Home Administration
GCAP – Greater Community AIDS Project
HACC – Housing Authority of Champaign County
HMDA – Home Mortgage Disclosure Act
HOME – HOME Investment Partnerships Program
HUD – US Department of Housing and Urban Development
ILDHR – Illinois Department of Human Rights
LAUS – Local Area Unemployment Statistics
MFI – Median Family Income
MSA – Metropolitan Statistical Area
NIMBY-Not in My Backyard

OISA – Office of International Student Affairs
PACE – Persons Assuming Control of their Environment
PHA – Public Housing Agency
REAC – Real Estate Assessment Center
REIS – Regional Economic Information System
SOC – Standard Occupational Classification Codes
SRO – Single Room Occupancy
SSDI – Social Security Disability Income
VA – Veterans Administration

II. Executive Summary of the Analysis

A. Methodology:

The following analysis begins with a review of demographic and population data by census tract provided by the *2000 Census* (source: long-form questionnaire). 2002 Illinois Department of Employment Security Occupational Employment Statistics and the Champaign County Living Wage Campaign were used to establish wage data in the Champaign-Urbana MSA. Income and poverty data were used from the *Regional Economic Information Services*, and 2000 *Home Mortgage Disclosure Act (HMDA)* data. The analysis then presents a housing profile with an emphasis on public housing and target areas that have been designated by the Grants Management Division. This analysis examines public and institutional policies affecting housing choices with an eye on city policies, practices, public housing data provided by the Housing Authority of Champaign County, and a brief discussion of rental and lending practices. Finally, the analysis concludes with a discussion of housing experiences in Urbana and a summary of impediments discovered in the analysis, including recommendations to eliminate or diminish those impediments.

This analysis was conducted by the City of Urbana Grants Management Division during the summer months of May, June, July and August 2002. Grants from HUD are administered through the Grants Management Division, which is responsible for allocating and monitoring CDBG and HOME funds to local agencies, organizations and individual residents. The previous AI was submitted in September 1991. This AI provides the most current and accessible information since that report was submitted. Significant housing information was gathered via face-to-face and telephone interviews from social service agencies such as A Woman's Place, Inc., which is a short-term shelter for women and children who are the victims of domestic and violent physical abuse. Also, information was obtained from various public agencies and organizations such as the Housing Authority of Champaign County (HACC) and the Champaign-Urbana Tenant Union. Data from the HACC was useful in understanding Urbana's housing choices. Please note that for purposes of this report, the City of Urbana's housing market is viewed as housing within the Urbana corporate limits. The City of Champaign, the Village of Rantoul, and Savoy have conducted similar analyses for their portions of the metropolitan housing market. An initial progress report of this AI was presented in July 2002 to the Urbana Community Development Commission.

B. Summary of Findings:

After analyzing the data, fifteen impediments were identified and are listed below with corresponding recommendations.

- **Multicultural Nature of the Community:** Due to the cultural diversity found in Urbana there may be language barriers and other barriers due to cultural differences
 - To address the barriers created by the multicultural nature of the community, local agencies should be encouraged to provide more literature in different languages to increase awareness of housing laws and rights
 - Help people suffering from language barriers link with service providers offering translation services to translate and educate people on fair housing laws

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- Community Development Target Area: The target area was created to focus the City's investment of entitlement funds into the areas of greatest need. The creation of the target area may have the effect of precluding residents in need from receiving assistance
 - The City should consider redefining the Target Area
 - Public Housing: There has been a lack of timely utilization of Section 8 vouchers has adversely affected many groups, primarily women and children and persons with disabilities to the extent they have sought housing elsewhere
 - Investigate reason for the hold on adding people to the Section 8 waiting list
 - Research ways to shorten the time it takes to go through the application process
 - Encourage the HACC program to allow Section 8 voucher holders to use their vouchers towards mortgage payments
 - Rental Market: The rental market is influenced by the student population
 - Study the housing market to find out if the supply of affordable rental housing is meeting the demand
 - Continue to invest HOME funds to create new affordable housing developments
 - Encourage the HACC program to allow Section 8 voucher holders to use their vouchers towards a mortgage payment. This would reduce the number of people in the rental housing market, thus making more units available
 - Consider creating a program providing assistance with security and utility deposits
 - Housing Market: Home prices are rising in Urbana. This can be an impediment because not all homeowners can afford to live where they choose.
 - Study the housing market to find out if the supply of affordable housing is meeting the demand
 - Investigate new financing options to close the gap between what is affordable to low and moderate income residents and market value of homes
 - Investigate ways to encourage and increase mixed-income housing developments
 - Housing Discrimination Complaint Process: The process to file a complaint at the state and local levels is extremely slow and emotionally demanding.
 - Conduct testing to see if there are problems with discrimination in the housing market.
 - Educate non-profit agencies on local programs offering assistance to people going through the complaint process
 - Increase education of fair housing laws and the human rights ordinance for people working in the housing market and potential homebuyers and renters.
 - Citizens' General Lack of Knowledge Concerning the Human Rights Ordinance and Fair Housing Laws: Many people are unaware the Urbana Human Rights Ordinance exists.
 - Increase advertising for educational programs
 - Test for discrimination
 - Hold seminars for professionals to learn about the Ordinance and Fair Housing Laws
 - Consider requiring first-time homebuyers to participate in a first-time homebuyer seminar as part of the First-Time Homebuyer's Program

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- o Make fliers on the complaint process available at realty offices, the CUTU, City offices and the library
 - Accessibility: The number of accessible units can be an impediment to fair housing choice for the physically handicapped
 - o Increase public awareness of programs being offered
 - o Conduct a market analysis to determine supply and demand for accessible units
 - NIMBYism: This can be a deterrent to new housing proposals resulting in limited variety of housing choices for the homeless population and section 8 voucher recipients
 - o Educate people to overcome misconceived perceptions of subsidized housing and those living on Section 8
 - o Change the perception of affordable housing from “giving money away” to allocating a scarce resource or dealing with a market inefficiency
 - Development Requirements: In some cases, development requirements may limit opportunities for affordable housing
 - o Review development requirements for new subdivisions to look for opportunities to encourage the creation of affordable housing
 - o Review development requirements for infill development
 - o Infrastructure requirements may impact housing quality and affordability due to difficulty in expanding basic infrastructure
 - o Review occupancy limits to ensure they do not negatively impact fair housing
 - Lack of Clear Data on Lending Practices in Financial Institutions: It is difficult to study the effectiveness of lending practices in banking institutions, thereby making the discovery of impediments in financial institutions nearly impossible.
 - o Work with local financial institutions to gather data regarding financial institutions that is in an easier format than navigating the HMDA information.
 - Lack of Training for Realtors and Lenders: Due to the high level of turnover in the real estate industry there may be some realtors who are unaware of fair housing laws.
 - o Increase training opportunities for realtors and lending professionals
 - o Conduct testing to ensure there is no steering in the community.
 - Educational Opportunities: In Urbana, where you live dictates where your child goes to school, so educational opportunities can be an impediment to fair housing choice. Because a household’s location in Urbana determines school assignment, some may not be able to afford neighborhoods assigned to the best schools. School attendance may be used as a tool to steer people away from an area.
 - o Encourage cooperation between the Urbana School District and area resource centers to improve children’s performance in school
 - o Investigate other means for deciding where a family sends their children to school
 - Lack of Affordable Housing: The affordable housing needs of the community have not been determined
 - o Study the supply and demand for affordable housing
 - o Encourage CHDOs to leverage funds and become more like private developers
 - o Encourage creation of more CHDOs or non-profit housing groups
 - o Investigate ways to encourage affordable housing in the area, such as tax credits
 - Tax Rates: Tax rates may impact the affordability of housing in Urbana because it increases the cost of owning a home.

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- o Investigate how tax rates may impact housing affordability
 - o Encourage programs such as *Build Urbana* which give owners of newly constructed homes rebates on the difference in property taxes between Urbana and the City of Champaign
 - o Increase awareness of programs such as *Build Urbana*.

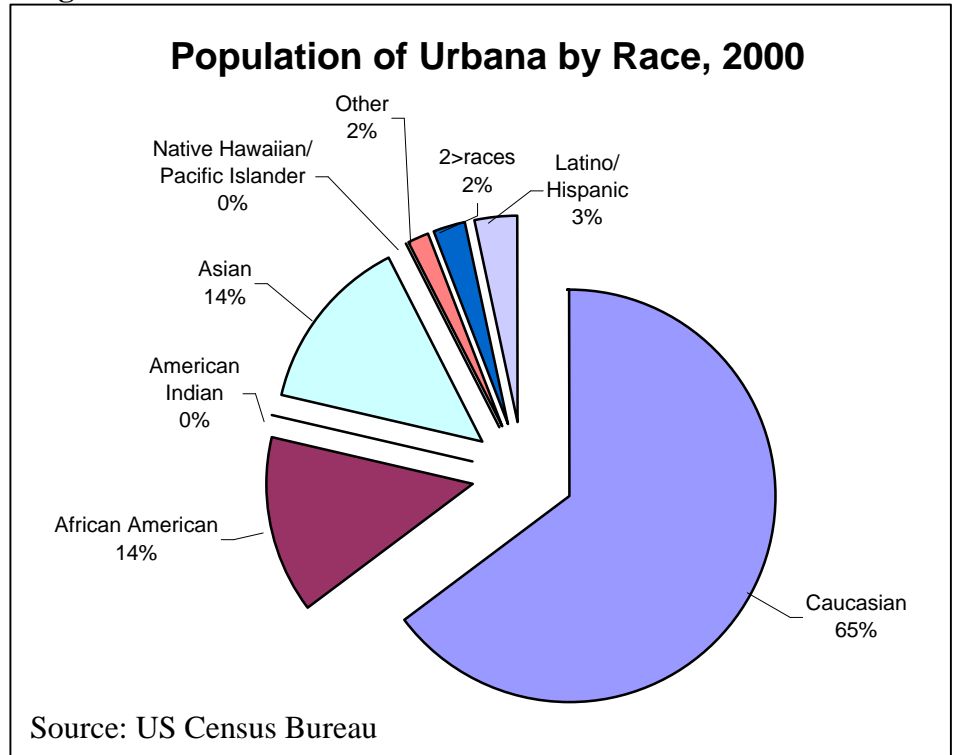
III. Jurisdictional Background Data

A. Jurisdictional Profile

1. Population and Demographic Data:

There have been significant changes in Champaign County's population since 1990. For example, data from the *Regional Economic Information System (REIS)*, shows a major decline in Champaign County's population after 1992. This decline reflects the 1993 closure of Chanute Air Force base in Rantoul, just 10 miles north of Urbana city limits. In 2000, Urbana's population of 37,372 people represented approximately 20% of Champaign County. Champaign County's population in 2000 was 179,643 according to the US Census. This includes the Cities of Champaign, Urbana, Savoy, Mahomet, the Village of Rantoul, and smaller southeastern towns such as Ogden, Philo, and St. Joseph.

Figure 3-1



One aspect of assessing fair housing involves

determining the representation of protected classes in the population and determining if any socio-economic disparity exists. According to the 2000 Census the city-wide minority population is approximately 35%, comprised of African American (14%), Asian and Pacific Islanders (14%), Latino Hispanic (3%), two races or more (2%), and Other (2%). Since 1990, the total minority population has grown by 10.7%. In contrast, the Caucasian population has decreased by 10%.

2000 Census data indicates that Urbana's incorporated population is presently at 37,372. This represents a 2.8% increase in total population since 1990. Although this is a small increase in total population, it is important to note the growth and decline in population for specific groups. For instance, the Caucasian population has been declining. In 1980, the Caucasian population was 84.5% of the total population, and in 2000 it was 67%. African American and Asian populations have continued to steadily increase. Student enrollment at the University of Illinois affects population changes and percentages in Champaign County as a whole. Students at the University are eligible to be counted as Urbana residents. Since all students do not participate in filling out census forms, thus Urbana's population is not totally accurate, especially during the nine-month school year.

For instance, student enrollment for Fall 2002 was 38,263. Since 1991, student enrollment has increased by 6%, but in 2000 the Office of International Student Affairs (OISA) reported that the University saw a 6.3% increase in international students from the previous academic year. The changes in Urbana's Asian population may be directly tied to Asian enrollment at the University. The largest international group of incoming students is from the People's Republic of China, followed by Korea and India. Eighty-three percent of the international students are graduate students. For the most part, graduate students at the University live off-campus.

Housing, race, and income in selected areas:

Tract 51- generally bounded by University Avenue to the north, Race Street to the west, Illinois Street to the south, and Vine Street to the east. (See Figure 3-2)

- Tract 51 now has a higher percentage of African American residents than it did in 1990. The demographic characteristics of Tract 51 have changed dramatically. In 1990, the African American population in Tract 51 was 26.6%. 2000 census tract data shows that the percentage of African American population in Tract 51 is presently 58.8%. This is a 30% increase in African American residents.
- Total population in Tract 51 has decreased by 15% since 1990, thus there has been some neighborhood change.
- One possible explanation for the demographic changes may be due to changes in housing. According to Census 2000 data between 1990 and 2000 the number of housing units in Tract 51 has decreased 52%, from 112 housing units in 1990 to 54 units in 2000. In the past five years, two new housing programs/developments have come to Tract 51. The Homestead Corporation, a local CHDO, has established a single room occupancy (SRO) apartment building for previously homeless persons, and the Men's SAFE House, a faith-based program for alcohol and drug treatment, is just a few doors down the same street. The SRO capacity is 25, and capacity at SAFE House is nine.

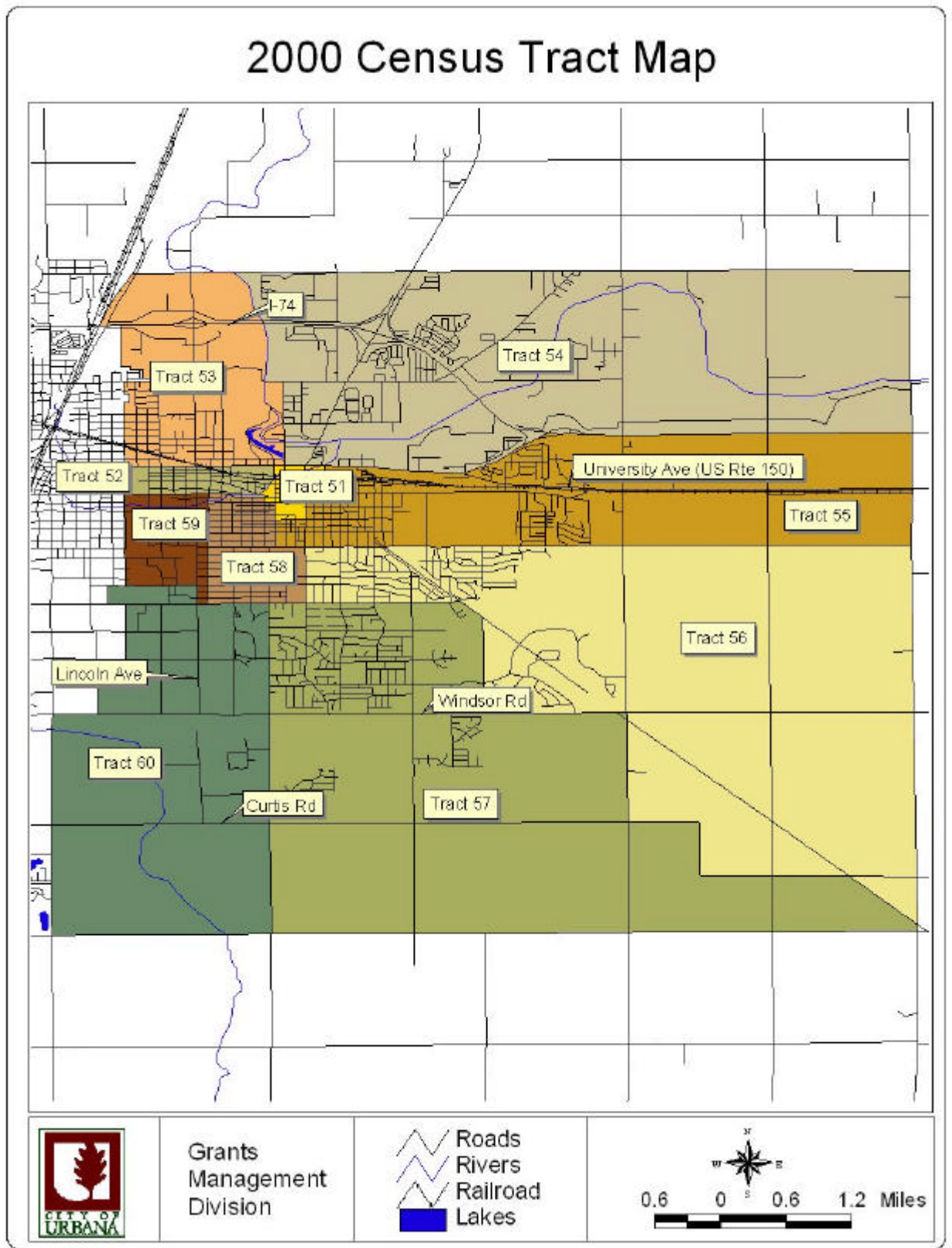
Tract 53- generally bounded by Airport Road to the north, US 150 to the south, Wright Street to the west and Broadway Avenue to the east. (See Figure 3-2)

- Tract 53 has historically been home to Urbana's non-student African American population. This is an older neighborhood with a median value for all owner-occupied housing units of \$53,300. It also includes Dunbar Court, which is a public housing unit. Recent tenant data from the HACC indicates that African American residents and women who are single head of householders predominantly occupy Dunbar Court.

Urbana is primarily a renter-occupied community.

- Census tracts closest to the University, such as Tracts 52, 59, and 60, have renter-occupied percentages well over 90%.

Figure 3-2



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- Tract 56, which is also renter-occupied is mostly Caucasian and has the highest percentage of children under the age of eighteen at 28.45%. The Tract also has a high percentage of persons with low to moderate income. This tract has many publicly subsidized housing units. In addition, some believe that the recent closure of Parkside Manor in Champaign has led to the relocation of public housing residents to this area.
 - The tracts furthest away from the University such as Tracts 54, 55, and 57 have owner-occupied percentages over 50% (See Figure 3-2).
 - The population in the owner-occupied tracts is over 50% Caucasian and over 50% female

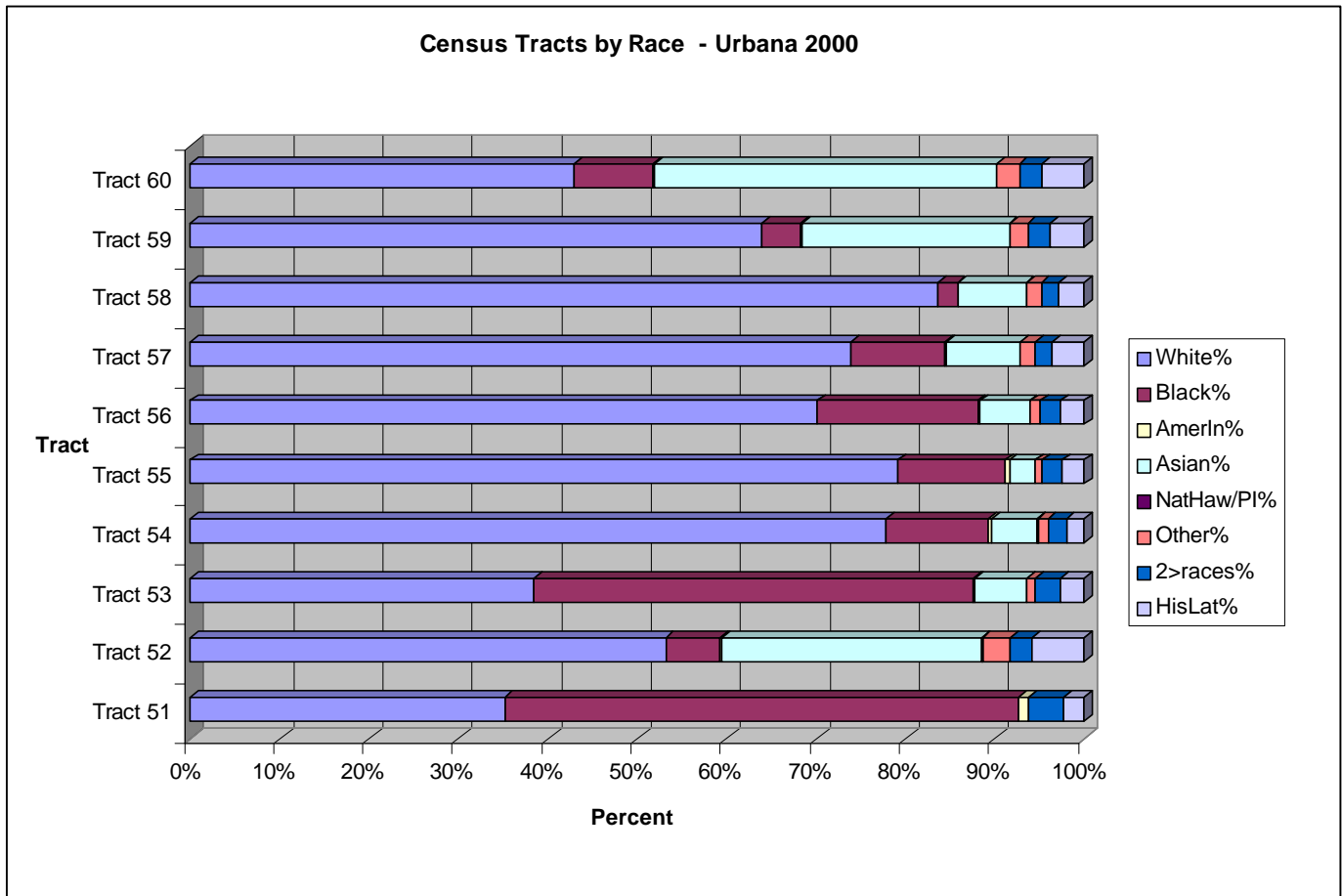
Community Development Target Areas

The City of Urbana has designated its target area as generally being bound by census tracts 53, 54 and 55. There may be block groups within these tracts that are not a part of the target area. These target areas were established in 1980. The target areas were identified based on physical condition and income data. The Grants Management Division may redefine the Target Area in the future.

- Two of the tracts, CT 54 and CT 55, in the Target area are over 50% owner-occupied.
- Only one target area, CT 53, is mostly renter-occupied. This tract is also predominantly African American, with a large percentage of persons with low to moderate income who live in public housing. In addition, this tract has the second highest percentage of children under the age of 18 for all tracts in Urbana (25.14%).

Although it would appear that the growing Asian and African American populations in Urbana would promote some neighborhood integration across all tracts in Urbana, tracts that are mostly African American tend to be to the northeast, and tracts mostly Asian to the southwest. In other words, the racial composition of Urbana neighborhoods is fairly distinct and visibly noticeable by property values and proximity to resources and institutions. For instance, census tracts that have high percentages of Asian residents are closest to the University, sometimes within one-mile walking distance. The graph below reveals the distinctions more clearly.

Figure 3-3



2. Income and Employment Data:

Although Champaign County’s unemployment rate has been one of the lowest in the state since 1980, in recent years the county’s unemployment rate has fluctuated. According to Local Area Unemployment Statistics (LAUS), Champaign County’s unemployment rate has increased in the last two years. The rate was 2.8% in 2001 and in 2002 it climbed to 3.2%. These rates are considerably lower than they were in late 80’s; the 1988 county unemployment rate was 4.1%. The current rates for Champaign County are consistent with national averages, which have increased since 2000 as well. The 2001 national average was 4.1%, and the 2002 average was 5.8% (see table below).

Table 3-1 Labor Force and Employment Statistics for Champaign County

	1995	1996	1997	1998	1999	2000	2001	2002
Labor Force	92,595	94,256	93,773	93,750	97,621	99,252	99,009	98,666
Unemployment	2,716	2,953	2,729	2,625	2,468	2,420	2,755	3,095
Employment	89,879	91,303	91,044	91,125	95,153	96,832	96,254	95,570
Unemployment Rate	2.9	3.1	2.9	2.8	2.5	2.4	2.8	3.2

According to Census data, there was a large difference in levels of poverty across census tracts in Urbana. Poverty is defined by the Census as:

“Following the Office of Management and Budget’s (OMB’s) Directive 14, the Census Bureau uses a set of money income thresholds that vary by family size and composition to detect who is poor. If the total income for a family or unrelated individual falls below the relevant poverty threshold, then the family or unrelated individual is classified as being "below the poverty level.”

The number of people living below poverty level ranged widely from 69% of the people in Census Tract 59 to 0% in Tract 51. Other tracts that had a high level of people living below the poverty line were Census Tract 52 (51%), Census Tract 53 (36%), Census Tract 60 (32%), and Census Tract 58 (26%). The Comprehensive Housing Affordability Strategy was a plan required of CDBG grantees in 1994. HUD had a special tabulation of the 1990 Census done to provide CDBG grantees with useful housing data to help them complete the plan, and it was updated in 2002 using projections. According to projections for the 2002 Comprehensive Housing Affordability Strategy, 35% of Urbana’s population is in what HUD considers the very low-income bracket (0-50% of Median Family Income (MFI)).

In 1999, according to Census 2000 data, median household income was \$27,819 and per capita income was roughly \$15,969. According to Champaign County Living Wage Campaign, the living wage for Champaign-Urbana was \$8.49 per hour or \$17,650 per year in 2000. This is slightly higher than per capita income for Urbana. This may be explained by the fact the per capita income was calculated for 1999 and the living wage for 2000. There are only 5 Standard Occupational Classification (SOC) groups below that have an average entry-level wage below the living wage. They are highlighted in table 3-2.

Table 3-2 shows how Champaign-Urbana wages compare to the state. Champaign-Urbana paid higher wages than state averages for roughly 60% of the entry-level jobs. In terms of paying the living wage the state and the MSA had the same number of SOC groups on average paying below the living wage for entry-level jobs. For entry level only

Table 3-2 Champaign-Urbana MSA & State Wages by SOC Group

SOC Groups	SOC Definitions	Hourly Wages						Annual Wages					
		Entry Level		Median		Experienced		Entry Level		Median		Experienced	
		MSA	IL	MSA	IL	MSA	IL	MSA	IL	MSA	IL	MSA	IL
11	MANAGEMENT OCCUPATIONS	\$14.79	\$16.89	\$23.23	\$27.48	\$30.19	\$35.79	\$31,615.21	\$35,574.92	\$49,143.50	\$57,648.46	\$63,417.38	\$74,748.00
13	BUSINESS AND FINANCIAL OPERATIONS	\$14.15	\$14.08	\$20.58	\$20.52	\$25.21	\$26.86	\$29,435.90	\$29,279.90	\$42,797.20	\$42,674.40	\$52,436.05	\$55,869.60
15	COMPUTER AND MATHEMATICAL	\$15.61	\$18.23	\$22.37	\$26.81	\$28.00	\$33.04	\$32,466.33	\$37,920.11	\$46,541.00	\$55,760.22	\$58,249.00	\$68,733.56
17	ARCHITECTURE AND ENGINEERING	\$16.96	\$16.54	\$23.08	\$23.30	\$27.40	\$27.44	\$35,275.31	\$34,402.88	\$48,005.63	\$48,460.13	\$56,998.63	\$57,076.13
19	LIFE, PHYSICAL, AND SOCIAL SCIENCE	\$11.88	\$13.29	\$17.67	\$20.65	\$23.47	\$25.91	\$24,713.88	\$27,647.00	\$36,758.50	\$42,954.63	\$48,806.75	\$53,883.13
21	COMMUNITY AND SOCIAL SERVICES	\$10.71	\$9.78	\$14.34	\$13.90	\$17.46	\$17.29	\$22,279.67	\$20,343.67	\$29,835.00	\$28,910.17	\$36,322.17	\$35,959.33
23	LEGAL OCCUPATIONS	\$20.40	\$19.75	\$27.64	\$33.66	\$30.10	\$39.84	\$42,429.50	\$41,074.50	\$57,495.50	\$69,995.00	\$62,601.00	\$82,862.00
25	EDUCATION, TRAINING, AND LIBRARY	\$8.94	\$8.59	\$16.38	\$13.56	\$19.12	\$17.97	\$23,055.86	\$22,410.79	\$36,923.86	\$34,866.29	\$45,692.50	\$44,756.50
27	ARTS, DESIGN, ENTERTAINMENT, SPORTS, AND MEDIA OCCUPATIONS	\$10.70	\$10.72	\$15.15	\$16.12	\$18.43	\$21.42	\$21,357.00	\$21,466.82	\$29,933.55	\$33,016.27	\$37,406.09	\$44,431.55
29	HEALTH PRACTITIONERS AND TECHNICAL OCCUPATIONS	\$14.85	\$14.08	\$20.91	\$20.83	\$23.40	\$24.53	\$30,886.40	\$29,276.20	\$43,495.35	\$43,315.95	\$48,676.90	\$51,021.90
31	HEALTHCARE SUPPORT OCCUPATIONS	\$8.50	\$8.05	\$10.10	\$10.62	\$11.35	\$12.60	\$17,678.22	\$16,745.33	\$21,004.78	\$22,091.22	\$23,610.78	\$26,217.67
33	PROTECTIVE SERVICE OCCUPATIONS	\$12.43	\$13.71	\$16.64	\$17.86	\$19.59	\$20.33	\$25,855.67	\$28,510.33	\$34,621.67	\$37,145.00	\$40,753.33	\$42,294.00
35	Food Preparation and Serving Related	\$6.56	\$6.31	\$7.63	\$7.75	\$8.56	\$9.03	\$13,644.43	\$13,116.93	\$15,864.00	\$16,114.86	\$17,805.36	\$18,789.29
37	BUILDING AND GROUNDS CLEANING AND MAINTENANCE OCCUPATIONS	\$8.34	\$7.38	\$11.39	\$10.74	\$13.37	\$13.57	\$17,357.17	\$15,348.17	\$23,686.83	\$22,333.67	\$27,796.83	\$28,230.00
39	PERSONAL CARE AND SERVICE	\$7.28	\$7.27	\$10.02	\$10.64	\$12.05	\$13.27	\$15,141.50	\$15,116.33	\$20,834.83	\$22,133.67	\$25,057.33	\$27,607.17
41	SALES AND RELATED OCCUPATIONS	\$10.49	\$10.01	\$14.65	\$15.50	\$18.79	\$21.93	\$21,817.56	\$20,818.33	\$30,468.06	\$32,238.39	\$39,082.06	\$45,615.83
43	OFFICE AND ADMINISTRATIVE SUPPORT	\$8.27	\$8.54	\$10.95	\$12.09	\$12.94	\$14.82	\$17,199.28	\$17,772.86	\$22,772.92	\$25,149.03	\$26,921.28	\$30,828.97
45	FARMING, FISHING, AND FORESTRY	\$8.73	\$6.66	\$11.27	\$9.05	\$12.37	\$11.12	\$18,166.67	\$13,851.00	\$23,446.67	\$18,814.33	\$25,736.00	\$23,141.33
47	CONSTRUCTION AND EXTRACTION	\$13.73	\$13.57	\$20.45	\$21.62	\$22.31	\$24.78	\$28,555.11	\$28,233.11	\$42,539.74	\$44,964.84	\$46,401.00	\$51,547.88
49	INSTALLATION, MAINTENANCE, AND REPAIR OCCUPATIONS	\$11.16	\$11.08	\$15.11	\$16.75	\$17.94	\$20.59	\$23,206.50	\$23,044.58	\$31,427.83	\$34,828.92	\$37,316.75	\$42,825.67
51	PRODUCTION OCCUPATIONS	\$8.77	\$9.34	\$11.86	\$13.46	\$13.91	\$16.18	\$18,246.53	\$19,433.76	\$24,675.76	\$28,001.24	\$28,931.35	\$33,655.59
53	TRANSPORTATION AND MATERIAL MOVING OCCUPATIONS	\$9.40	\$9.05	\$12.77	\$13.08	\$15.41	\$16.18	\$19,556.79	\$18,814.79	\$26,553.50	\$27,212.79	\$32,053.36	\$33,641.21

30% of the SOC group for Champaign-Urbana had wages below state averages. There are about 70% of the SOC categories at a mid-level of experience that have a wage below the state's average. The SOC categories with wages higher than the state's average wage for mid-level experience were business and financial operations, community and social services, education, training, and library, health practitioners and technical occupations, building and grounds cleaning and maintenance occupations, and farming, fishing, and forestry. In the category of experienced employees, over 80% of the groups listed in the table were paid wages less than the state's average for that category. The only categories paying wages higher than the state average were community and social services, education, training, and library, and farming, fishing, and forestry. It is important to note that state averages may be skewed due to the Chicago labor market.

The table above was configured with Illinois Department of Economic Security, Occupational Employment Statistics: Wage Data for 2002. These are the averages of the SOC's that were represented at the state and the Champaign-Urbana MSA levels by SOC group.

Table 3-3 shows the top employers in Urbana are the University of Illinois, Carle Clinic, and Carle Foundation.

Table 3-3 Major Employers in Urbana

Employer	Product/Service	Employees	Union Affiliation	Year Established
University of Illinois	Education	20,571	Various	1867
Carle Clinic	Health Care	2,918	None	1931
Carle Foundation	Health Care	2,100	None	1931
Provena Covenant	Health Care	1,200	None	1989
Urbana School District	Education	887	Yes	1869
Solo Cup	Plastic/Paper Cups	700	None	1954
Supervalu	Food Distribution	625	None	1962
Flex-N-Gate	Truck Bumpers	425	Yes	1956
Busey Bank	Banking	425	None	1868
Urbana Park District	Parks & Recreation	340	None	1907

Source: City of Urbana website (www.ci.urbana.il.us)

A study of non-farm employment represented in Champaign-Urbana shows that the largest employment sector in the community is the service providing sector. Since 1993, this has been the sector with the greatest number of jobs (see Figures 3-4 and 3-5). The line graph shows that over the past ten years there have not been any major fluctuations in employment in any one sector. Non-farm employment has been stable since 1993.

Figure 3-4

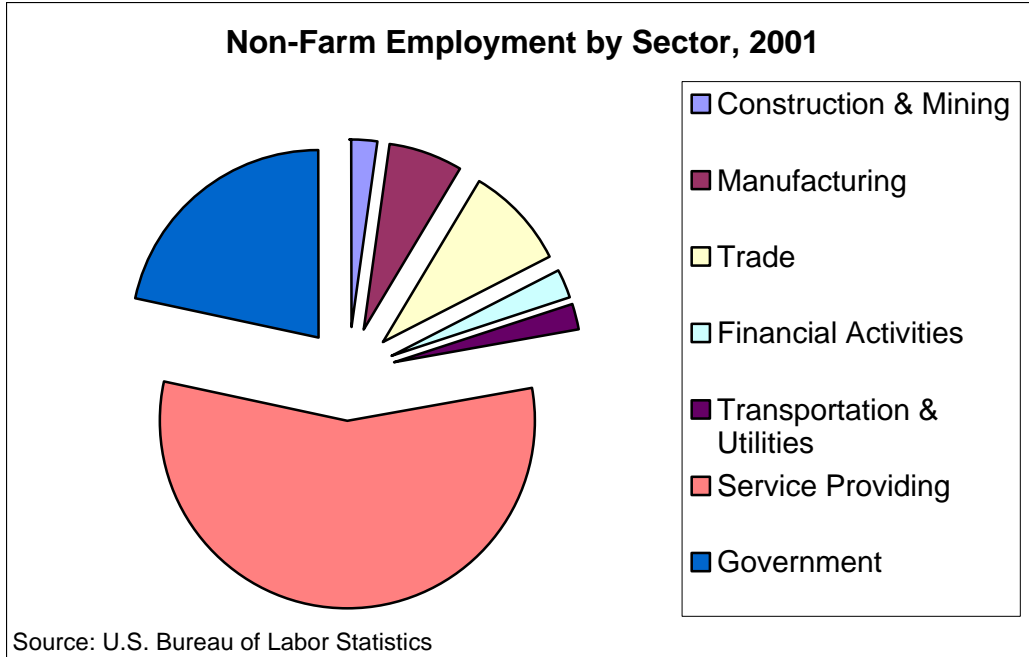
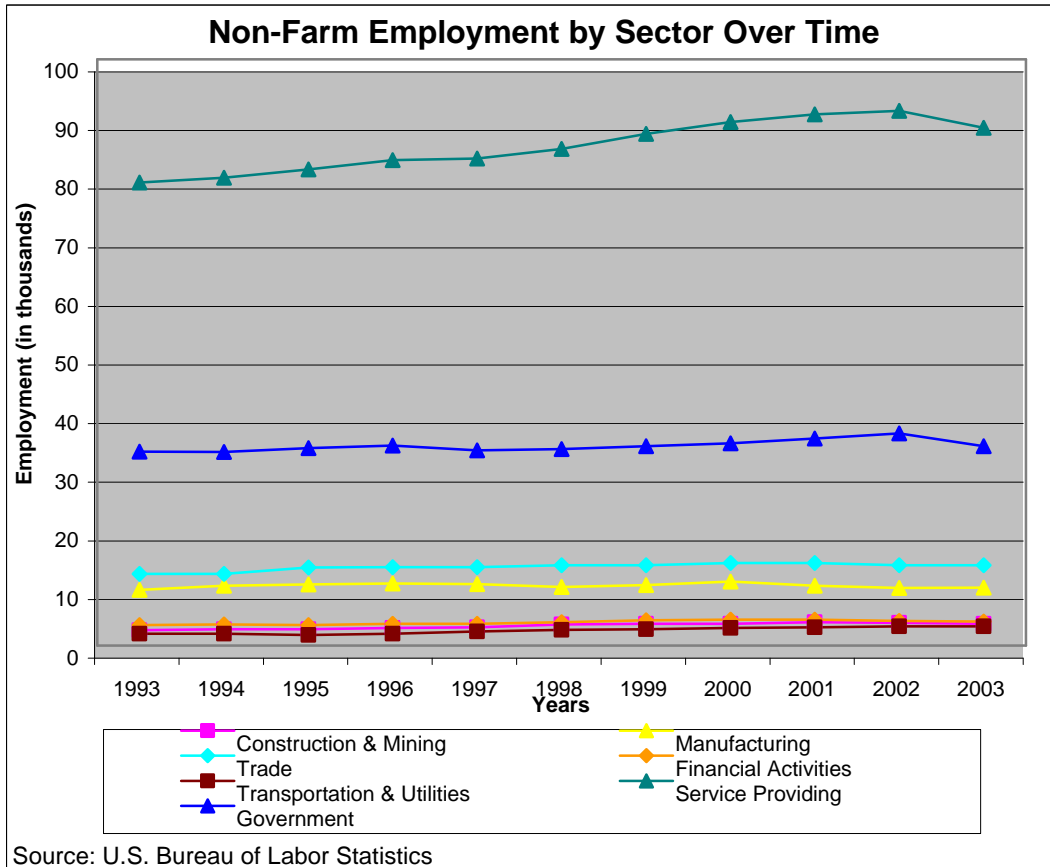


Figure 3-5



3. Education

A factor in where people decide to live is the quality of the neighborhood schools. Higher performing schools can make a neighborhood more marketable. A school that is not performing as well as others in the area or schools suffering from the perception of lower performance can have a negative effect on home values and cause people to choose to live in another area of the community. In Urbana, where a person lives determines where their children will go to school. If the only area a person can afford is an area with a school that does not perform as well as other area schools this can limit their housing choice.

The most recent educational attainment data from USA Counties shows that Champaign County schools have maintained high percentages of educational attainment for high school and beyond. In most cases, the county exceeds national averages. In Urbana, there are six public elementary schools and one combined middle/high school.

According to the 2001-2002 school year report card, the dropout rate for Urbana High was 6.1% and the state average was 5.1%. Overall performance on all state tests, listed below, is defined as overall percentage of state test scores categorized as meeting or exceeding the Illinois Learning Standards for that school, district and state. Overall performance on state tests was higher than the state average of 60.1% at four of the eight schools in the district. Looking at enrollment statistics, an observer can see there are racial differences in Urbana Schools. Socioeconomic status, not race, often factors into children's school performance. Socioeconomic status and race can be correlated. The District has recently been addressing these issues with community members through the Equity Audit and trying to ensure that there is a socioeconomic balance similar to the City's socioeconomic make-up.

In the 2001-02 academic year, Urbana schools, K-12, had a total enrollment of 4,424. The following race/income specific-table has been adapted from the Individual School Report Cards.

Table 3-4 Urbana School District Report Card Summary

2001-2002 School Year Report Card District Summary School Name	Drop-out Rate	Grad Rate	Low Income (%)	Enrollment (%)					Total Enroll	Overall Performance on State Tests (%)
				White	Black	Hispanic	Asian/Pacific Islander	Native American		
Urbana High School	6.1	93.9	22.9	64.1	28	1.6	6.2	0.1	1,345	60.9
Urbana Middle School	-	-	43.9	58.9	31.9	2.4	6.5	0.3	1,055	56.6
MLK Jr. Elementary	-	-	64.1	14.4	42.6	13.3	29.7	0	390	66.1
Leal Elementary	-	-	27.6	77.5	16.4	3.3	2.9	0	275	57.1
Prairie Elementary	-	-	69	37.4	60.8	0.6	0.6	0.6	342	44.6
Thomas Paine Elementary	-	-	39.1	60.9	30.9	2.6	5.2	0.3	307	62.7
Wiley Elementary	-	-	58.4	56.7	40	0.8	2.5	0	365	49.9
Yankee Ridge Elementary	-	-	34.8	69	20.6	4.1	6.4	0	345	65.8

*For school locations and attendance areas please refer to appendix page 66.

4. Home Mortgage Disclosure Act Data

The Home Mortgage Disclosure Act (HMDA) requires financial institutions to annually report the number and value of mortgage and home improvement loans made by census tract. This data is available to the general public and is reviewed by federal examiners when determining Community Reinvestment Act ratings. However, HMDA only identifies those who have applied for loans, not taking into account those who are discouraged before making an application. Thus, it is difficult to obtain a true sense of housing discrimination with the use of HMDA data alone. Nevertheless, we were able to extract HMDA data for the years 1997-2001 based on home purchase loans in Urbana’s three target areas, Census Tracts 53, 54, and 55. Home purchase loans include loans granted by the Veterans Affairs (VA), Federal Housing Administration (FHA), and Farmers Home Administration (FMHA), as well as conventional, refinancing and home improvement loans. HMDA data for these target areas indicates that there were significant decreases in FHA, FMHA, and VA loans, refinancing loans, and home improvement loans from 1997 through 2000. However in 2001 these three categories saw increases in loans. In contrast, conventional loans saw decreases from 1998 through 1999, but 2000 saw an increase in the number of loans made, followed by a decrease in 2001. Conventional loans were the only type of loan to have a decrease in 2001. (See appendix page 72 for full tables).

Table 3-5

HMDA Data: Home Purchase Loans in Target Areas				
Target Areas	FHA, VA, FMHA	Conventional	Refinancing	Home Improvement
1997	39	361	222	97
1998	54	345	521	129
1999	56	297	437	120
2000	30	333	249	95
2001	39	300	444	106
Totals	218	1636	1873	547
Source: Federal Financial Institutions Examination Council				

*For map of Community Development Target Area see Appendix page 76

5. Transit System

The Champaign-Urbana Mass Transit District (MTD), created in 1970, runs the bus service in the Champaign-Urbana area. Buses have been run in the Champaign-Urbana area since the turn of the century. According to Tom Costello of the MTD, all Urbana citizens are within one-quarter of a mile of a fixed bus route. The bus routes serve all areas of the community. (See Appendix page 85 for Weekday Community Service Map) The transit system provides a link between residents and the major employment and retail destinations in the Champaign-Urbana area. The MTD is overseen by the Federal Transit Administration, and the MTD has to comply with Title VI of the Civil Rights Act of 1964, which requires any grantee to “ensure that no person in the US shall on the grounds

of race, color or national origin be excluded from participating in, or being denied the benefits of, or be subject to discrimination under any program or activity receiving federal financial assistance.” This ensures that all people are served by local transit.

Regional and national transit needs are met through the MTD and the use of the Illinois Terminal Building as a transit hub. There is local bus service to the Illinois Terminal Building, which is also served by buses and train lines to other major cities in the U.S. The MTD also runs a bus between the Illinois Terminal Building and Willard Airport.

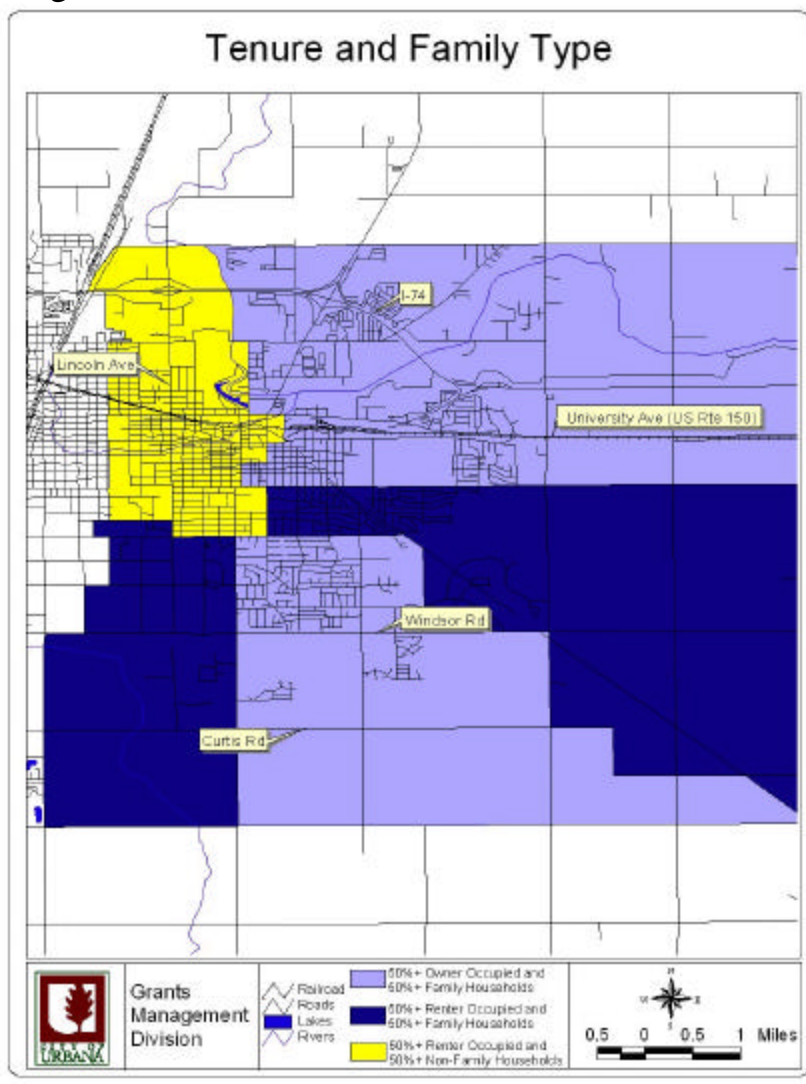
B. Housing Profile

1. Census Data:

As stated in the Fair Housing Act, familial status is a protected class. Population is reported to the Census Bureau as either household or non-household population. According to the 2000 Census, 30,660 Urbana residents are classified as living in households. This represents 84% of the population. Of the total households, 43% live in family households, with a significant portion of married-couple families (32.2%). In contrast, approximately *57% of household residents live in non-family households*. Thus, the potential for “nontraditional” family arrangements exist in Urbana.

The 2000 Census shows a total of 15,311 housing units in Urbana. In 1991, there were 12,543. This is a 22% increase. Six percent of the available housing units in 2000 were reported as vacant. This is up 2% from 1991. In Urbana, 63% of the occupied housing units are renter-occupied, while 37% are owner occupied. This has increased since 1990, when 55% of occupied housing units were owner-occupied and 45% were renter-occupied. Figure 3-6 shows housing units based on tenure and family versus non-family households.

Figure 3-6



2. Housing Market Inventory and Conditions:

In 1990, the median value for a single-family, owner-occupied home in Urbana was \$69,000. By 2000, single-family median home value was \$89,300. Likewise, significant growth has affected median contract rent. Whereas, the 1990 median contract rent was \$340, the 2000 median contract rent was \$537 according to census data. Of the total housing units in 2000, 15,243, or 41% were single-family. 2000 Census data indicates that 72.5% of the housing units in Urbana were built prior to 1980. According to the CUUATS *C-U in 2030* plan, in 2000 there were 15,125 housing units and the number will increase 20% between 2000 and 2030.

Table 3-6 Change in Median Rent and Home Value

	1980	1990	2000
Median Contract Rent	202	340	537
Median Home Value	50,600	69,000	89,300

3. Public and Subsidized Housing:

The Housing Authority of Champaign County owns and rents both elderly and family apartments in Urbana. These housing units include Steer Place, Lakeside Terrace, and Dunbar Court. Dunbar Court, which is located in northeast Urbana and in CT53, was built in 1950. According to HACC staff, there have been no significant physical and/or structural improvements, with the exception of Americans With Disabilities Act (ADA) changes, since that time. It was noted in the 1991 AI that the Housing Authority Comprehensive Plan for Modernization stated “four of five public housing complexes for families in Champaign County are over 35 years old and are an extreme burden on the PHA’s resources because of age and wear and tear.”

Recently, the HACC constructed a tax credit housing site in Champaign, but no further changes have been made to the units in Urbana. According the HACC PHA Plans: 5-Year Plan for FY 2003-2007, Annual Plan for FY2003 there are plans to demolish Lakeside Terrace in FY2003 and 99 units would be affected. The Plan states that the redevelopment plan will be consistent with the City’s Consolidated Plan. The Urbana HOME Consortium and City of Urbana Consolidated Plan for Program Years 2000-2004 strategy 5D states:

“If redevelopment of Lakeside Terrace and Dunbar Court is possible without a significant reduction in the total number of permanent, subsidized housing units affordable to the lowest income families with children in the community, the City of Urbana will work with the Housing Authority of Champaign County to develop a HOPE VI application for the redevelopment of Lakeside Terrace and Dunbar Court to create a mixture of public housing, rental or homeownership units and residents representing a mix of incomes. The City will assist in developing a plan which partners with the private sector to use private dollars to leverage HOPE VI or other Federal funds, to replace the demolished units with a combination of new on-site units, scattered-site units and Section 8 rent subsidies. Although Section 8 vouchers or certificates may be used to relocate households living at these complexes at the time of redevelopment, at least 80% of demolished units will be replaced with permanent, subsidized housing units that will be affordable to extremely low-income families with children, irrespective of their income.”

Demographically, Steer Place is predominantly Caucasian and is located in CT57. Dunbar Court, predominantly African American, is located in CT53 and Lakeside Terrace, also predominantly African American is also located in CT54. The following is a table of the capacity and recent occupancy percentages.

Table 3-7 Public Housing Capacity and Occupancy Rates

Public Housing Units	Year Established	Total # of units – 1991	Total # of units - 2002	Occupancy as of 5/31/02
Steer Place	1971	10	89	87%
Lakeside Terrace	1951	99	99	77%
Dunbar Court	1950	24	25	88%

It is important to note that at Lakeside Terrace, the units are primarily single female-headed households with a large number of children under the age of 18. The same is true for Dunbar Court. At Steer Place, the units are mostly occupied by female senior residents. All residents at these units receive some form of public housing assistance.

In addition to public housing, Section 8 vouchers are distributed by the HACC. Current data from HACC shows that 397 families receive Section 8 vouchers in Urbana to date. Of these recipients 89% are female, head of household, and 75% are African American. In Urbana, the Homestead Corporation for Affordable Single Family Rental Housing Program, a Community Housing Development Organization (CHDO), openly markets rental housing to persons with Section 8 vouchers. Homestead has a total of six houses in Urbana and three in Champaign. The Urban League of Champaign County also rents housing to persons with Section 8 vouchers on a lease to purchase program. The City of Urbana's Annual Action Plan provides for limited continued funding through fiscal year 2003-2004.

In order to assess the performance of PHAs, HUD requires PHAs to submit data to HUD's Real Estate Assessment Center (REAC) for scoring purposes. HUD scores PHAs on four criteria: physical, financial, management operations, and a customer survey. There is an overall PHAS score that is issued based on those four factors for each PHAS. There are four designations a PHA can be assessed: a high performer, standard performer, overall troubled, or troubled in one area. According to HACC's profile they initially received a designation of troubled performer. HACC has been reevaluated as a standard performer.

4. Housing Need

The Housing Authority of Champaign County (HACC) administers the Section 8 Voucher Program and Rental Assistance Program for the Champaign-Urbana area. According to the HACC PHA Plans: 5 Year Plan for FY 2003-2007, Annual Plan for FY 2003, the Section 8 Voucher Program waiting list is closed and is going to reopen this year. Currently, the Section 8 list has 125 extremely low-income people waiting for assistance. The waiting list for public housing is currently open and has 190 people on it. The waiting lists are one indicator of the need for affordable housing in the Champaign-Urbana area. There are at least 315 families, and it is likely a higher number is in need of affordable housing in the area. The reopening of the Section 8 list demonstrates that there is probably a greater need for assistance in the area. These lists only provide one indicator or gauge of the need for affordable housing in the area. The lists do not take into account people who were turned away because the list was closed or those who could not wait to get through the process, which can take months to have a background check completed.

IV. Experiences in the Urbana Housing Market

City of Urbana

Analysis of Impediments
To Fair Housing Choice

Several agencies report that they receive and process complaints of housing discrimination in Urbana: the Champaign-Urbana Tenant Union, the Urbana Human Relations Division, and the Building Safety Division.

A. Champaign-Urbana Tenant Union

The Champaign-Urbana Tenant Union (CUTU) refers discrimination complaints to the appropriate agency - the Urbana Human Relations Commission, the Champaign Community Relations Office, or the Illinois Human Rights Commission and/or HUD. In addition to these referrals, the Tenant Union accepts complaints of discrimination and attempts resolution, when possible. According to CUTU Director, Esther Patt, if the agency cannot resolve a complaint, the time period for government agencies to resolve a complaint through the hearing process is at least one year or longer. The Charge Process at a Glance for the State of Illinois Department of Human Rights effectively illustrates how difficult and time consuming the process can be (see appendix page 83 for the Charge Process at a Glance). This discourages people from pursuing their complaints through government agencies.

In 2001 and 2002, the number of complaints have steadily decreased. The usual range is 30 to 50 complaints. In 2002, there was one Urbana complaint filed with the CUTU. Out of all the complaints filed with the CUTU, 85.7% allege discrimination on the basis of race and familial status. (See Appendix page 78 for detailed charts from previous years).

Table 4-1

Allegations of Discrimination Reported to CUTU					
2002					
		Champaign	Urbana	Rantoul	Total
Race		2	1	0	3
Familial Status		3	0	0	3
Sexual Harrassment		0	0	0	0
Disability		0	0	0	0
Ancestry		0	0	0	0
Marital Status		1	0	0	1
Arrest/Conviction		0	0	0	0
Total:		6	1	0	7
Race and Familial Status account for:			85.7%	of all allegations	

Table 4-2

Tenant Union Data: Race, Family Status, Disability Totals				
Year	Champaign	Urbana	Rantoul	Total
2002	6	1	0	7
2001	8	2	2	12
2000	16	4	4	24
1999	9	6	2	17
1998	17	7	1	25
1997	19	6	7	32

The number of complaints of discrimination made to the CUTU in 2001 and 2002 are low, and Director Patt did not know the reason. Champaign has more complaints than Urbana, but it is double the size of Urbana and has more rental units. In 2001, the CUTU reported 9,500 Urbana units and 15,000 in Champaign. The results of the *2002 Fair Housing Trends Report* conducted by the National Fair Housing Alliance discuss national trends in fair housing which may support local trends. Based on 2001 complaint data, the report revealed the following:

- 1) Housing discrimination persists nationwide and is severely unreported. Complaints filed with public and private fair housing enforcement agencies represents only about one percent of the annual estimated incidence of housing discrimination in the United States.
- 2) The highest volumes of complaints come from African Americans, people with disabilities, and families with children. Together they comprise about 71% of all complaints;
- 3) Housing discrimination is least reported among Hispanics, Asians and women who are sexually harassed by those providing, maintaining or managing housing;
- 4) Lending discrimination continued to rise in 2001.
- 5) Private fair housing organizations processed the overwhelming majority of all reported complaints of housing discrimination. In 2001 private fair housing groups received twice as many complaints as government agencies combined.

The most common type of discriminatory behavior reported to the CUTU is refusal to rent. The only complaint during 2002 in Urbana involved a landlord giving 30-day notice under an oral lease. Other types of discrimination within the past year have been based on student status, a tenant had a guest banned, refusal to rent based on credit, and a landlord requested 50% more rent for a tenant once she had her baby. Discrimination in the housing market limits the housing choices available to community members.

According to Esther Patt, some landlords may not know that discrimination is treating someone differently based on being part of a certain group. Landlords may think discrimination is just outright refusal to rent to a person.

B. Urbana Human Relations Office

In February 2000, the City of Urbana amended its Human Rights Ordinance, which was established in 1975. Urbana's Human Rights ordinance is the most comprehensive in the county in that it protects many "classes" not specifically included by neighboring municipalities. For example, the ordinance makes it unlawful for any person to refuse to sell or lease real estate property on the basis of race, color, creed, class, origin, religion, sex, age, marital status, handicap, appearance, sexual preference, family responsibilities, matriculation, political affiliation, prior arrest or conviction, or source of income. The definition of "source of income" specifically includes Section 8 and the designation "sex" also includes "the state of being or becoming male or female or transsexual, or pregnant, or the ability to become pregnant." Urbana's ordinance prohibits all discrimination based on prior arrest or conviction record while Champaign's ordinance exempts from protection anyone convicted of a forcible felony or drug-related felony who has not lived outside of prison for at least 5 years without another conviction for a crime involving violence or drugs. Champaign's ordinance also does not prohibit discrimination on the basis of a person using a Section 8 voucher to subsidize rent.

In Urbana, a Human Relations Commission of nine community members, appointed by the Mayor, hears cases filed with the Human Relations Officer. Urbana has experienced a significant drop in the filing of housing complaints since 1990. For instance, during the 2000-01 fiscal year, a total of six cases were filed, all of them employment-related. In fiscal year 1999-00, seven housing cases were filed, and in 1990 there were 13 housing complaints filed alleging discrimination on the basis of race, familial status, disability and sex. The City's Human Relations Officer, Vacellia Clark, states that there is a great lack of knowledge in housing laws. Also, the time and emotional investment that come with filing a complaint often discourages many from utilizing the City's Human Rights Ordinance.

C. Building Safety

In addition to the Human Rights Ordinance, in 1994 the City of Urbana established a Landlord/Tenant Ordinance that clearly spelled out the responsibilities for both landlords and tenants. For example, except in cases of emergency or by mutual consent, the landlord may not enter rental property without 24-hour notice. Entry must also occur during the reasonable hours of 10:00am and 8:00pm (City Code, Sec. 12. 5-15, B.) (For full ordinance see Appendix page 87). Complaints against landlords and tenants based on code violations and housing quality can be made to the City's Building Safety Division. According to the City of Urbana's past Housing Inspector, Mike Nichols, most landlords comply with violations to avoid greater court costs and public embarrassment. However, there are often times when the legal division must be involved, especially in cases where the inspector has recommended demolition. There are also instances where tenants have induced damages and the landlords cannot be held responsible.

D. Neighborhood Visioning

Between September and November 2001, the Planning Division conducted Neighborhood Visioning Workshops to aid in the comprehensive plan process. The workshops did not specifically target housing, but community responses and input indicate some concerns and perspectives of Urbana residents. Approximately 400 people attended and presented their views. In general, those who attended the workshops noted issues such as a weak economic base, lack of planning/development in Southeast Urbana, and the impact of University development upon neighboring residential zones. Their overall suggestions were to increase commercial development, strengthen the economic base, the preservation of rural and residential land, and encourage more community involvement. In reference to housing, the following is a listing of community recommendations for the designated work areas. As a result of input gathered at these workshops and community surveys goals and objectives are currently being drafted.

Table 4-3 Results From The Community Visioning Process

North Urbana	King/Crystal Lake	Country Squire, Scottswood, Edgewood, and Beringer Commons	Historic East Urbana/Fairlawn Park	West Urbana	South Urbana
Continue controlled residential development	Clean neighborhoods	Housing improvements	Housing improvements and maintenance	Preserve single-family residential	Avoid becoming "gated" community
More residential housing w/ larger lots	Create pedestrian-friendly crosswalks	Restrict motor home parking	Increase code enforcement	Reconvert rental units to owner occupied dwellings	Unite residential communities
Develop Residential east of Cunningham	Code enforcement and rezoning to accommodate residents	Encourage home ownership	Stop sewer/gas odors	Incentives to rehab housing	Avoid high density housing south of Colorado and east of Philo Rd
Residential east of Cunningham			Limit high density development	Address issues to University growth	Work on slowing degradation of existing homes and apartments
Better zoning for residential			Incorporate unincorporated areas	Make housing attractive to buyers	Considerate development
				Biannual cleanup when students move in/out	Encourage neighborhood associations
				Central place for recycling	Greater city and resident interaction

*For reference map see appendix page 81

E. Survey of Local Social Service and Housing Advocates

Grants Management Division staff met with several local social service agents and housing advocates to get their perceptions of impediments to fair housing in the Urbana market. A wide range of opinions and concerns were expressed. Most social service agents who provide shelter and/or information and referral services expressed some concerns with the Urbana housing market. A common concern expressed by social and

human service agents is that there is not enough housing stock in Urbana, especially affordable housing development. Jim Rose, the Executive Director of the Homestead Corporation, believed there are widespread misconceptions about affordable housing. “Affordable housing doesn’t mean cheap housing,” said Rose, “it is affordable for those living in it.”

Human and social service agents note that their participants and consumers receiving disability and/or Section 8 vouchers are not able to afford rents higher than HUD’s Fair Market Rent, and there are very long waiting lists at the HACC. Members of the Champaign County Apartment Association report that the rental value of Urbana apartments is often driven up by the student population whose parents and student loans will pay their rent.

In addition to the practical issues raised by social service and housing advocates, many interviewed discussed the lack of knowledge and awareness of housing laws, which make it illegal to discriminate. For instance, staff at the Men’s SAFE House noted that “prior arrest record” is the primary reason for denial of rental space to persons graduating from the program. SAFE House residents were not aware of the Urbana Human Rights Ordinance, which includes prior arrest record and conviction as a protected class. Similarly, many women at A Woman’s Fund (AWF) are also not aware of protection under family status. However, even in the event that a woman with children may be protected, the need to find safe housing immediately far outweighs the length of time that it will take to file and go through with a complaint. Thus, in the case of women and domestic violence, filing a complaint is not high on the priority list. AWF staff note that “most women end up doing nothing and moving on, and sometimes they return to their abusers in the failure to find adequate housing.”

Staff at Persons Assuming Control of their Environment (PACE), which is a center for independent living, maintain a list of local housing landlords and apartments that are visitor-friendly to persons with disabilities. This serves as a guide for persons with disabilities who may need assistance finding apartments. However, it is often the case that apartment buildings have stairs and no ramp to enter the building. Even when the units might be accessible or adaptable, the inability to reasonably enter the building, in addition to the costs they will incur with the placement and removal of accommodations (at their expense), is a significant barrier to persons with disabilities.

**V. Programs Offered by the
City of Urbana to
Affirmatively Further
Fair Housing**

A. Affordable Housing

According to HUD, housing is affordable when all housing costs (rent/mortgage, utilities, property taxes, and insurance) do not exceed 30% of total household income.

HUD defines income level by percentage of the median family income (MFI). Moderate income is defined as 50-80% of the median family income (MFI), low income is defined by having 30-50% of the MFI, and very low income is defined as having 30% or less of the MFI.

Median family income for a family of four, in the Champaign-Urbana Metropolitan Statistical Area (MSA) is \$58,700 for 2003. Using this information, a family of four earning the following incomes would fall into these HUD income categories:

Table 5-1 Champaign Urbana Income Levels for a Family of Four, 2003

Low Income (50-80% of MFI)	\$29,800 - \$47,700
Very Low Income (30-50% of MFI)	\$17,900 - \$29,800
Extremely Low Income (30% or less of the MFI)	\$17,900 or less

According to HUD, the definition of housing burden is a household paying more than 30% of their income on housing costs. According to United States Census Data, 39% of homeowners and renters in the area, 15% of the homeowners and 52% of the renters in Urbana reported paying over 30% of their income in rent or other housing costs. From 1990 to 2000, the total percentage of cost burdened households has increased from 37% to 39%.

Table 5-2 Cost Burdened Households in Urbana

	Urbana Homeowners paying 30%+for selected housing costs	Urbana Renters paying 30%+of household income for rent	Urbana Homeowners and Renters paying 30%+ for housing costs
2000	713 (15%)	4689 (52%)	39%
1990	691 (16%)	3822 (48%)	37%

Source: U.S. Census Bureau

According to 1990 figures from the Comprehensive Housing Affordability Strategy (CHAS), 77% of homeowners and renters in Urbana who fell within the extremely low-income bracket had a housing cost burden. Sixty-three percent of the people within that bracket had an extreme housing cost burden meaning that they had over 50% of a housing cost burden. Renters carried a heavier burden than homeowners in this bracket. The number of people experiencing housing burdens decreases as income increases. As income increases, the number of households experiencing an extreme cost burden

decreases. This shows that the people in the extremely low-income category are the most at risk group to have a burden in the cost of housing.

According to the Urbana HOME Consortium and City of Urbana Consolidated Plan homeowners in the extremely low, very low, and low-income groups could all benefit from some type of renovation assistance due to the effects of high cost burden for these populations. Education on maintenance and budgeting issues may be helpful to these populations as well. Renters in Urbana need relief from high levels of cost burden. Expansion of homeownership opportunities through programs like down payment assistance could help provide relief.

Table 5-3 Cost Burden by Income Group in Urbana, 1990

	Total Households		Homeowners		Renters	
	No. of Households with a Cost Burden	No. of Households with an Extreme Cost Burden	No. of Households with a Cost Burden	No. of Households with an Extreme Cost Burden	No. of Households with a Cost Burden	No. of Households with an Extreme Cost Burden
Extremely Low Income (0-30% MFI)	1839 (77%)	1498 (63%)	237 (67%)	143 (46%)	1602 (78%)	1355 (66%)
Very Low Income (30-50% MFI)	1585 (76%)	531 (25%)	249 (61%)	81 (20%)	1336 (80%)	450 (27%)
Low Income (51-80% MFI)	985 (39%)	111 (4%)	148 (24%)	0 (0%)	837 (45%)	111 (6%)
Moderate Income (81-95% MFI)	122 (10%)	22 (1%)	24 (7%)	7 (2%)	98 (13%)	15 (2%)
Non Low/Mod (96% or greater MFI)	N/A	N/A	N/A	N/A	N/A	N/A

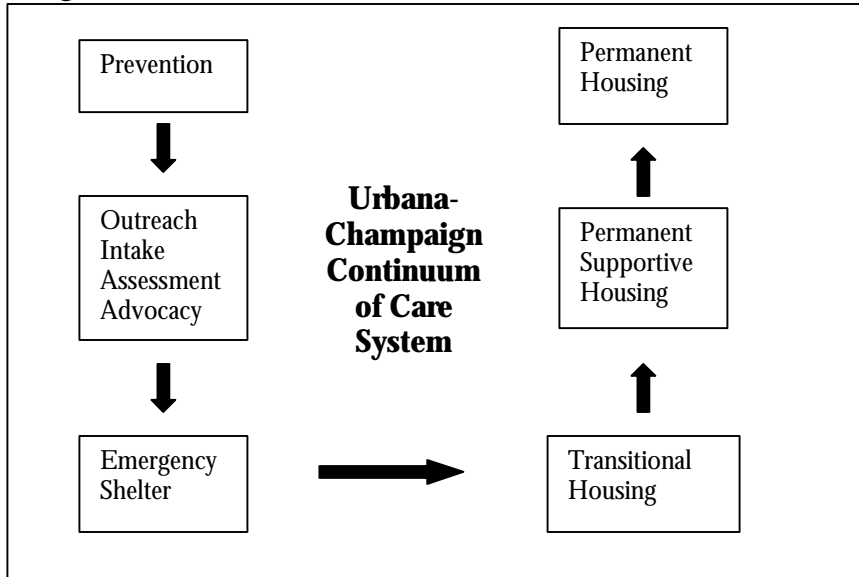
Source: CHAS

B. Continuum of Care

The Urbana-Champaign Continuum of Care has been in operation since 1995. It consists of a network of local service providers, local governments, and health care organizations committed to creating a complete and viable system of delivering housing and supportive services for homeless persons in the Champaign County. There are many stages in the Continuum to prevent homelessness and aid in the transition to permanent housing. There are prevention services, outreach/intake/assessment/advocacy, emergency shelter, transitional housing, permanent supportive housing, and permanent housing. The Continuum of Care providers serve the low-income and homeless populations throughout Champaign County, but most have their main offices within the metro area.

There are approximately 24 service providers that are members of the Continuum. The Continuum has been funded over the years through a multitude of sources including federal, state and local governments, as well as, foundations and private donations.

Figure 5-1



Source: Urbana HOME Consortium and the City of Urbana Consolidated Plan

C. Housing Rehabilitation

The City of Urbana and the Urban League offer different housing rehabilitation options for low-moderate income residents in Urbana. The City of Urbana offers the Senior Repair Service, Emergency Grant program, Whole House Rehabilitation, and Access Grant programs. The Urban League offers the weatherization program and painting and siding programs.

The City of Urbana’s Senior Repair Service provides non-repayable grants up to \$550 per household for minor home maintenance to seniors 62 years old and older. Most often furnace and plumbing repairs, porch and step repair, ceiling, wall and floor repairs are made with this grant. The requirements of the program are as follows: the property needs to be owner-occupied, be located within Urbana corporate limits, household income must be less than or equal to 50 percent of the median family income, and the applicant must be 62 or older, or be a person with a disability of any age.

The City’s Emergency Grant Program is targeted to low-income homeowners for the repair of health or safety items. These grants are available in instances where the repair is immediately needed to mitigate a hazardous condition. Eligible activities include only

those repairs necessary to alleviate a hazardous condition, which poses a threat to the health and safety of the occupant, including repair or replacement of defective mechanical, electrical, or plumbing system, building components and surfaces. The eligibility requirements are that the property must be owner-occupied, within Urbana corporate limits, household income must be less than or equal to 50 percent of median family income, and the owner must have proof of property insurance. Grant amounts do not exceed \$5,000 per household.

The City's Whole House Rehabilitation Program is available to homeowners within the City's Community Development Target Area, which is roughly bounded by Census Tracts 53, 54, and 55. The program consists of grants and loans. The City provides half the assistance in the form of a grant that generally does not need to be repaid. The other half of the assistance is in the form of a loan from a bank or the City. The grants and loans cannot total more than \$25,000 per project. The program is used to make general repairs to bring a house into compliance with City codes. The following repairs are eligible for funding:

- Repair or replacement of defective mechanical, electrical, and plumbing systems.
- Repair or replacement of defective building components and surfaces, i.e., foundations, roofs, porches and stairways, floors, ceilings and walls, doors and windows, siding and trim.
- Energy conservation activities, i.e., insulation, caulking and weather-stripping, siding, doors, and windows.
- Lead paint hazard reduction.
- Accessibility for disabled persons.
- Incipient repairs and general property improvements of a non-luxury nature.

To be assisted under this program there are a few eligibility requirements. The property must be a single-family residence located within the Urbana Community Development Target Area (north and east central Urbana). The property must be owned and occupied for a minimum of one year. Household income may not exceed 80 percent of the area median family income (MFI). For the people below 50 percent MFI, the loan is provided by the City and is a deferred loan. For the people between 50 and 80 percent MFI, the loan comes from a local bank with monthly payments for up to ten years.

The City also offers the Access Grant Program. The program is designed to eliminate physical barriers that keep a person with a disability from using his or her home. Eligible households may receive up to \$5,000 of home improvements from a non-repayable grant. Typical projects funded through the Access Grant Program include ramp installation, bathroom modifications, and door widening. Access grants may be used to renovate single-family homes as well as units in duplexes and multiple-family buildings. The property must be in Urbana City Limits, and household income may not exceed 80 percent of area median family income.

The Urban League is the nation's oldest and largest community-based movement devoted to empowering African Americans to enter the economic and social mainstream. They have been active nationally since 1910 and locally since 1961. The Urban League offers two programs to aid in maintaining good quality housing stock in Urbana. The Urban League offers paint and siding and weatherization programs. The Urban League paint and siding program paints the exterior of owner-occupied, single-family units in Urbana and Champaign free of charge. Funds for painting and siding in Urbana are provided by the City of Urbana through its Community Development Block Grant Program. For an Urbana household to qualify, the household income may not exceed 50 percent of area median family income. The weatherization program offers grants to homeowners and renters throughout Champaign County to weatherize their homes. Activities commonly funded through this program include caulking, insulation, window repair and replacement, door repair and replacement, and repair and replacement of heating systems. To be eligible for assistance a person needs to meet income requirements and the dwelling for weatherization must be located within Champaign County. This program is primarily targeted to homeowners. However, renters may be assisted through the program as well, if they are eligible under the other two requirements and the landlord agrees to pay for half the weatherization costs.

D. CDBG and HOME Programs

The City receives funding for programs from the Federal Community Development Block Grant (CDBG) Program (\$577,000 City's FY2003 annual allocation of the entitlement grant) and the Federal HOME program (\$284,563 City's FY2003 annual allocation of the entitlement grant). CDBG funds are used by the City principally to improve low-income neighborhoods designated by Census Tract, while HOME funds are used to increase availability of quality housing affordable to low-income persons.

The City receives HOME funds in its capacity as lead entity of the Champaign/Urbana/Champaign County HOME Investment Partnerships Consortium. The Grants Management Division administers affordable housing activities financed with the Urbana share of the HOME Consortium allocation. By intergovernmental agreement, the Grants Management Division passes HOME funds to the City of Champaign and Champaign County for affordable housing activities planned and administered by those jurisdictions.

Activities traditionally funded in Urbana through the CDBG and HOME programs include: housing rehabilitation (both owner- and renter-occupied), housing construction including the Eads at Lincoln subdivision, capital improvements, social services, business loans, down payment grants to first-time homebuyers, neighborhood cleanup events, modifications for accessibility for persons with disabilities, home maintenance services for senior citizens, and rent assistance. The Annual Action Plan lists activities to be funded for the following year, and activities vary each year depending on community needs.

E. Transitional Housing

The City of Urbana offers a Transitional Housing Program to provide housing and support services to selected families who have been participants of one of the transitional housing programs or who are otherwise homeless. Families live in the houses from six months to two years while making the transition from homelessness to permanent housing. The Transitional Housing Program offers training in life skills and provides supportive relationships and services. To qualify for the program a family needs to be referred from another transitional housing program, a social service agency, school or church, and must have resided in Champaign County for at least three months. Eligibility decisions are based on motivation, family size relative to the size of the house, and the potential for successful completion in the program. The City funds this program and provides case management services to the residents. The City owns three of the five transitional housing properties is operates.

VI. Analysis of Current Public Policies and Institutional Practices Impacting Fair Housing Choice

City of Urbana

Analysis of Impediments
To Fair Housing Choice

A. Human Rights Ordinance

In 1975, the City of Urbana adopted the Human Rights Ordinance (for full ordinance see appendix page 106). This ordinance protects residents from discrimination in “employment, housing, places of public accommodation and credit or commercial”. The ordinance goes above and beyond the fair housing laws in regards to the number of protected classes. The ordinance protects residents from discrimination based on: race, color, creed, class, national origin, religion, sex, age, physical or mental disability, matriculation or source of income, personal appearance, sexual preference, family responsibilities, political affiliation, and prior arrest or conviction record. The major distinguishing factors between Urbana’s Human Rights Ordinance and that of other localities is Urbana’s ordinance covers source of income and all discrimination based on prior arrest and conviction record. Champaign and other communities do not explicitly state that people holding Section 8 vouchers are protected from discrimination.

B. Planning Division

The Urbana Zoning Ordinance is the primary land-use regulation tool used by the City and is intended to implement policies of the City’s Comprehensive Plan. The Comprehensive Plan is currently being updated. The Comprehensive Plan may be used as resource to learn more about affordable housing and fair housing in the community due to the high level of community involvement in the comprehensive planning process. Many goals of the 1982 Comprehensive Plan speak directly or indirectly to the issue of fair housing including the King Park Neighborhood Plan, adopted in 1989, and the North Broadway Neighborhood Plan, which is currently in draft form. When completed and submitted as an amendment to the Comprehensive Plan, the North Broadway Plan will provide for the maintenance of affordable housing. Surrounding residents of the North Broadway site have identified affordable housing as one of the primary issues to be addressed. In addition, several public input sessions have been scheduled to discuss the potential redevelopment of Lakeside Terrace, which is a public housing unit located in Tract 54. The Planning Division is committed to adapting zoning and subdivision regulations to reflect changing housing market needs. In recent years, for example, some of the new housing developments such as Savannah Green in southeast Urbana have been granted waivers in order to develop lots with smaller areas and widths. The intent of the developers of these subdivisions is to make the houses more affordable for prospective homebuyers.

Occupancy limits under Urbana zoning ordinance may have an affect on fair housing in Urbana. Four unrelated adults are allowed to live together under current occupancy limits. Occupancy limits affect housing choice because people may want to cohabitate with a certain group of people, but are unable to do so without violating the zoning ordinance.

C. Visitability Ordinance

In 2000, the City amended its building codes to include visitability standards. The visitability standards are for all new construction of one and two family dwelling units funded with financial assistance originating from or flowing through the City of Urbana. Financial assistance includes funds used for purchase of land and actual construction of the structure but does not include infrastructure installation. The required visitability features are: no step entrance, visitable route, grade requirement, minimum clear width requirement, landings, non-slip surfaces, drainage cross slope, reinforced walls in each bathroom, corridors 36 inches wide, electrical outlets at least 15 inches above the floor, and light switches, thermostats and other controls no higher than 48 inches above the floor.

As a result, this ordinance allows those with disabilities to visit a person's home and still be able to get around with relative ease. According to the ordinance, this is significant because people with disabilities are often isolated in their own homes and cannot visit most homes because many of them contain barriers. In addition, people with disabilities often experience difficulty finding suitable, affordable housing.

D. Building Safety Division

City building codes are based on National Building Officials and Code Administrators (BOCA) Standards. Under the current Urbana Code, residents have the right to appeal or request variances on any building code decision through the Building Safety Board of Appeals. The Urbana Building Safety Division conducts systematic and/or random inspections city-wide for multi-family buildings and certified University housing (i.e., fraternity and sorority housing, and individual freshman housing designated for freshman students) with three or more units.

Building codes impact affordable housing by establishing a minimum standard that all construction must meet. Thus, no matter what the income level of the occupants, minimum life safety standards must always be maintained. This impacts affordable housing because there is an additional cost associated with the regular property maintenance to ensure the property meets the minimum level of safety standards.

E. Realtor/Renter Activities

The Champaign County Association of Realtors (CCAR) requires all members to have three hours of education regarding fair housing. In the past, CCAR realtors have participated in and sponsored "Fair Housing Month". This included an essay contest for students, the display of banners and posters during that month, and a luncheon with the Equal Opportunity Committee. Activities vary from year to year, but realtors and rental owners in Champaign-Urbana maintain a fluid network in order to keep up with legislation and legal housing issues.

The Champaign County Apartment Association (CCAA) has over one hundred members and represents 12,000 to 13,000 apartments in the Champaign/Urbana area; that is 2/3 of the rental market. They meet on a monthly basis and invite speakers. Their board members are open to the membership. Members of the CCAA believe that Urbana is “ahead of the curve” because of the University and the Urbana Human Rights Ordinance. Some members of the CCAA do not perceive fair housing as a serious issue any longer due in part to the comprehensiveness of the Urbana Human Rights Ordinance. However, there may be members of the CCAA resistant to the inclusion of “Section 8” as a protected class. The FHA nor the Urbana Human Rights Ordinance prevent landlords or realtors from using background and credit checks as a reason for denial.

F. Financial Institutions

The Community Reinvestment Act of 1977 (CRA) specifically requires that financial institutions respond to the needs of low- and moderate- income neighborhoods. In 1989, Congress amended the CRA, as a part of the Financial Institutions Reform, Recovery, and Enforcement Act, better known as the savings and loan bailout legislation. The amendments require more proactive measures by financial institutions to meet the goals of the original CRA. Each bank has a CRA officer, submits statements to the Federal Reserve Board and undergoes standardized bank audits. 2000 HMDA data reports that Busey Bank and Central Illinois Bank have “outstanding” CRA ratings.

The financial institutions in the area and the cities of Champaign and Urbana have formed the Community Reinvestment Group, which discusses affordable housing throughout the area. The Community Reinvestment Group has hosted an affordable housing fair for the last three years. At the fair they have sessions on the homebuying process.

G. Economic Development

The impacts of economic development upon fair housing are numerous and interrelated. Businesses can help to provide job opportunities and services to residents, and residents can help to initiate businesses in the community. In Urbana, many community members patronize the businesses closest to their residences, particularly in the downtown area and southeast area of Urbana. Currently, the southeast sector in Urbana is experiencing the highest amount of newly constructed housing.

Although residential builders and developers have different objectives than business-related builders and developers, both groups share the same goal to increase activity and opportunities within the community. Increased numbers of residents generally translates into increased revenues for businesses. From the City’s perspective, high resident population and increased business activity help the city provide a superior level of service for the community.

VII. Impediments to Fair Housing Choice in Urbana

City of Urbana

Analysis of Impediments
To Fair Housing Choice

Fair housing choice is a complex issue involving diverse factors. A violation of fair housing laws can lead to direct or indirect discrimination. Discrimination can create a disparate effect upon protected class members. The information that has been provided has led to the determination of the following fair housing impediments and their impact on Urbana residents. Much of the data reflects what has previously been presented in the 2000-2004 Consolidated Plan.

The AI identifies the following impediments to fair housing choice in Urbana, Illinois. In addition, recommendations are set forth below to address each identified impediment. The recommendations are not mandates but rather suggested activities for the City of Urbana to consider as it continues to work to eliminate barriers to fair housing. The recommendations are not the only actions that Urbana can take to address an identified impediment. The City should encourage residents to go beyond those listed. Barriers to fair housing often have layers of contributing factors and influences, and these barriers likewise involve many entities such as the jurisdiction, other state and local agencies, representatives from lending, real estate, rental and insurance industries, nonprofit organizations, and—most importantly—protected class members themselves. The City of Urbana is encouraged to consider:

- the actions that it can take to directly reduce or eliminate barriers,
- actions that it can encourage other governmental agencies to undertake,
- actions that it can encourage private sector representatives to undertake,
- and actions that it can fund that will be carried out by nonprofit organizations that will reduce or eliminate previously identified fair housing impediments.

Impediments to Fair Housing Choice:

A. MULTICULTURAL NATURE OF THE COMMUNITY:

Census data shows that there are many different cultures represented in Urbana. There are concentrations of Asian, African American and migrant worker populations in the community.

Barriers that may be raised due to the multicultural nature of the community are language barriers and cultural differences. The language barriers encountered by non-English speaking residents can significantly impact the experience of obtaining housing—whether rental or homeownership.

Cultural differences may play a part in impeding fair choice because people from other countries that do not have fair housing laws may not be aware of fair housing laws in the U.S. and may be unlawfully discriminated against without their knowledge.

Recommendations:

-
- *Encourage agencies such as the Champaign-Urbana Tenant Union and the Urbana Human Relations Commission to provide more brochures and packets of information in many languages to increase awareness of housing laws and rights.*
 - *Working with organizations such as the East Central Illinois Refugee Mutual Assistance Center to have interpreters to make sure tenants are fully aware of what is expected of them under their lease agreement and offer landlords a resource for communicating with their tenants.*
 - *Encourage organizations working with multi-cultural groups to act as a liaison for education of fair housing rights to people speaking another language and aiding in the translation of materials*
 - *Grants Management Division should coordinate with the Human Rights Commission to work with among groups, such as landlords, tenants and prospective homebuyers to educate on fair housing laws.*
 - *Currently there is a group forming to study issues facing migrant farm workers, such as language barriers leading to problems with housing and employment. The study should be reviewed to address fair housing issues facing this growing population.*

B. COMMUNITY DEVELOPMENT TARGET AREA:

The target area was created to focus the City's investment of entitlement money into areas of the greatest need. Focusing funds on a specific area may preclude an otherwise qualified citizen who lives outside the Target Area from access to aid. This can be an impediment because if a homeowner outside the Target Area cannot afford to make improvements to their home without some form of assistance they may be forced to find other living arrangements.

Recommendation:

- *Consider redefining current Community Development Target Area. The City may at a future date undertake this endeavor.*

C. PUBLIC HOUSING:

For two years, the HACC has not added people to their waiting list for Section 8 vouchers. This lack of timely utilization has adversely affected many groups, primarily women and children and persons with disabilities, to the extent that they have sought to find housing elsewhere. Many holding Section 8 vouchers and Social Security Disability Insurance are not able to afford higher rents paid by university and college students.

Recommendations:

- *Investigate reasons no one was added to the Section 8 waiting list. Find ways to ensure the existing vouchers made available to the HACC are fully utilized.*
- *Research ways to reduce the time for the application process (e.g. it can take 3 to 4 months to have a criminal background check done).*

-
- *Encouraging the HACC program allowing Section 8 voucher holders to use their vouchers towards a mortgage payment. This may help alleviate the problems associated with the high rents in the area.*

D. RENTAL MARKET:

The student population impacts the rental market in Urbana. 2000 Census data indicates that Urbana is a predominately renter-occupied community with 63% renters. Over half the households in Urbana are non-family households meaning persons not married to each other. Since 1990, the median gross rent has increased 30%. Escalating rents in the area are an impediment to low and moderate-income populations because they cannot afford to live where they choose.

Recommendations:

- *Study the housing market to find out if the supply of affordable housing is meeting the demand.*
- *Continue to invest HOME funds to create new affordable housing developments.*
- *Encourage the HACC program to allow Section 8 voucher holders to use their vouchers towards a mortgage payment. This may help reduce the number of people in the rental housing market, thus making units available for other people.*
- *Consider creating a program providing assistance with security and utility deposits.*

E. HOUSING MARKET:

Between 1990 and 2000, the median value of owner-occupied homes has increased almost 30%. The increasing home prices are an impediment to low and moderate-income populations because they cannot afford to live where they choose. The increase in home price can take homes out of the affordability range for low and moderate-income people.

Recommendations:

- *Study the housing market to find out if the supply of affordable housing is meeting the demand.*
- *Investigate new financing options to close the gap between what is affordable to low and moderate income people and the market value of homes in the community*
- *Investigate ways to encourage and increase mixed-income housing development. This can be done through different initiatives. Some ways this can be done are to:*
 - *Offer density bonuses for creating a certain number of affordable units in new developments*
 - *Encourage the use of tax credits or other incentives to get affordable housing in new subdivisions.*
 - *Investigate a system that would allow affordable housing projects to qualify for waivers from local development fees.*

F. HOUSING DISCRIMINATION COMPLAINT PROCESS:

Since 2001, the number of cases filed with the CUTU have significantly declined. National data from the 2002 Fair Housing Trend Report show that housing enforcement agencies represent only about one percent of the annual estimated incidences of housing discrimination. The process to file a complaint at the state and local level is extremely slow and emotionally demanding. Often the time-consuming process forces people to look for housing elsewhere instead of pursuing the fair housing complaint.

Recommendations:

- *Consider testing to find out if there are any discriminatory rental practices used in the community.*
- *Educate the public and not-for-profit agencies in the area on programs to help people through the complaint process such as special emergency assistance programs and other services available*
- *Increase education of landlords on fair housing laws and the Urbana Human Rights Ordinance to ensure they are informed on local and federal housing laws that prohibit housing discrimination to protected class members.*
- *Educate potential tenants and potential homebuyers on their rights under federal and local laws.*

G. CITIZENS' GENERAL LACK OF KNOWLEDGE OF THE HUMAN RIGHTS ORDINANCE AND FAIR HOUSING LAWS:

The Urbana Human Rights Ordinance is the most comprehensive in the area. However, due to the rate of residential turnover in the community many people are unaware that it exists. More public awareness of the ordinance is needed.

Recommendations:

- *More advertising for educational programs and possibly creating a television production on fair housing that could be aired on Urbana Public Television (UPTV).*
- *Testing for discrimination*
- *Holding seminars to inform people in the local housing industry of what is covered by the ordinance*
- *The City should consider making attendance at a home-buying seminar, such as the one offered by Parkland Community College or the Urban League, a requirement of the First Time Homebuyers Program to make sure new homeowners are made aware of their rights*
- *Hand out fliers to those who inquire about making a complaint to try to expedite the process. The fliers could contain information on the complaint process, fair housing, and tenant and landlord rights. These fliers could be handed out at real estate offices and the CUTU*

-
- *Continue to educate property owners of the seriousness of the law, noting litigation such as HUD v. Chris Hope. In this case a man was ordered to pay \$146,000 in damages and penalties because of his statements and barking dogs that allegedly frightened an African American couple from buying a home next door. This should include the assistance of the legal department.*

H. ACCESSIBILITY:

Accessibility can be an impediment to fair housing choice. A person with a disability may not be able to rent or buy a certain unit because it is inaccessible. Persons Assuming Control of their Environment (PACE) note that the number of accessible units may still be a problem in Urbana.

Recommendations:

- *The City's Access Grant Program offers assistance to disabled people to make renovations to make a property more accessible. There needs to be public awareness of the programs currently offered by the City. This could be done through informational meetings with not-for-profit groups serving these population and distribution of informational material to these groups.*
- *More information and awareness is needed for subsidies/assistance from the City/HOME grant funds.*
- *Conduct more analysis on the market to determine supply and demand for accessible units*

I. NIMBYISM (NOT-IN-MY-BACKYARD):

The State of Illinois' Analysis of Impediments noted "home sellers and rental landlords still often have less than positive attitudes toward people they perceive as "different"." In this community there has been resistance and NIMBYism to new housing proposals for single room occupancy (SRO) units. One example is Homestead Corporation, which serves the homeless and Section 8 voucher users. This is an impediment because it can deter new housing proposals, thus limiting the variety of housing choices.

Recommendations:

- *Education to overcome misconceived perceptions of subsidized housing and those using Section 8 vouchers*
- *Change the perception of affordable housing from "giving money away" to allocating a scarce resource or dealing with a market inefficiency*

J. DEVELOPMENT REQUIREMENTS:

Development requirements in some cases may limit opportunities for affordable housing. The Savannah Green development gives a good example

of how development requirements may be revised to allow for more affordable housing.

Recommendations:

- *Review development requirements for new subdivisions to look for opportunities to encourage the creation of affordable housing in Urbana.*
- *Review development requirements for infill development*
- *Infrastructure requirements may impact housing quality and affordability due to difficulty in expanding basic infrastructure.*
- *Review occupancy limits to ensure that they do not negatively impact fair housing*

K. LACK OF CLEAR DATA ON LENDING PRACTICES IN FINANCIAL INSTITUTIONS:

Data indicating the effectiveness of lending practices by banking institutions is difficult to interpret. This makes the discovery of impediments on the part of financial institutions almost impossible without more collaboration with local CRA officers and banking professionals.

Recommendations:

- *More study needed. The department should work with the local CRA officers and banking professionals to ensure that the information used to indicate the effectiveness/ineffectiveness of lending practices of the banking institutions in the area is gathered in an easier format than navigating the Home Mortgage Disclosure Act information. This would help identify possible impediments related to financial institutions.*

L. LACK OF TRAINING FOR REALTORS AND LENDERS:

There could be a lack of timely, consistent training for realtors and lending professionals. Due to the high turnover rate in the real estate industry there may be some realtors and lenders unaware of Fair Housing laws. This has the potential to limit fair housing choice because realtors and lenders may be instituting practices that are discriminatory without realizing it.

Recommendations:

- *Identify opportunities for training related to fair housing*
- *There is a lack of data pertaining to the issue of steering potential homebuyers towards or away from certain areas. Periodically conduct testing to ensure that prospective homebuyers are not being intentionally steered away from these racially distinctive areas.*

M. EDUCATIONAL OPPORTUNITIES:

In Urbana, where a person lives determines where their children will go to school. This impedes fair housing choice because someone may not be able to afford to live in a neighborhood with the best schools. Due to the fact that certain neighborhoods attend specific schools this can also be used as a tool for steering people away from an area. For example, a realtor could tell a prospective buyer to stay away from areas assigned to a lower performing school, but the real reason is because there is a high concentration of minorities represented at that school.

Recommendations:

- *Encourage cooperation between the Urbana School District and area resource centers to work with families to encourage informal learning opportunities outside the school.*
- *Investigate other means for deciding where a family sends their children to school*
- *Educate realtors to ensure they are aware that subtle forms of discrimination are violations of fair housing laws.*

N. Lack of Affordable Housing:

Presently, there are two CHDOs and a few not-for-profit housing organizations advocating and providing affordable and single room occupancy housing in Urbana. The affordable housing needs of the community have not been assessed.

Recommendations:

- *Study the supply and demand of affordable housing in Urbana.*
- *Encourage CHDOs to leverage funds and become more like private developers.*
- *More CHDOs or non-profit housing groups should be created*
- *Investigate innovative approaches to encourage affordable housing such as tax credits to finance affordable housing.*

O. TAX RATES:

The tax rates in Urbana may impact the affordability of housing in the area because it increases the cost of owning a home. As the taxes increase, costs increase and it may limit homeownership opportunities to those who can afford to pay the increased cost.

Recommendations:

- *Investigate how tax rates in Urbana may impact housing affordability*
- *Encourage programs such as Build Urbana, which gives owners of newly constructed homes rebates on the differences in property taxes between Urbana and the City of Champaign*

-
- *Increase awareness and education of programs, such as Build Urbana. Build Urbana is a program offered by the City to encourage new home construction in Urbana.*

VIII. Implementation

City of Urbana

Analysis of Impediments
To Fair Housing Choice

The Analysis of Impediments to Fair Housing Choice is a document developed to identify impediments to fair housing in the area. Within the document there are strategies suggested to overcome the impediments found in the study area. There are many ways to implement these strategies.

Once the Community Development Commission approves the AI it will be forwarded to and adopted by Urbana City Council. The Community Development Commission has no policing authority to force other agencies or departments to undertake the activities mentioned in the previous section. The City can, however, have an open dialogue with service providers and other departments to encourage them to adopt these strategies as a means of addressing the impediments identified. The Community Development Commission may also work with Urbana City Council to advocate on behalf of furthering fair housing and recommend the use of CDBG and HOME funds to address impediments. The federal funding is required to be used in a manner that does not discriminate. This fact may provide some enforcement opportunities.

Accomplishments in overcoming the identified impediments to fair housing will be reported annually in the Consolidated Annual Performance Evaluation Report. Strategies to monitor the progress of removing impediments to fair housing in the Urbana housing market can be assessed when the AI is updated in three to five years.

IX. Resource List

Champaign-Urbana Urbanized Area Transportation Study(CUUATS), 1999, C-U in 2030, A Long Range Transportation and Mobility Plan for the Champaign-Urbana-Savoy-University of Illinois Area. CUUATS Report # R99-8.

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City of Urbana, 2002. Neighborhood Visioning Workshops: Final Report.

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http://www.prairienet.org/livingwage/local_links.html .

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City of Champaign. City Code Chapter 17 Human Rights.
<http://www.ci.champaign.il.us/search/index.html>

City of Urbana. Economic Development. Demographic/Statistical Information.
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Aggregate Report. http://www.ffiec.gov/hmda_rpt/agg_welcome.htm

National Fair Housing Alliance. 2002 Fair Housing Trends Report.
<http://www.nationalfairhousing.org/html/trends/report.pdf>

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United States. Department of Commerce. Bureau of the Census. Census 2000 website
<http://www.census.gov>

United States. Department of Commerce. Bureau of the Census. USA Counties website
<http://censtats.census.gov/usa/usa.shtml>

United States. Department of Commerce. Bureau of Economic Analysis. Regional
Economic Information System. website <http://www.bea.doc.gov/bea/regional/reis/>

United States. Department of Housing and Urban Development. Office of Community
Planning and Development. Comprehensive Housing Affordability Strategy.
<http://www.comcon.org/resources/chas/state.asp>

United States. Department Housing and Urban Development. Public and Indian Housing.
HA Profiles. <https://pic.hud.gov/pic/haprofiles/haprofilelist.asp>

United States. Department of Justice. Title IV of the Civil Rights Act of 1964.
<http://www.usdoj.gov/crt/cor/coord/titlevi.htm>

United States. Department of Justice. Federal Fair Housing Act.
<http://www.usdoj.gov/crt/housing/title8.htm>

United States. Department of Labor. Bureau of Labor Statistics. Local Area
Unemployment Statistics (LAUS). <http://www.bls.gov/lau/>

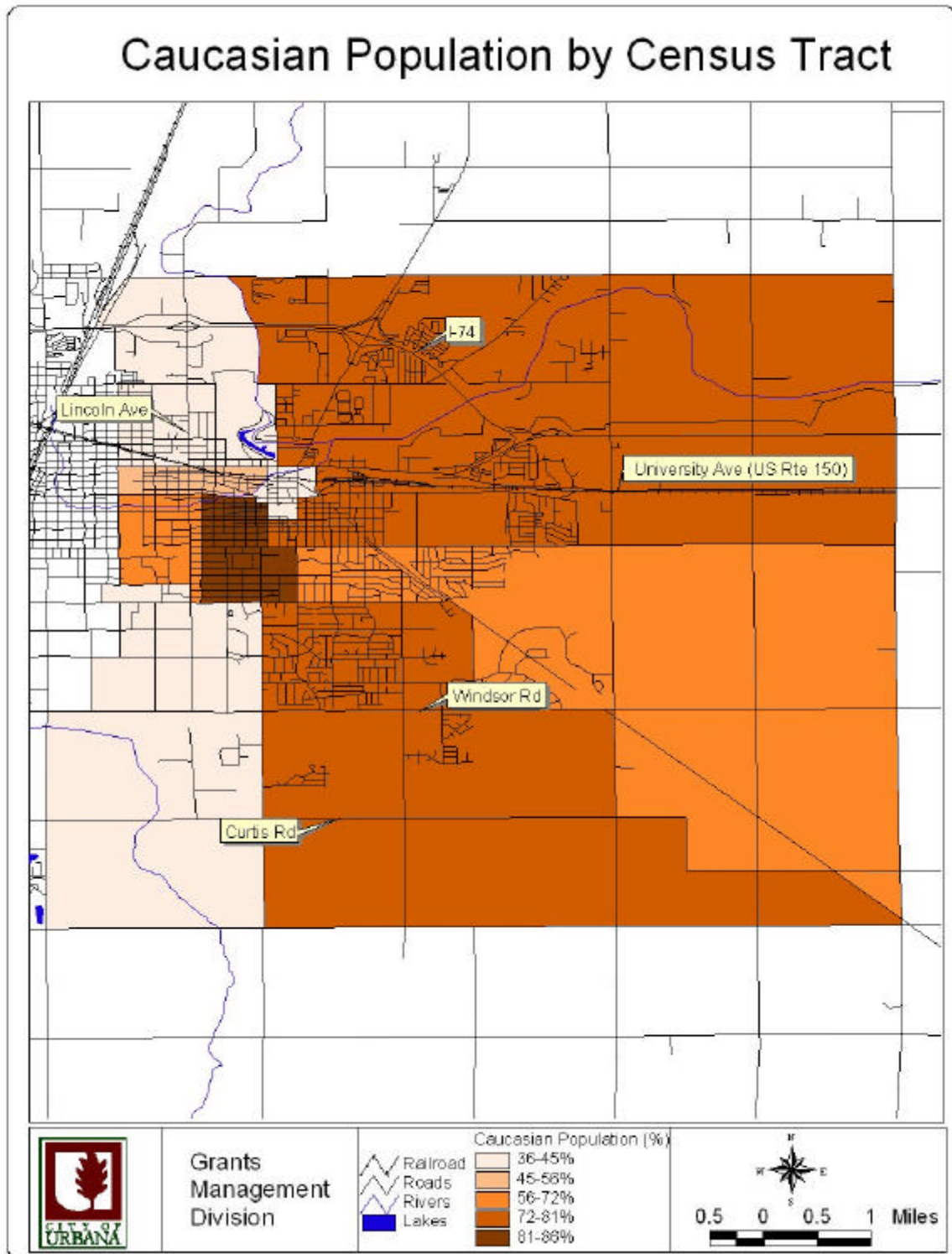
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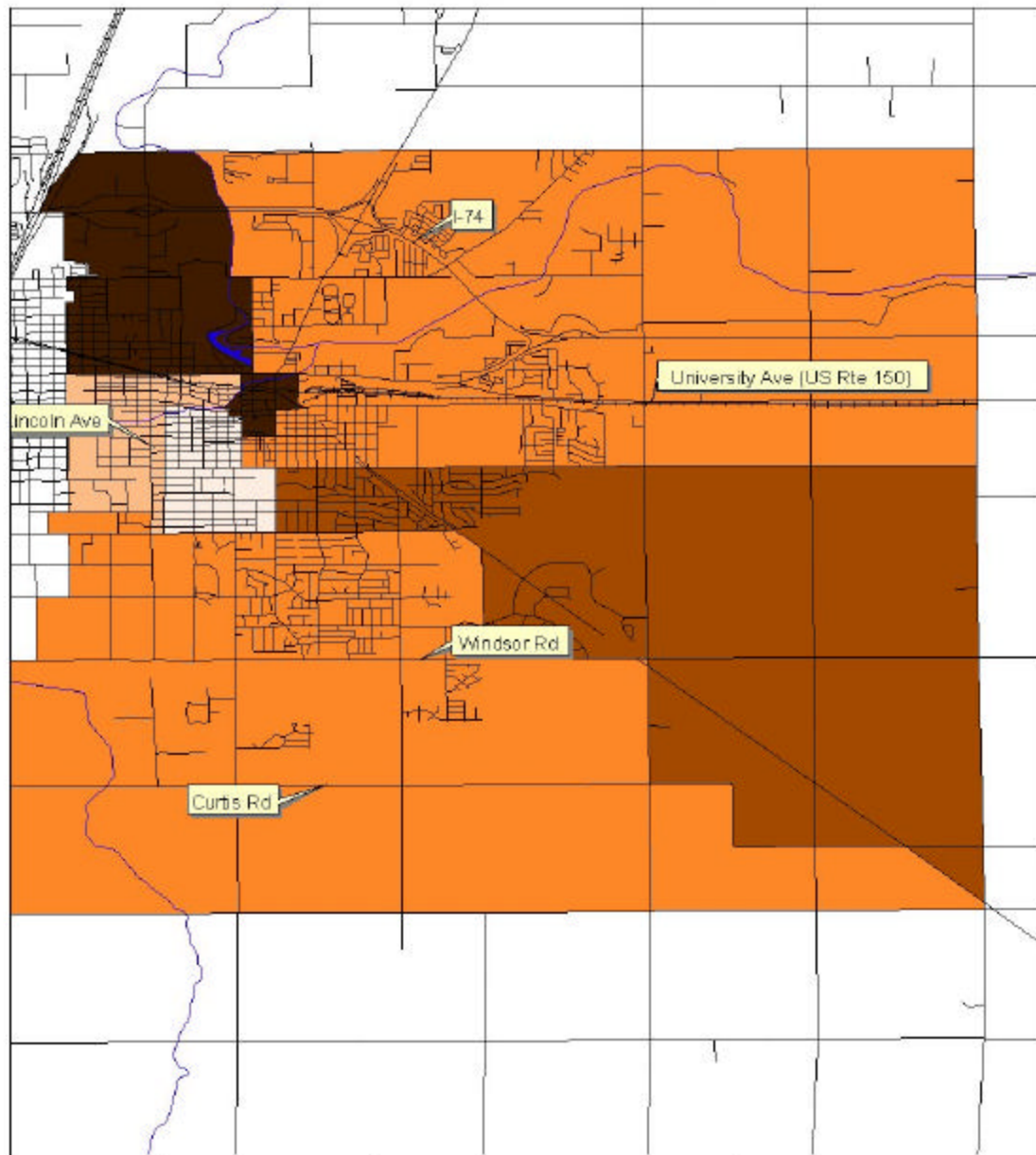
X. Appendices

A. Census Information by Census Tract

Census Maps :



African American Population by Census Tract

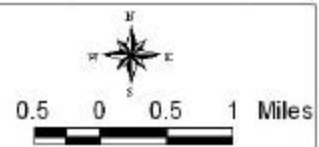


Grants
Management
Division

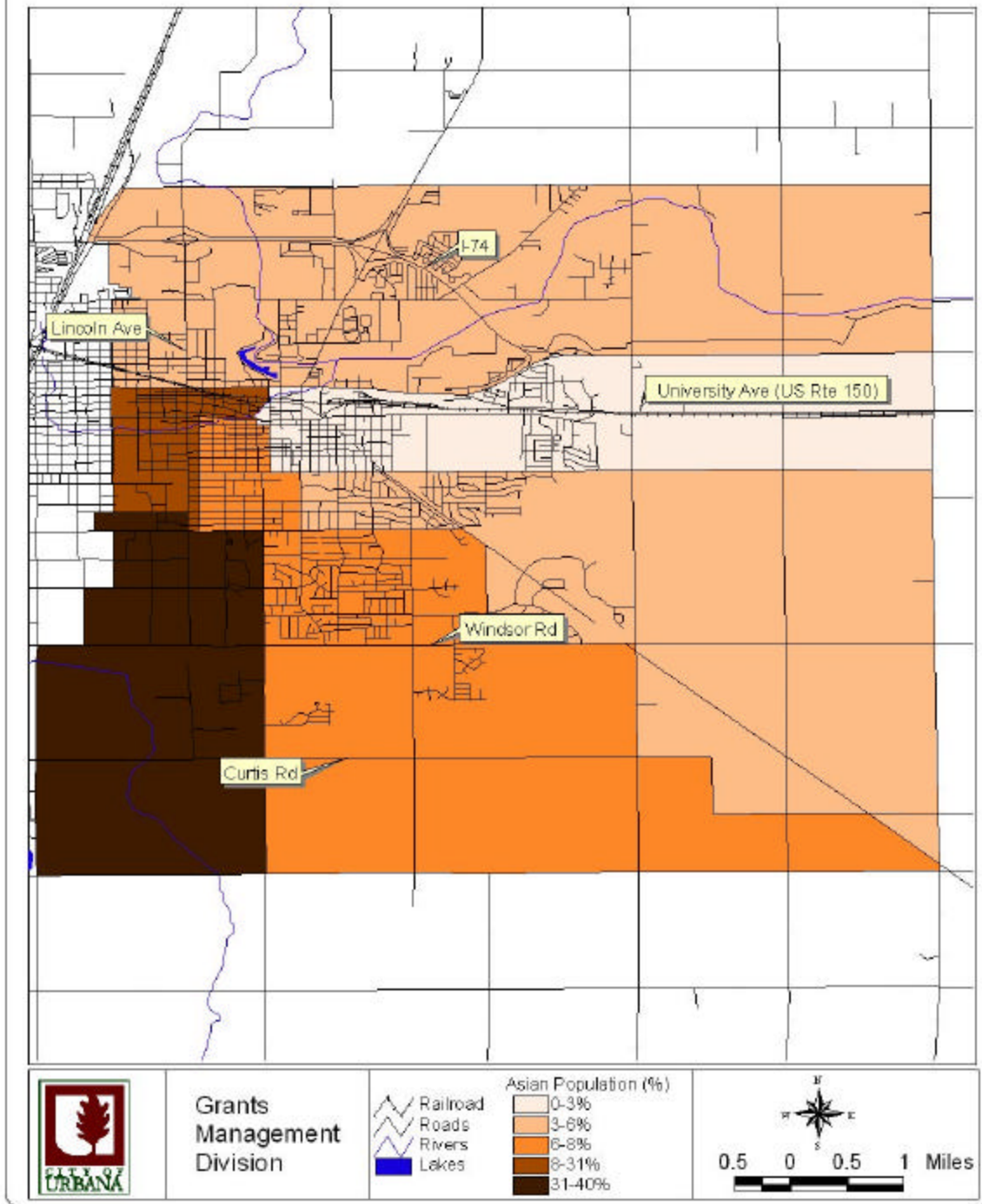
- Railroad
- Roads
- Rivers
- Lakes

African American Pop(%)

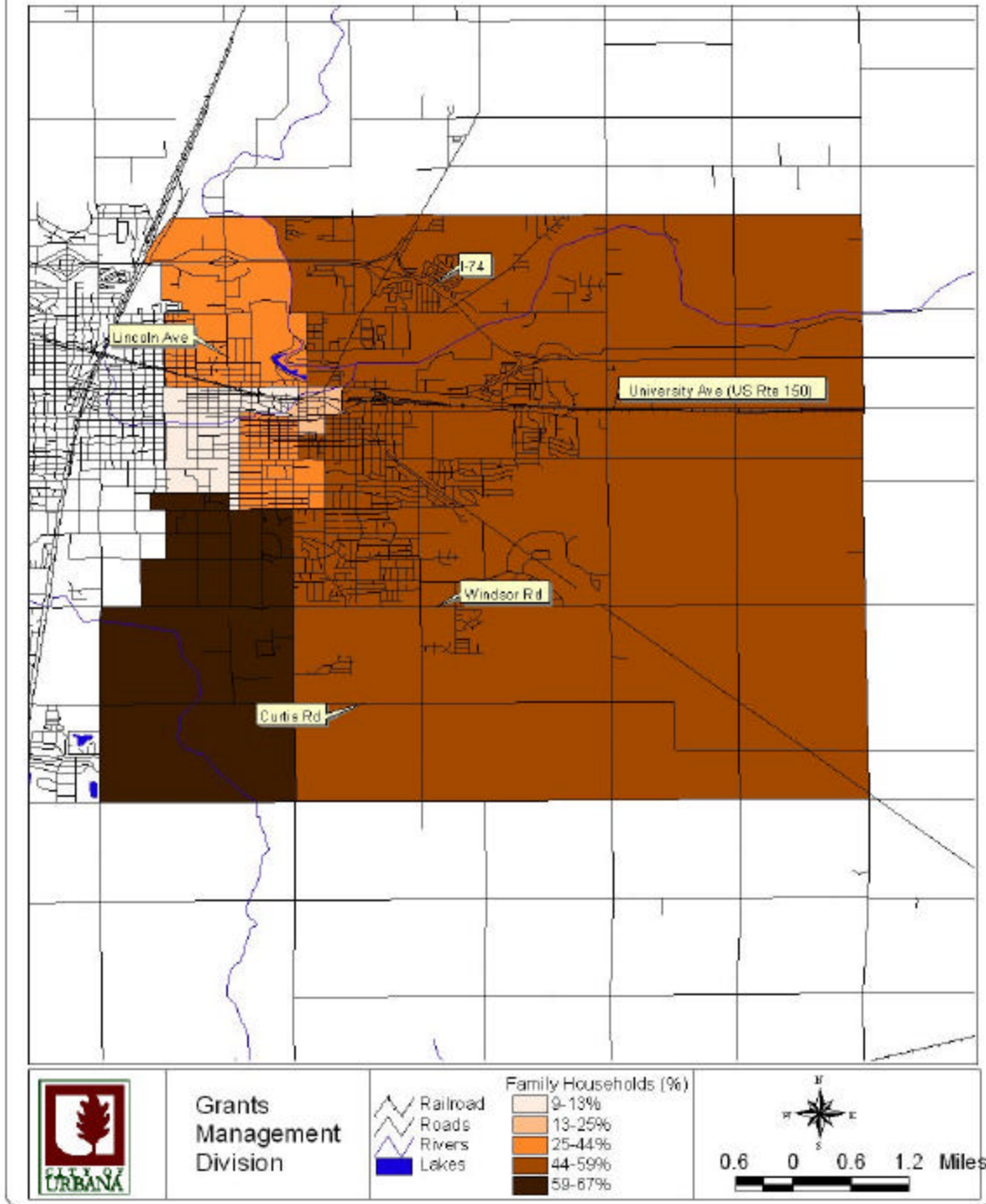
- 0-2%
- 2-7%
- 7-12%
- 12-18%
- 18-59%



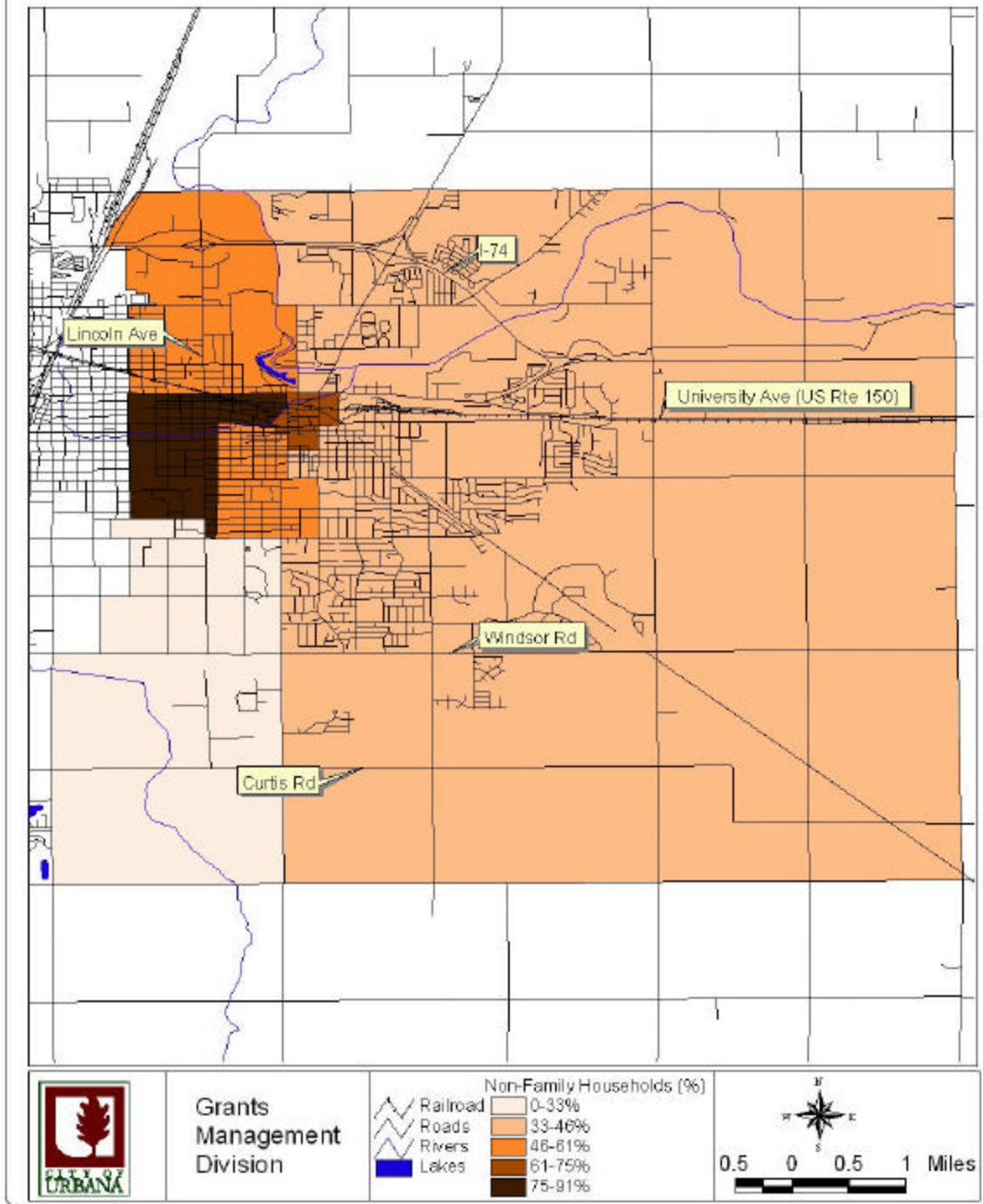
Asian Population by Census Tract



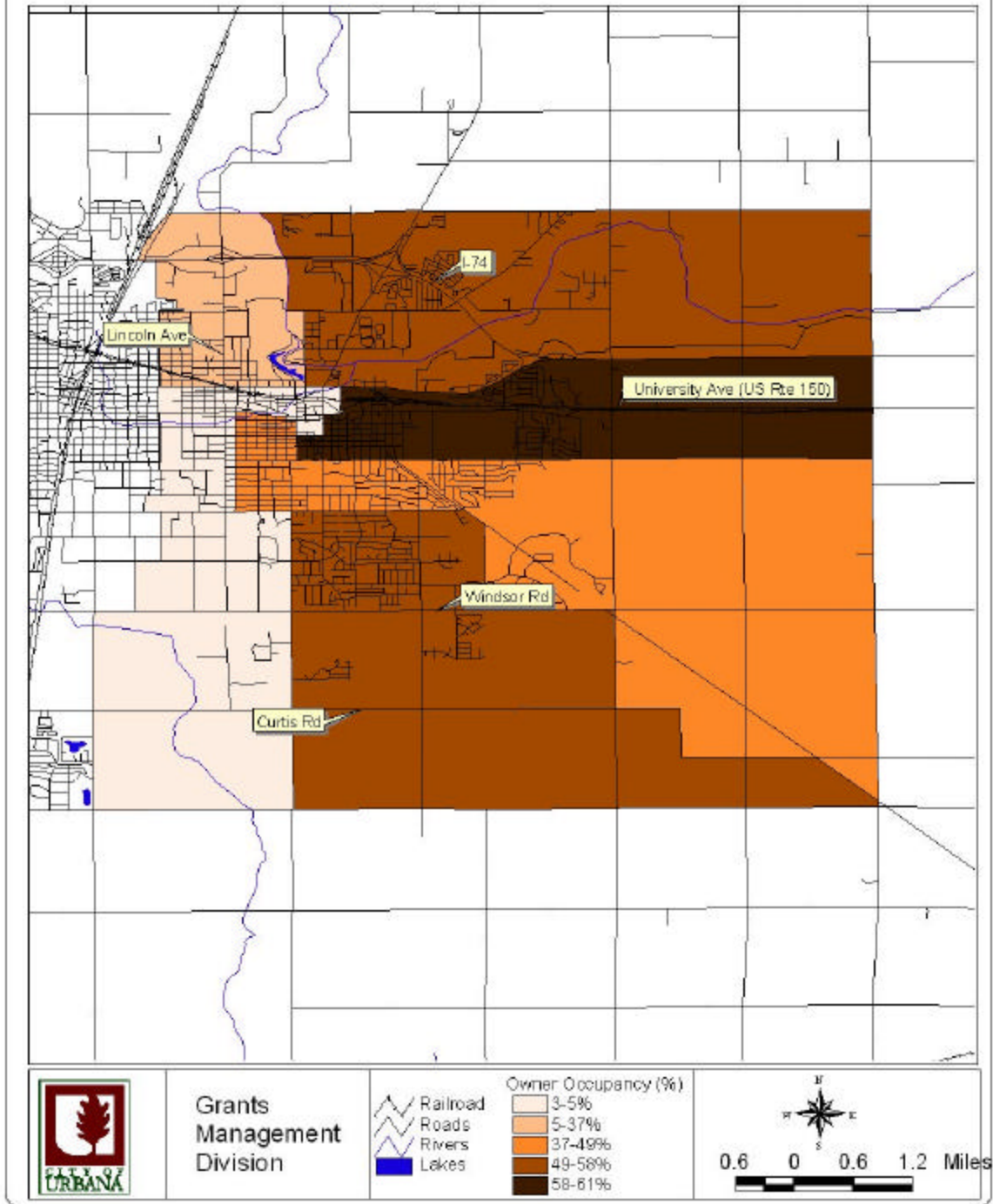
Family Households by Census Tract



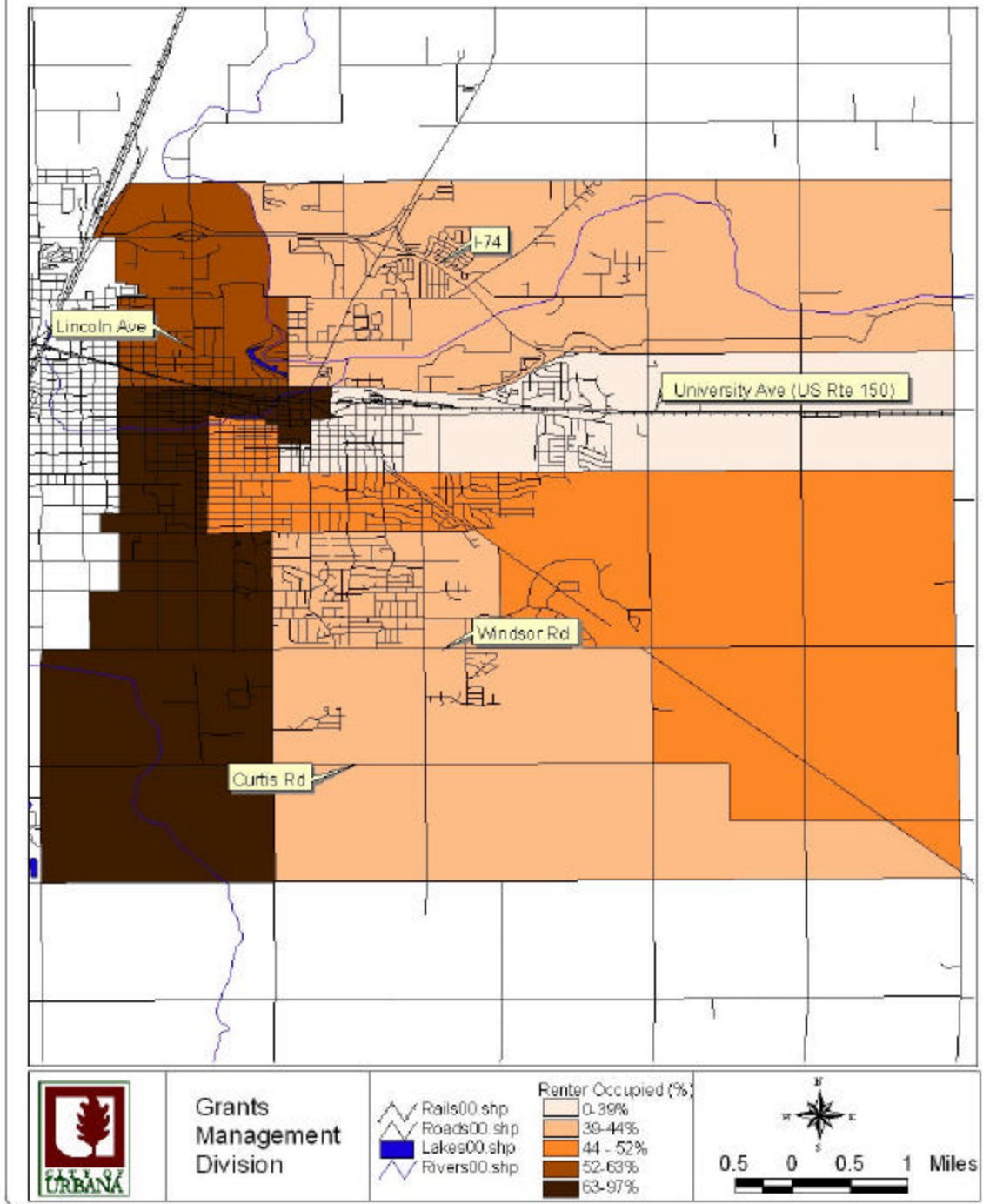
Non-Family Households by Census Tract



Owner Occupancy by Census Tract



Renter Occupancy by Census Tract



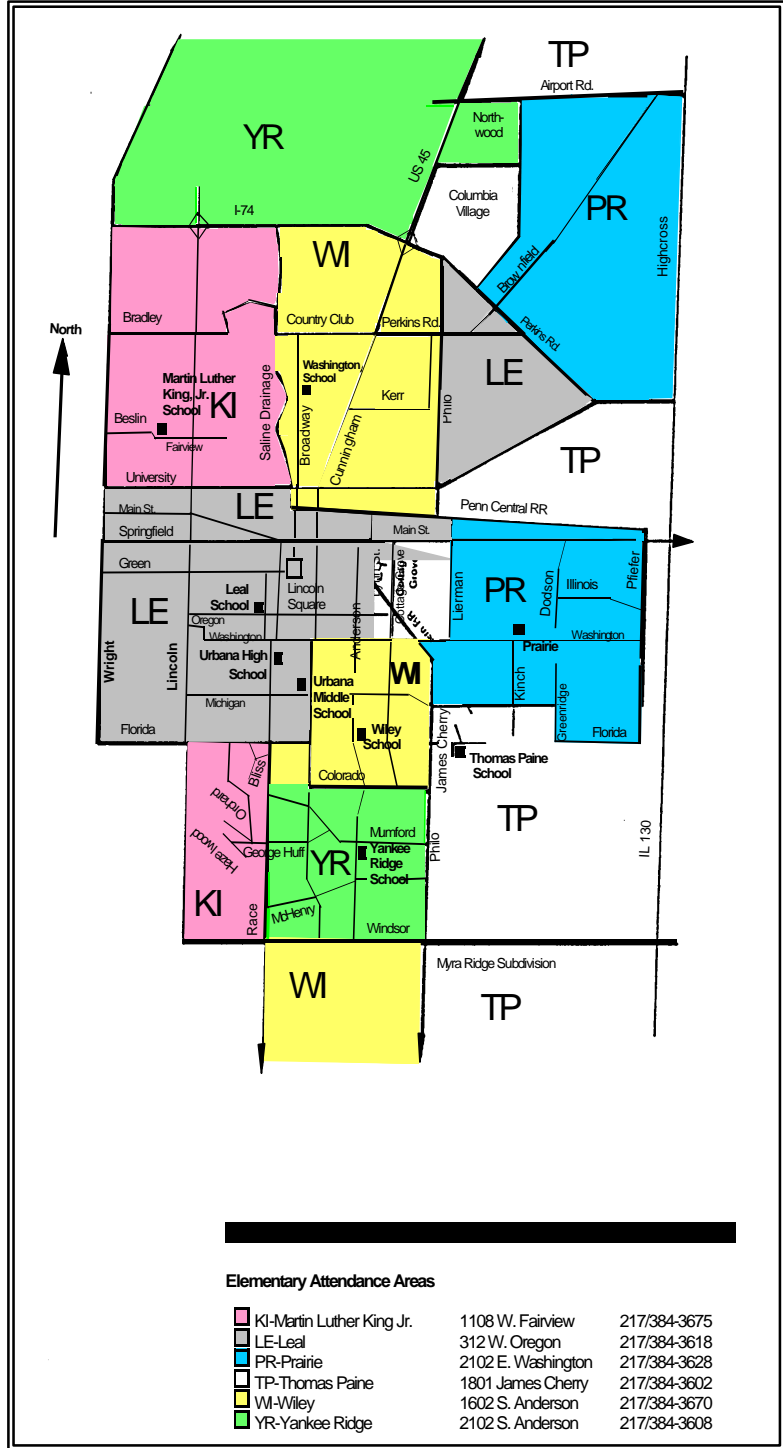
Data Tables from 2000 Census :

Area	White%	Black%	AmerIn%	Asian%	NatHaw/IP%	Other%	2>racess%	LatHis%
Urbana	67.01%	14.34%	0.18%	14.24%	0.04%	1.76%	2.45%	3.54%
United States	75.14%	12.32%	0.88%	3.64%	0.14%	5.46%	2.43%	12.55%
Illinois	73.48%	15.11%	0.25%	3.41%	0.04%	5.82%	1.89%	12.32%
Area	White%	Black%	AmerIn%	Asian%	NatHaw/IP%	Other%	2>racess%	LatHis%
Champaign Co	78.78%	11.16%	0.24%	6.45%	0.04%	1.34%	1.99%	2.90%
Area	White%	Black%	AmerIn%	Asian%	NatHaw/IP%	Other%	2>racess%	LatHis%
Champaign	73.16%	15.62%	0.24%	6.83%	0.03%	1.94%	2.19%	4.03%

Tracts	White%	Black%	AmerIn%	Asian%	NatHaw/PI%	Other%	2>racess%	HisLat%
Tract 51	36.00%	58.86%	1.14%	0.00%	0.00%	0.00%	4.00%	2.29%
Tract 52	56.45%	6.55%	0.13%	30.83%	0.13%	3.30%	2.63%	6.13%
Tract 53	39.54%	50.45%	0.12%	5.96%	0.03%	0.96%	2.94%	2.67%
Tract 54	79.45%	11.69%	0.30%	5.21%	0.13%	1.13%	2.10%	2.03%
Tract 55	81.18%	12.19%	0.55%	2.91%	0.02%	0.84%	2.31%	2.47%
Tract 56	72.05%	18.38%	0.23%	5.72%	0.05%	1.26%	2.30%	2.65%
Tract 57	76.67%	10.79%	0.21%	8.50%	0.01%	1.75%	2.06%	3.63%
Tract 58	86.13%	2.20%	0.17%	7.77%	0.02%	1.71%	1.98%	2.94%
Tract 59	66.45%	4.63%	0.07%	24.15%	0.09%	2.04%	2.57%	3.98%
Tract 60	45.08%	9.35%	0.06%	40.18%	0.00%	2.74%	2.59%	4.99%

Tracts	Own occ%	Rent occ%	FamH%	NonfamH%	<18%	65>%
Tract 51	4.55%	95.45%	25.00%	75.00%	9.09%	2.27%
Tract 52	5.20%	94.80%	13.07%	86.93%	3.36%	2.52%
Tract 53	37.31%	62.69%	43.71%	56.29%	25.14%	15.69%
Tract 54	57.81%	42.19%	53.81%	46.19%	28.01%	15.93%
Tract 55	61.40%	38.60%	54.91%	45.09%	26.74%	18.00%
Tract 56	48.60%	51.40%	54.07%	45.93%	28.45%	19.19%
Tract 57	55.93%	44.07%	58.72%	41.28%	26.99%	30.20%
Tract 58	47.52%	52.48%	39.46%	60.54%	19.42%	14.22%
Tract 59	4.69%	95.31%	8.98%	91.02%	1.64%	2.66%
Tract 60	2.95%	97.05%	67.30%	32.70%	40.80%	1.91%

B. Elementary School Attendance Area



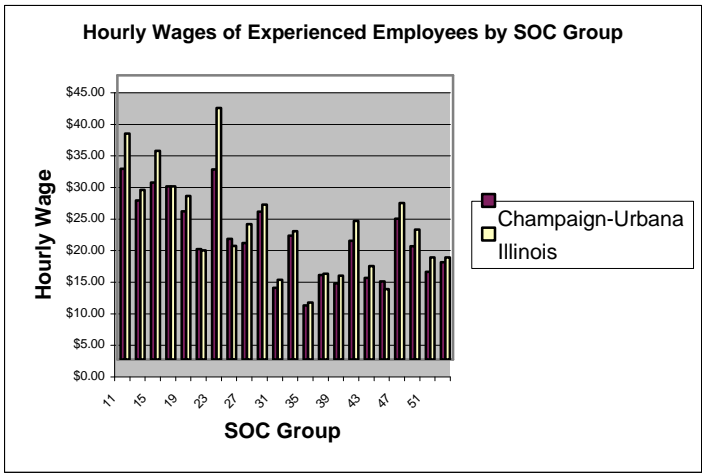
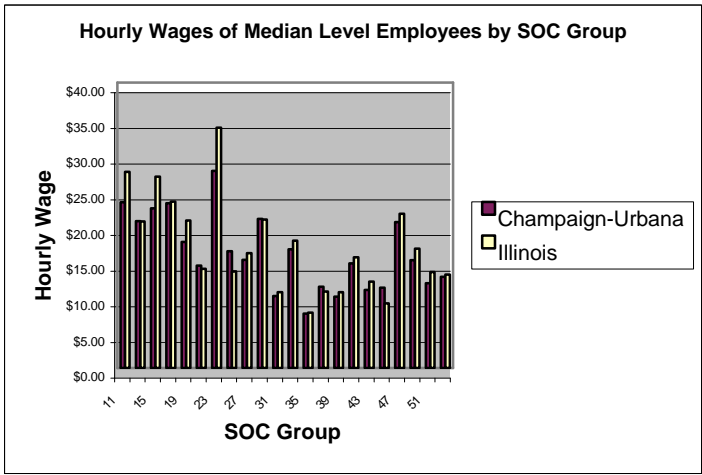
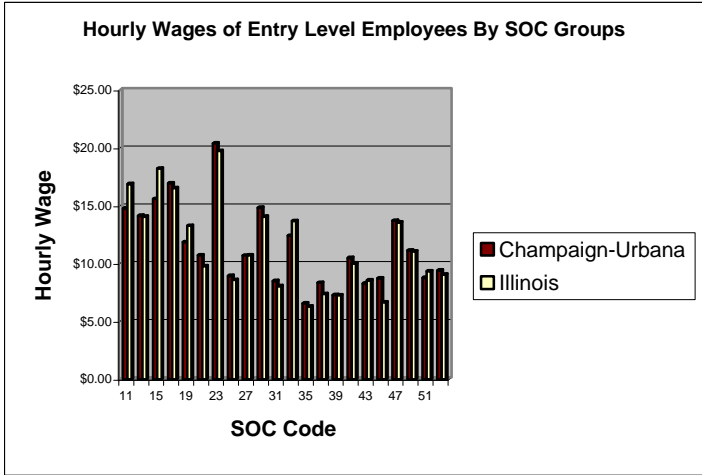
Source: Urbana School District 116

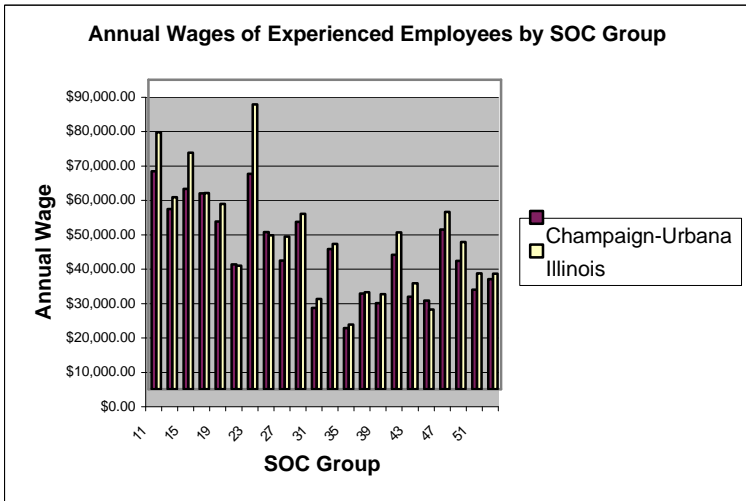
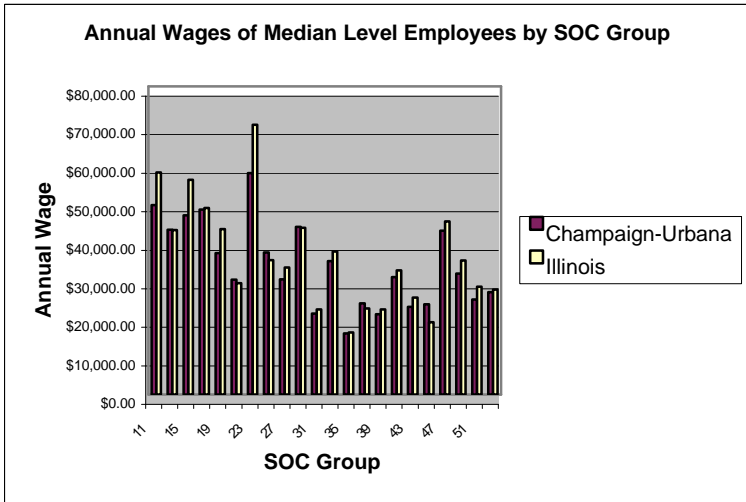
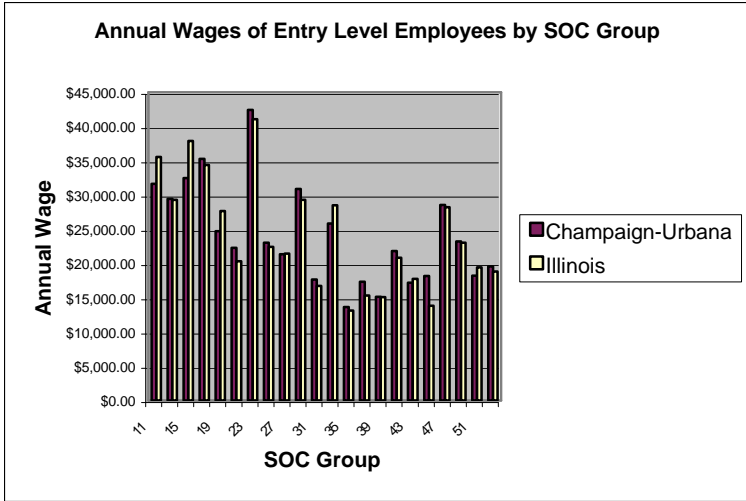
C. State and Champaign-Urbana MSA Wage Data

SOC Code	SOC Definition
11	MANAGEMENT OCCUPATIONS
13	BUSINESS AND FINANCIAL OPERATIONS
15	COMPUTER AND MATHEMATICAL
17	ARCHITECTURE AND ENGINEERING
19	LIFE, PHYSICAL, AND SOCIAL SCIENCE
21	COMMUNITY AND SOCIAL SERVICES
23	LEGAL OCCUPATIONS
25	EDUCATION, TRAINING, AND LIBRARY
27	ARTS, DESIGN, ENTERTAINMENT, SPORTS, AND MEDIA OCCUPATIONS
29	HEALTH PRACTITIONERS AND TECHNICAL OCCUPATIONS
31	HEALTHCARE SUPPORT OCCUPATIONS
33	PROTECTIVE SERVICE OCCUPATIONS
35	FOOD PREPARATION AND SERVING RELATED
37	BUILDING AND GROUNDS CLEANING AND MAINTENANCE OCCUPATIONS
39	PERSONAL CARE AND SERVICE
41	SALES AND RELATED OCCUPATIONS
43	OFFICE AND ADMINISTRATIVE SUPPORT
45	FARMING, FISHING, AND FORESTRY
47	CONSTRUCTION AND EXTRACTION
49	INSTALLATION, MAINTENANCE, AND REPAIR OCCUPATIONS
51	PRODUCTION OCCUPATIONS
53	TRANSPORTATION AND MATERIAL MOVING OCCUPATIONS

Source: IL Department of Employment Security, Occupational Employment Statistics: Wage Data (<http://lmi.ides.state.il.us/wagedata/wage.htm>)
 SOC-Standard Occupational Classification

Codes refer to graphs on pages 69-70





D. Home Mortgage Disclosure Act Information by Census Tract

1997 Urbana Totals by tract

Home Purchase Loans								
FHA, FMHA, VA		Conventional		Refinancing		Home Improvement Loans		
	Number	Amount	Number	Amount	Number	Amount	Number	Amount
Tract 51	0	\$0	2	\$45,000	1	\$40,000	1	\$5,000
Tract 52	0	\$0	4	\$271,000	2	\$161,000	1	\$10,000
Tract 53	5	\$252,000	18	\$856,000	55	\$1,829,000	26	\$143,000
Tract 54	7	\$435,000	227	\$8,432,000	83	\$4,127,000	31	\$397,000
Tract 55	27	\$1,464,000	116	\$5,727,000	84	\$5,608,000	40	\$344,000
Tract 56	36	\$2,191,000	71	\$3,808,000	63	\$3,633,000	47	\$526,000
Tract 57	9	\$877,000	111	\$9,383,000	88	\$8,496,000	32	\$538,000
Tract 58	1	\$46,000	103	\$6,197,000	40	\$2,886,000	19	\$711,000
Tract 59	0	\$0	2	\$171,000	2	\$95,000	2	\$8,000
Tract 60	0	\$0	1	\$105,000	3	\$399,000	0	\$0
Target Area Total:	39	\$2,151,000	361	\$15,015,000	222	\$11,564,000	97	\$884,000
Outside TA Total:	46	\$3,114,000	294	\$19,980,000	199	\$15,710,000	102	\$1,798,000

1998 Urbana Totals by tract

Home Purchase Loans								
FHA, FMHA, VA		Conventional		Refinancing		Home Improvement Loans		
	Number	Amount	Number	Amount	Number	Amount	Number	Amount
Tract 51	0	\$0	24	\$851,000	6	\$302,000	1	\$3,000
Tract 52	0	\$0	4	\$216,000	21	\$1,421,000	4	\$141,000
Tract 53	6	\$312,000	25	\$1,144,000	117	\$4,974,000	37	\$492,000
Tract 54	10	\$842,000	210	\$8,667,000	198	\$13,112,000	46	\$534,000
Tract 55	38	\$2,048,000	110	\$5,786,000	206	\$12,039,000	46	\$451,000
Tract 56	36	\$2,221,000	80	\$4,950,000	174	\$9,290,000	39	\$565,000
Tract 57	14	\$1,242,000	125	\$12,468,000	242	\$21,778,000	36	\$676,000
Tract 58	4	\$371,000	100	\$6,805,000	144	\$11,635,000	22	\$308,000
Tract 59	0	\$0	4	\$300,000	12	\$1,120,000	3	\$51,000
Tract 60	0	\$0	1	\$65,000	4	\$539,000	1	\$3,000
Target Area Total:	54	\$3,202,000	345	\$15,597,000	521	\$30,125,000	129	\$1,477,000
Outside TA Total:	54	\$3,834,000	338	\$25,655,000	603	\$46,085,000	106	\$1,747,000

1999 Urbana Totals by tract

Home Purchase Loans								
FHA, FMHA, VA		Conventional		Refinancing		Home Improvement Loans		
Number	Amount	Number	Amount	Number	Amount	Number	Amount	
Tract 51	0	\$0	6	\$544,000	4	\$136,000	4	\$45,000
Tract 52	2	\$106,000	8	\$592,000	2	\$95,000	1	\$50,000
Tract 53	13	\$712,000	26	\$1,208,000	101	\$4,278,000	28	\$292,000
Tract 54	7	\$540,000	142	\$6,670,000	168	\$10,264,000	40	\$629,000
Tract 55	36	\$2,429,000	129	\$7,996,000	168	\$8,429,000	52	\$553,000
Tract 56	40	\$2,799,000	78	\$4,663,000	114	\$5,956,000	54	\$683,000
Tract 57	15	\$1,309,000	110	\$10,682,000	157	\$14,479,000	41	\$778,000
Tract 58	15	\$1,170,000	84	\$6,660,000	99	\$8,288,000	44	\$536,000
Tract 59	0	\$0	3	\$269,000	6	\$498,000	0	\$0
Tract 60	0	\$0	3	\$406,000	1	\$110,000	2	\$5,000
Target Area Total:	56	\$3,681,000	297	\$15,874,000	437	\$22,971,000	120	\$1,474,000
Outside TA Total:	72	\$5,384,000	292	\$23,816,000	383	\$29,562,000	146	\$2,097,000

2000 Urbana Totals by tract

Home Purchase Loans								
FHA, FMHA, VA		Conventional		Refinancing		Home Improvement Loans		
Number	Amount	Number	Amount	Number	Amount	Number	Amount	
Tract 51	0	\$0	4	\$145,000	0	\$0	1	\$12,000
Tract 52	0	\$0	6	\$453,000	2	\$144,000	2	\$15,000
Tract 53	6	\$433,000	27	\$1,688,000	77	\$3,304,000	17	\$282,000
Tract 54	6	\$319,000	181	\$9,346,000	67	\$4,286,000	32	\$595,000
Tract 55	18	\$1,188,000	125	\$6,873,000	105	\$5,720,000	46	\$514,000
Tract 56	39	\$2,559,000	88	\$5,267,000	55	\$3,071,000	37	\$584,000
Tract 57	11	\$1,062,000	140	\$12,817,000	61	\$5,621,000	34	\$939,000
Tract 58	4	\$414,000	80	\$7,190,000	32	\$2,877,000	16	\$331,000
Tract 59	1	\$120,000	4	\$401,000	2	\$324,000	6	\$149,000
Tract 60	0	\$0	1	\$285,000	1	\$118,000	1	\$40,000
Target Area Total:	30	\$1,940,000	333	\$17,907,000	249	\$13,310,000	95	\$1,391,000
Outside TA Total:	55	\$4,155,000	323	\$26,558,000	153	\$12,155,000	97	\$2,070,000

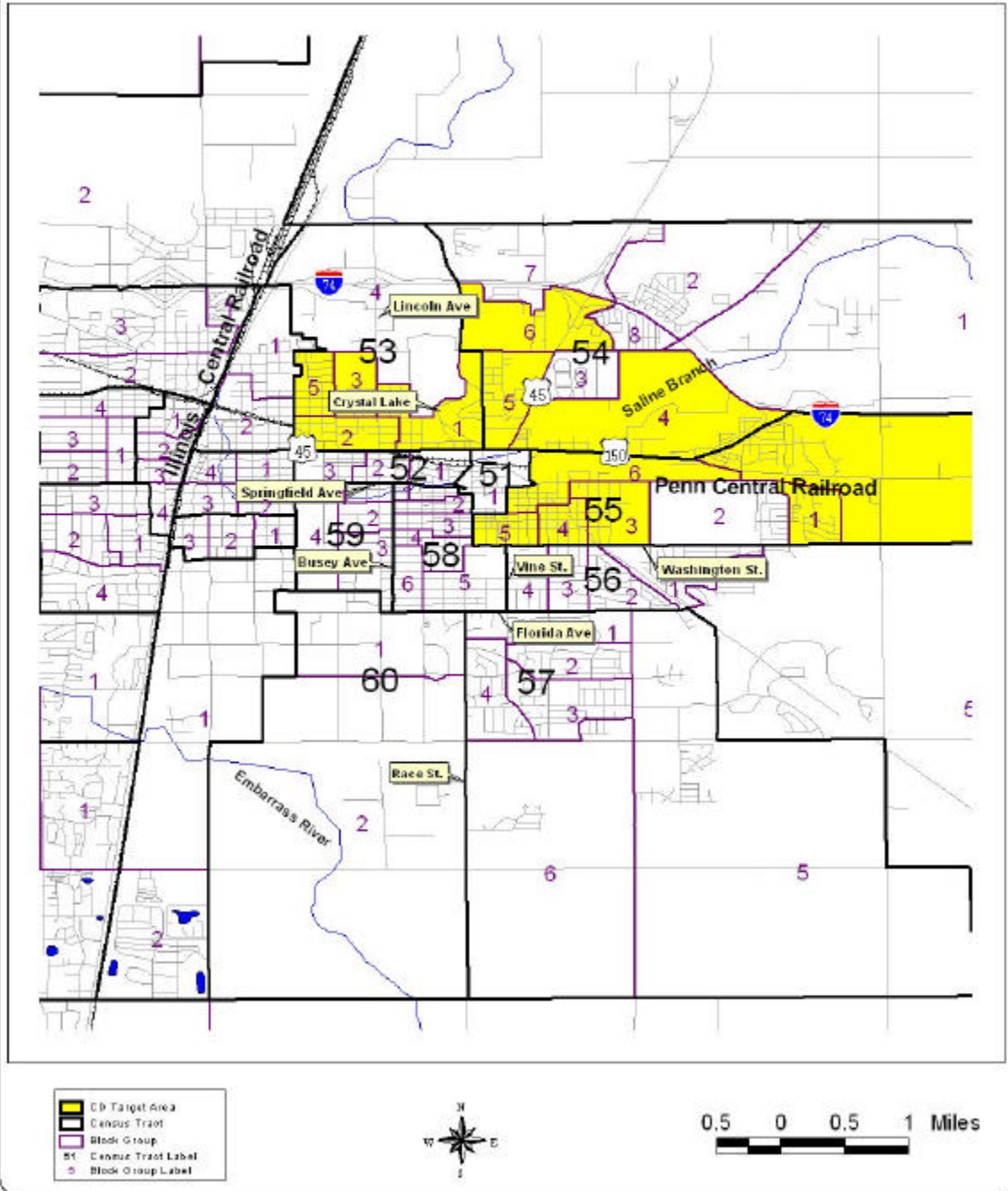
2001 Urbana Totals by tract

Home Purchase Loans

	FHA, FMHA, VA		Conventional		Refinancing		Home Improvement Loans	
	Number	Amount	Number	Amount	Number	Amount	Number	Amount
Tract 51	0	\$0	3	\$114,000	3	\$265,000	1	\$3,000
Tract 52	2	\$217,000	6	\$693,000	10	\$664,000	5	\$117,000
Tract 53	3	\$211,000	20	\$847,000	78	\$3,349,000	21	\$285,000
Tract 54	12	\$1,044,000	157	\$7,622,000	149	\$10,899,000	38	\$604,000
Tract 55	24	\$1,619,000	123	\$7,385,000	217	\$13,667,000	47	\$809,000
Tract 56	37	\$2,992,000	93	\$6,017,000	185	\$12,122,000	43	\$733,000
Tract 57	13	\$1,329,000	120	\$13,018,000	247	\$23,823,000	34	\$1,324,000
Tract 58	2	\$109,000	69	\$7,273,000	115	\$12,822,000	24	\$1,166,000
Tract 59	0	\$0	5	\$999,000	16	\$2,135,000	1	\$20,000
Tract 60	1	\$102,000	3	\$339,000	5	\$592,000	1	\$35,000
Target Area Total:	39	\$2,874,000	300	\$15,854,000	444	\$27,915,000	106	\$1,698,000
Outside TA Total:	55	\$4,749,000	299	\$28,453,000	581	\$52,423,000	109	\$3,398,000

E. Community Development Target Area

Community Development Target Area



F. Allegations of Discrimination Reported to the Champaign- Urbana Tenant Union

Allegations of Discrimination Reported to Tenant Union
2002

	Champaign	Urbana	Rantoul	Total
Race	2	1	0	3
Familial Status	3	0	0	3
Sexual Harrassment	0	0	0	0
Disability	0	0	0	0
Ancestry	0	0	0	0
Marital Status	1	0	0	1
Arrest/Conviction	0	0	0	0
Total:	6	1	0	7

Race and Familial Status account for: 85.7% of all allegations

Allegations of Discrimination Reported to Tenant Union
2001

	Champaign	Urbana	Rantoul	Total
Race	7	1	1	9
Familial Status	1	1	0	2
Sexual Harrassment	1	0	0	1
Disability	0	0	1	1
Ancestry	1	0	0	1
Arrest/Conviction	3	0	0	3
Total:	13	2	2	17

Race, Familial Status, and Source Income account for: 64.7% of all allegations

Allegations of Discrimination Reported to Tenant Union

2000

	Champaign	Urbana	Rantoul	Other	Total
Race	6	3	0	0	9
Familial Status	10	0	4	1	15
Source Income (Sec.8)	9	3	0	0	12
Sexual Harrassment	2	0	0	1	3
Sex	1	1	0	0	2
Disability	0	1	0	1	2
Religion	1	0	0	0	1
Ancestry	0	0	0	1	1
Marital Status	1	0	0	0	1
Arrest/Conviction	1	0	0	0	1
Total:	31	8	4	4	47

Race, Familial Status, and Source Income account for: 76.6% of all allegations

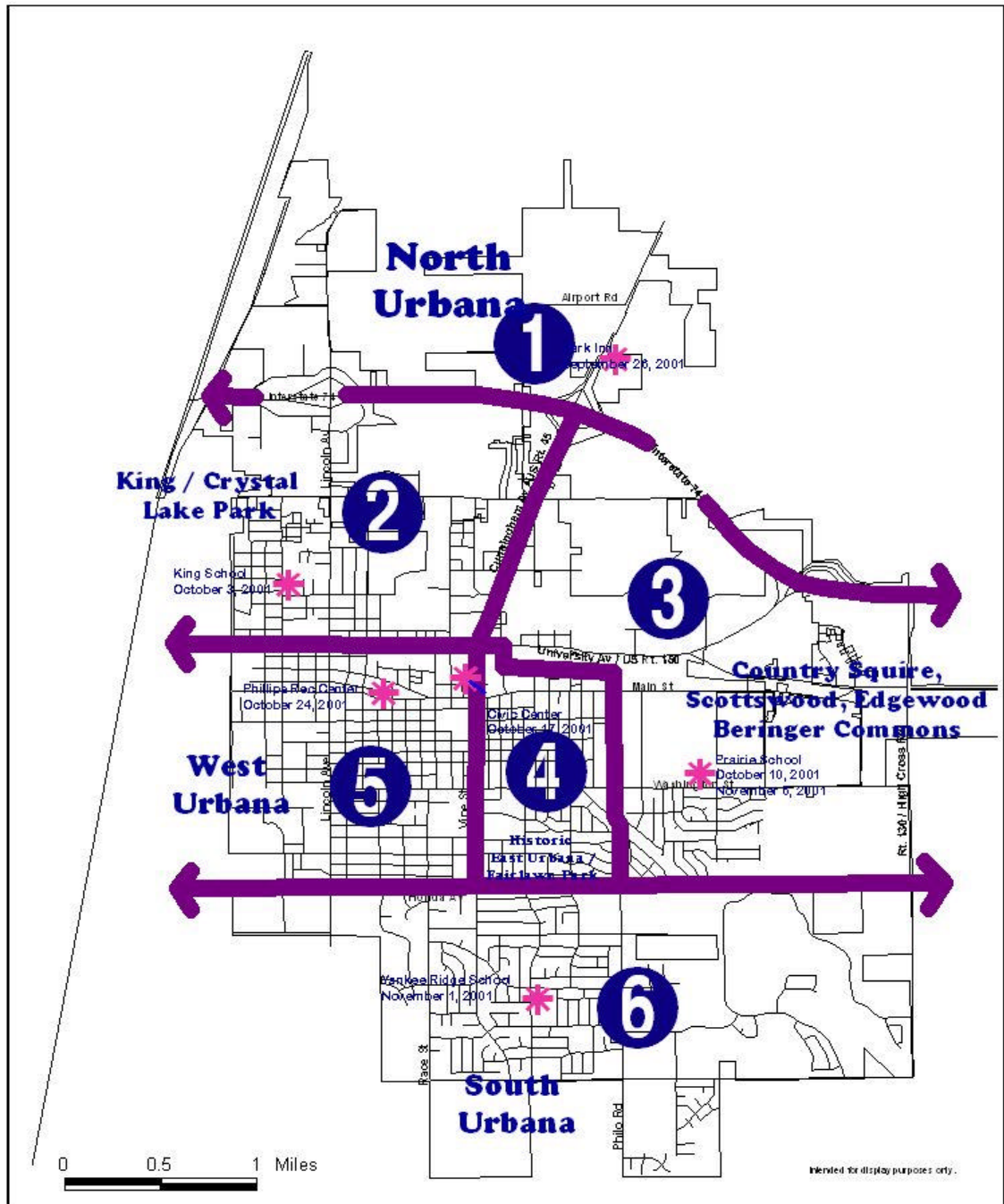
Allegations of Discrimination Reported to Tenant Union

1999

	Champaign	Urbana	Rantoul	Other	Total
Race	2	5	2	0	9
Familial Status	7	1	0	2	10
Source Income (Sec.8)	4	2	0	0	6
Sexual Harrassment	2	0	0	2	4
Ancestry	1	1	0	0	2
Arrest/Conviction	0	2	0	0	2
Total:	16	11	2	4	33

Race, Familial Status, and Source Income account for: 75.8% of all allegations

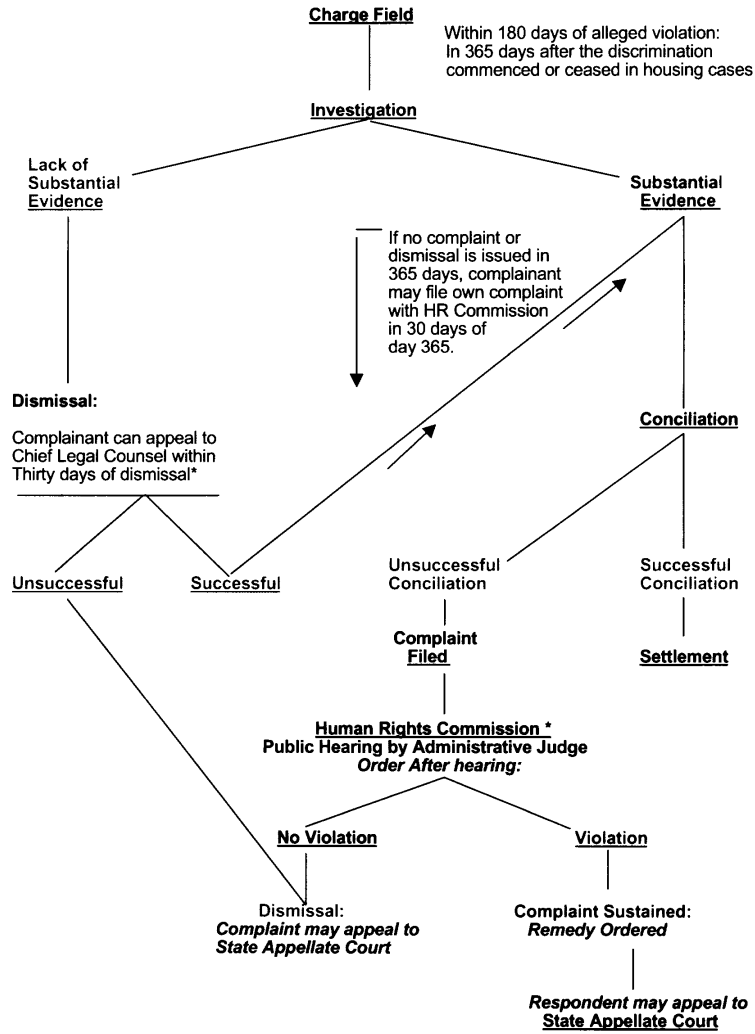
G. Community Visioning Process Neighborhood Map




Visioning Workshop Boundaries And Meeting Locations
Urbana Comprehensive Plan 2002
 Prepared by Community Development Services 09/12/01

H. State of Illinois Department of Human Rights Charge Process at a Glance

THE CHARGE PROCESS AT A GLANCE

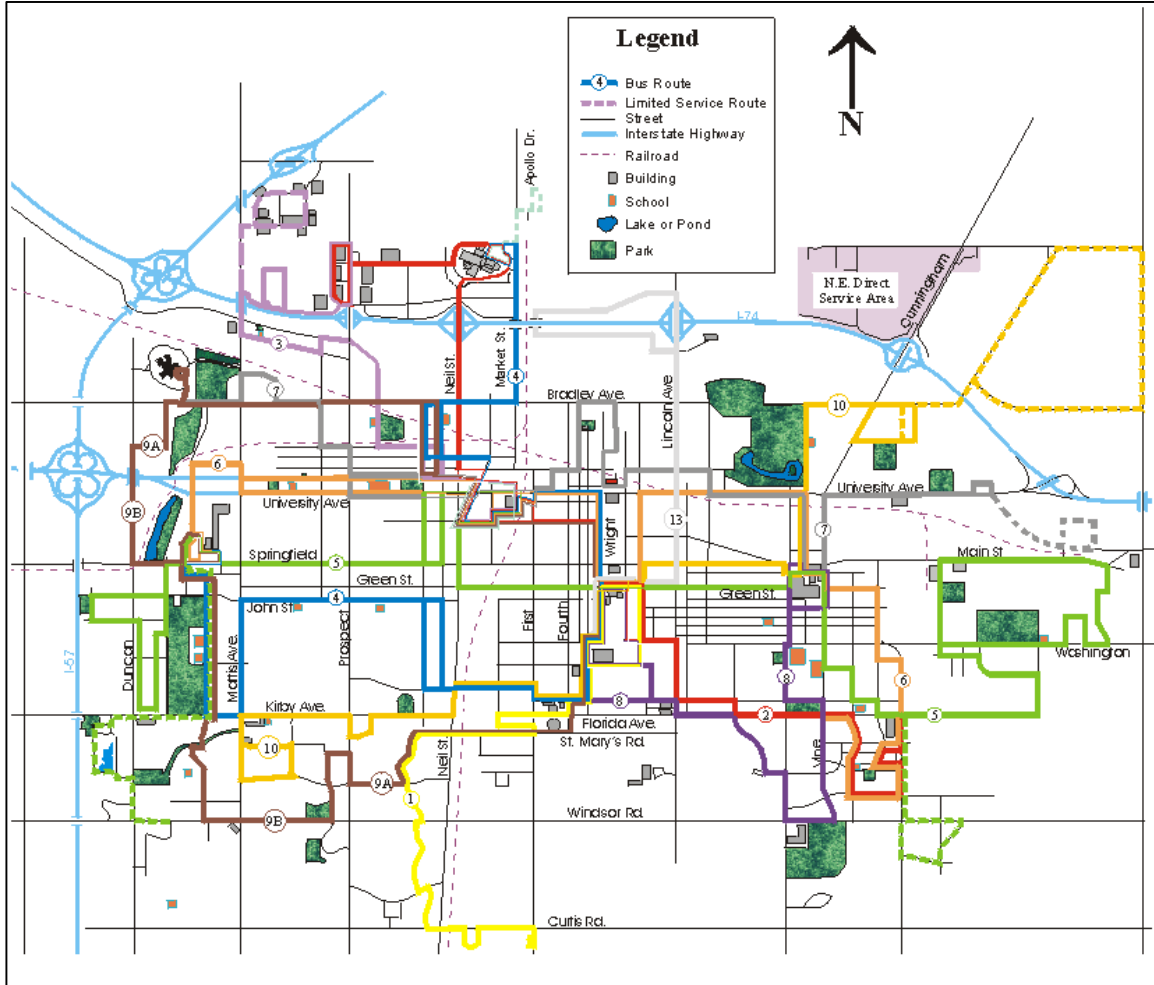


*Charges filed before January, 1996- Complainant may appeal to the Human Rights Commission.



I. CU MTD Weekday Bus Map

Source: Champaign-Urbana Mass Transit District



J. Landlord-Tenant Relationship Ordinance

Chapter 12.5
LANDLORD-TENANT RELATIONSHIPS

Editor's note--Section 1 of Ord. No. 9394-58, adopted January 18, 1994, amended Ch. 12.5, Arts. I-III, §§ 12.5-1--12.5-10, 12.5-21--12.5-24 and enacted a new Ch. 12.5 to read as herein set out. Former Ch. 12.5 pertained to similar subject matter and derived from Ord. No. 7879-49, §§ 1--10, adopted November 6, 1978, and Ord. No. 8182-67, § 1, adopted April 5, 1982.

Cross reference(s)--Buildings and building regulations, Ch. 5; housing code, § 5-357 et seq.; human rights, Ch. 12.

ARTICLE I.
IN GENERAL

Sec. 12.5-1. Purpose and declaration of policy.

It is the purpose of this chapter and the policy of the city, in order to protect and promote the public health, safety and welfare of its citizens, to establish rights and obligations of the landlord and the tenant in the rental of rental units in the city and to encourage the landlord and the tenant to maintain and improve the quality of rental housing within the community.

(Ord. No. 9394-58, § 1, 1-18-94)

Sec. 12.5-2. Scope.

This chapter applies to, regulates and determines certain rights, obligations and remedies under a rental agreement for a rental unit located within the city. Unless created to avoid the application of this chapter, however, the following arrangements are not governed by this chapter:

- (1) Residence at an institution, public or private, if incidental to detention or the provision of medical, geriatric, counseling, religious or similar service;
- (2) Occupancy under a contract of sale of a rental unit or the property of which it is a part, if the occupant is the purchaser or a person who succeeds to his/her interest;
- (3) Occupancy by a member of a fraternal or social organization in the portion of a structure operated for the benefit of the organization;
- (4) Transient occupancy in a hotel, motel tourist home or tourist court;

(5) Occupancy by an employee of a landlord whose right to occupancy is conditional upon employment in and about the premises.

(Ord. No. 9394-58, § 1, 1-18-94)

Sec. 12.5-3. Application.

The landlord and tenant may include in a rental agreement any terms and conditions not in conflict with this chapter or any other rule of law, including rent, term of the agreement, and other provisions governing the rights and obligations of the parties, and nothing contained herein shall likewise be deemed to waive or to forego the rights, obligations or remedies of any party as otherwise established by law or other applicable codes of the city.

(Ord. No. 9394-58, § 1, 1-18-94)

Sec. 12.5-4. Definitions.

The following words and phrases, when used in this chapter, shall have the meanings respectively ascribed to them in this section, except where the context otherwise requires.

Actual costs means all costs incurred, which may include reasonable compensation for time spent by the landlord or the tenant.

Essential services means water, heat, hot water, gas, electricity, and sanitation as required to be maintained by the minimum housing code of the city, and substantially functional cooking facilities and refrigerator, if supplied by the landlord.

Firm certificate of insurance means a certificate issued by an insurance carrier which shall impose an unconditional duty upon the carrier to notify the landlord not less than ten (10) days prior to the cancellation or termination of the coverage specified therein.

Good faith means honesty in fact in the conduct of the transaction concerned.

Housing code means any law, ordinance or governmental regulation concerning fitness for habitation, or the construction, maintenance, operation, occupancy, use or appearance of any premises or rental unit.

Landlord means the owner or lessor of the rental unit or the building of which it is a part, not including a sublessor.

Owner means one (1) or more persons, jointly, severally or in common, or any organization, in whom is vested all or part of the legal title to property, or all or part of the beneficial ownership and a right to present use and enjoyment of the premises, including a mortgagee in possession. As used herein, an organization shall include a

corporation, government, governmental subdivision or agency, trust, estate, partnership, association or any other legal or commercial entity.

Rent means all payments to be made to the landlord under the rental agreement.

Rental agreement means all agreements, written or oral, and valid rules and regulations embodying the terms and conditions concerning the use and occupancy of a rental unit and premises.

Rental unit means one (1) or more rooms in a structure or portion thereof arranged, designed and used as a residence or living quarters by one (1) or more persons who maintain a household together.

Tenant means a person or an organization entitled under a rental agreement to occupy a rental unit to the exclusion of others.

(Ord. No. 9394-58, § 1, 1-18-94)

Sec. 12.5-5. Obligation of good faith.

Every duty under this chapter and every act which must be performed as a condition precedent to the exercise of a right or remedy under this article imposes an obligation of good faith in its performance or enforcement.

(Ord. No. 9394-58, § 1, 1-18-94)

Sec. 12.5-6. Exclusivity of remedies.

The rights, obligations and remedies accorded to both landlords and tenants under this chapter are exclusively civil in nature and in no event shall the violation of any provision of this chapter be deemed to constitute a violation punishable by a fine or penalty under this chapter or section 1-10.

(Ord. No. 9394-58, § 1, 1-18-94)

Sec. 12.5-7. Effective date.

This chapter shall take effect on April 1, 1994. It applies to rental agreements entered into or extended or renewed on and after that date.

(Ord. No. 9394-58, § 1, 1-18-94)

Secs. 12.5-8, 12.5-9. Reserved.

ARTICLE II.
LANDLORD-TENANT RIGHTS, DUTIES, AND REMEDIES

Sec. 12.5-10. Rental agreements--Prohibited provisions.

(a) Except as otherwise provided by this article, no rental agreement between the landlord and the tenant shall contain any provision:

- (1) Waiving the rights or remedies provided under this article;
- (2) Waiving any statutory rights or remedies provided under state or federal law;
- (3) Providing that either the landlord or the tenant confess judgment on a claim arising out of the rental agreement;
- (4) Providing that either the landlord or the tenant may recover attorney's fees incurred to enforce the rental agreement unless the rental agreement stipulates that both the landlord and the tenant be entitled to recovery of attorney's fees under identical terms and conditions;
- (5) Limiting the liability of the landlord or the tenant arising under law;
- (6) Prohibiting the tenant from subletting the rental unit;
- (7) Requiring a monthly late fee in excess of five (5) per cent of the monthly rental payment per month; fees in excess of this amount may be charged if the landlord demonstrates actual costs which are greater;
- (8) Providing for tenant's payment of lock-out charges, sublet fees, late checkout charges or any other fees or penalties that exceed the landlord's actual costs for services; or
- (9) Automatically renewing the rental agreement by reason of the tenant's failure to provide notice of intent not to renew.

(b) A provision prohibited by subsection (a) included in a rental agreement is unenforceable. If the landlord deliberately attempts to enforce any provision in a rental agreement which is prohibited, the tenant may recover an amount totaling not more than two (2) months' rent and such damages, costs and reasonable attorney's fees as a court shall determine and award. The landlord shall be considered to have deliberately attempted to enforce a prohibited lease provision if the landlord knew or reasonably should have known that the provision was prohibited and the landlord:

- (1) Refuses to approve a sublease as required by law or requires, as a condition of granting approval of a sublease, payment of a prohibited sublease charge, acceleration of rent or payment of a higher rental rate than stipulated in the lease agreement;

(2) Refuses to provide a service because of the tenant's nonpayment of a prohibited fee or charge;

(3) Serves the tenant with written demand stating the intention to terminate the rental agreement for nonpayment of prohibited fees or charges;

(4) Files suit against the tenant to enforce the prohibited provision.

(Ord. No. 9394-58, § 1, 1-18-94)

Sec. 12.5-11. Same--Notice of nonrenewal.

(a) If the landlord elects to terminate a month to month tenancy, or the landlord elects to not renew the rental agreement, or to change the terms of the rental agreement upon renewal, the landlord shall notify the tenant, in writing, not less than thirty (30) days prior to the last day of the rental period.

(b) If the landlord fails to give the required written notice that the rental agreement will not be renewed, the tenant may remain in the rental unit on a month to month basis under the same other terms and conditions as the prior term, until such time as the required notice is given and becomes operative as set forth in subsection (a). The tenant shall be obligated to pay rent in a timely fashion.

(c) If the rental agreement is an oral agreement creating a month-to-month tenancy, the tenant shall notify the landlord, in writing, not less than thirty (30) days prior to the last day of the rental period, of the tenant's intention to vacate the premises by the last day of the rental period.

(d) If the tenant fails to give the required written notice to terminate the oral rental agreement, the tenant shall be liable to the landlord for lost rent during the time that the rental unit remains vacant, until the end of the next rental period, except that the tenant shall not be liable for payment of said lost rent if the landlord failed to provide the tenant with notice of the tenant's obligations as described in section 12.5-12 of this Code. The landlord shall have a duty to mitigate damages.

(e) The written notice required by this section may be delivered by personal service, first class mail, or any other means reasonably intended to provide actual notice.

(Ord. No. 9394-58, § 1, 1-18-94)

Sec. 12.5-12. Same--Copy of this chapter to be provided.

A copy of this chapter, or a summary thereof in a form prepared by the city and available for public inspection and copying, shall be provided by the landlord to every tenant at the time of signing a written rental agreement or entering into an oral rental agreement, except a renewal thereof if a copy of the required material has already been provided.

(Ord. No. 9394-58, § 1, 1-18-94)

Sec. 12.5-13. Same--Late charges.

A landlord may not impose a late charge unless the amount of the late charge is specified in the lease. A tenant shall not be subject to a late charge if the envelope containing the payment is postmarked on or prior to the date payment is due.

(Ord. No. 9394-58, § 1, 1-18-94)

Sec. 12.5-14. Same--Notice of charges.

A landlord may not impose any charge or fee, with the exception of rent, unless written notice of the charge or fee is provided to the tenant within thirty (30) days.

(Ord. No. 9394-58, § 1, 1-18-94)

Sec. 12.5-15. Landlord's right to access.

(a) The tenant shall not unreasonably withhold consent to the landlord to enter the rental unit in order to inspect the premises, make necessary or agreed repairs, supply necessary or agreed services, make alterations or improvements if such alterations or improvements do not interfere with the tenant's use of the premises, or to show the rental unit to prospective or actual purchasers, mortgagees or tenants.

(b) The landlord shall not abuse the right of access to the rental unit or use it to harass the tenant. Except in cases of emergency or by mutual consent, the landlord or landlord's agents shall not enter the rental unit without first providing the tenant with at least twenty-four (24) hours advance notice of the entry and may enter only at reasonable times. Reasonable times shall be considered 10:00 a.m. to 8:00 p.m. on weekdays and 11:00 a.m. to 8:00 p.m. on weekends, or such other times agreed upon by the tenant and the landlord.

(c) From the time that either the landlord or the tenant notifies the other party that the rental agreement will not be renewed, the landlord shall have the right to access, without twenty-four (24) hours advance notice, for the purpose of showing the rental unit to prospective tenants, provided that:

(1) The rental unit has not already been leased for the twelve (12) month period subsequent to the expiration of the rental agreement;

(2) The landlord enters only during two (2) specific one-hour periods on weekdays and three (3) specific one-hour periods on weekends, selected by the tenant from among choices offered by the landlord, during which the landlord will have daily access; and

(3) The landlord shall notify the tenant when the rental unit has been leased for the twelve (12) month period subsequent to the expiration of the rental agreement.

(d) If the tenant requests repairs and the landlord enters the rental unit to perform said repairs within fourteen (14) days of the tenant's initial request, the landlord shall not be obligated to provide the tenant with advance notice of entry. If the landlord fails to perform said repairs within fourteen (14) days of the tenant's initial request, the landlord shall be required to provide the tenant with at least twenty-four (24) hours' advance notice of entry. The notice shall only be effective for a seven-day period.

(e) The landlord may enter the rental unit at any time, without advance notice, in case of emergency. For purposes of this provision, the term "emergency" shall refer to a situation wherein access to the rental unit is necessary in order to prevent damage or destruction to the rental unit, other rental units, or the building, or to the fixtures, equipment, appliances, furniture or other personal property contained therein, or in order to protect any person from injury. Nonpayment or delinquent payment of rent shall not constitute an emergency.

(f) The landlord or landlord's agents shall enter the rental unit only after knocking on the door and providing the tenant a reasonable opportunity to answer, shall leave the premises in as good condition as when entered, shall clean and remove dirt and debris that result from the performance of maintenance and repairs, shall leave a note indicating the names of the persons who entered the rental unit and shall lock the rental unit when leaving.

(Ord. No. 9394-58, § 1, 1-18-94)

Sec. 12.5-16. Remedies for abuse of access rights.

(a) If the tenant refuses to allow lawful access, the landlord may obtain injunctive relief to compel access or terminate the rental agreement. In either case, the landlord may recover damages and reasonable attorney's fees.

(b) If the landlord makes an unlawful entry or a lawful entry in an unreasonable manner the tenant may obtain injunctive relief to prevent the recurrence of the conduct and recover an amount equal to not more than two (2) months' rent or the damages sustained, whichever is greater, and reasonable attorney's fees.

(c) If the landlord makes a lawful entry to make alterations or improvements that materially interfere with the tenant's use of the premises or if the landlord makes repeated demands for entry otherwise lawful, but which have the effect of harassing the tenant after being notified in writing by the tenant that tenant feels harassed by such repeated demands, the tenant may obtain injunctive relief to prevent the recurrence of the conduct, or terminate the rental agreement. In each case, the tenant may recover an amount equal to not more than two (2) months' rent or the damages sustained, whichever is greater, and reasonable attorney's fees. The provisions of this section shall not apply to alterations or

improvements done by the landlord to correct cited housing code violations, except in the cases of the landlord's unreasonableness, neglect, or negligence in correcting the violations.

(Ord. No. 9394-58, § 1, 1-18-94)

Sec. 12.5-17. Tenant obligations.

The tenant shall:

- (1) Comply with all obligations imposed upon tenants by provisions of city code applicable to occupants of a rental unit;
- (2) Keep that part of the premises that he or she occupies and uses as safe as the condition of the premises permits;
- (3) Dispose from the rental unit all ashes, rubbish, garbage and other waste in a clean and safe manner;
- (4) Use in a reasonable manner all electrical, plumbing, sanitary, heating, ventilating, air conditioning and other facilities and appliances, including elevators, in the premises;
- (5) Not deliberately nor negligently destroy, deface, litter, damage, impair or remove any part of the premises or knowingly permit any person to do so;
- (6) Conduct himself or herself and require other persons on the premises and within the rental unit with his or her consent to conduct themselves in a manner that will not disturb the neighbors;
- (7) Maintain the rental unit in a clean and sanitary condition and provide for a general cleaning of the rental unit prior to departure. As part of such cleaning, the tenant will broom sweep and mop the floors, vacuum all rugs and carpeting, and clean all appliances and plumbing fixtures;
- (8) Unless otherwise agreed to in writing by the landlord, not apply any part of a security deposit as part of obligated rent payments; and
- (9) Hold the landlord harmless from claims for property loss for which the landlord is not responsible and which the tenant's own insurance should cover.

(Ord. No. 9394-58, § 1, 1-18-94)

Sec. 12.5-18. Landlord obligations--Maintenance of premises.

- (a) The landlord shall maintain the premises in compliance with all applicable housing codes of the city and shall promptly make any and all necessary repairs to fulfill that

obligation, provided, however, that the tenant may knowingly and intentionally elect and agree to repair the premises to bring them into conformity with the applicable housing codes of the city. The burden shall be on the landlord to establish a knowing and intentional election on the part of the tenant to repair the premises in compliance with the applicable housing code. A mere recital in a form lease that tenant has covenanted to repair will not be sufficient, it being the intention of this article that any agreement with the tenant to repair be bargained for in fact. A separate hand-written paragraph in the lease showing:

(1) That the tenant has been informed of this article and the existing code violations;

(2) That he/she has affirmatively elected and bargained to repair the violations listed and other items listed; and

(3) The inducement for such arrangements, will be prima facie evidence that such provision was entered into in good faith and was bargained for in fact.

(b) Nothing in this article shall be interpreted so as to restrict the authority of city inspectors to cite a landlord for violation of building code provisions.

(c) Before a tenant initially enters into or renews a rental agreement for a rental unit, the landlord or any person authorized to enter into a rental agreement on the landlord's behalf shall disclose to the tenant in writing any housing code violations which have been cited by the building official and which remain uncorrected for that rental unit and the common area of the premises.

(d) This article shall not be interpreted as decreasing or diminishing the implied warranty of habitability as adopted by the Illinois Supreme Court.

(Ord. No. 9394-58, § 1, 1-18-94)

Sec. 12.5-19. Same--Security deposit interest.

(a) A landlord who receives a security deposit of one hundred dollars (\$100.00) or more from a tenant to secure the payment of rent or to compensate for damage to property shall pay interest to the tenant, computed from the date the deposit is paid, at a rate equal to the interest paid by the largest commercial bank, as measured by total assets, having its main banking premises in Champaign County, Illinois, on minimum deposit passbook savings accounts as of the thirtieth of June immediately preceding the inception of the rental agreement on any such deposit held by the landlord for more than six (6) months.

(b) The landlord shall, within thirty (30) days after the end of each twelve-month rental period, pay to the tenant any interest, by cash or credit to be applied to rent due, except when the tenant is in default under the terms of the lease. For the purposes of this provision, default shall mean nonpayment of rent or a successful claim by the landlord for possession of the premises for good cause other than nonpayment of rent. A landlord

who willfully fails or refuses to pay the interest required by this article shall, upon a finding by a circuit court that he/she has willfully failed or refused to pay, be liable for an amount equal to the amount of the security deposit, together with court costs and reasonable attorney's fees.

(Ord. No. 9394-58, § 1, 1-18-94)

Sec. 12.5-20. Same--Security deposit return.

(a) A lessor of residential real property who has received a security deposit from a lessee to secure the payment of rent or to compensate for damage to the leased property may not withhold any part of that deposit as compensation for property damage unless he or she has, within thirty (30) days of the date that the lessee vacated the premises, furnished to the lessee, delivered in person or by mail directed to his or her last known address, an itemized statement of the damage allegedly caused to the premises and the estimated or actual cost for repairing or replacing each item on that statement, attaching the paid receipts, or copies thereof, for the repair or replacement. If the lessor utilizes his or her own labor to repair any damage caused by the lessee, the lessor may include the reasonable cost of his or her labor to repair such damage. If estimated cost is given, the lessor shall furnish the lessee with paid receipts, or copies thereof, within thirty (30) days from the date the statement showing estimated cost was furnished to the lessee, as required by this section. If no such statement and receipts, or copies thereof, are furnished to the lessee as required by this section, the lessor shall return the security deposit in full within forty-five (45) days of the date that the lessee vacated the premises.

(b) Upon a finding by a circuit court that the landlord has refused to supply the itemized statement required herein, or has supplied such statement in bad faith, and has failed or refused to return the amount of the security deposit due within the time limits provided, the landlord shall be liable for an amount equal to twice the amount of the security deposit due, together with court costs and reasonable attorney's fees.

(c) Reserved.

(d) The decorating of the rental unit after the tenant vacates, including painting and carpet cleaning, unless walls or carpets are damaged beyond normal wear, shall not be considered as damage and the costs thereof shall not be charged to the security deposit.

(Ord. No. 9394-58, § 1, 1-18-94; Ord. No. 2000-07-066, 7-17-00)

Sec. 12.5-21. Same--Disclosure.

(a) Upon tenant's request, the landlord or any person authorized to enter into a rental agreement on the landlord's behalf shall disclose to the tenant in writing within seventy-two (72) hours of the request:

(1) The name, street address and telephone number of the person authorized to manage the premises;

(2) The name and street address of the owner of the premises or the person authorized to act on behalf of the owner for the purpose of service of process and for the purpose of receiving notices and demands; and

(3) The number of unrelated adults who may lawfully dwell in the leased premises pursuant to the Urbana Zoning Ordinance.

(b) A person who fails to comply with the disclosure requirements herein becomes an agent of each person who is a landlord for:

(1) Service of process and receiving of notices and demands; and

(2) Performing the obligations of the landlord under this article and under the rental agreement.

(Ord. No. 9394-58, § 1, 1-18-94)

Sec. 12.5-22. Same--Abandonment.

(a) The tenant shall be deemed to have abandoned the rental unit by being absent with visible intent not to return and with rent unpaid.

(b) If the tenant abandons the rental unit, the landlord may take possession of the rental unit.

(c) If the tenant abandons the rental unit or fails to remove his or her personal property from the premises after termination of a rental agreement, the landlord shall leave the abandoned property in the rental unit or remove and store all abandoned property from the rental unit. The landlord may charge the tenant for the actual costs of storage. The landlord may dispose of the property thirty (30) days after mailing written notice to tenant's last known address, if the tenant does not claim the property within that time. Notwithstanding the foregoing, if the landlord reasonably believes such abandoned property to be valueless or of such little value that the cost of storage would exceed the amount that would be realized from sale, or if such property is subject to spoilage, the landlord may immediately dispose of such property.

(Ord. No. 9394-58, § 1, 1-18-94)

Sec. 12.5-23. Tenant remedies for landlord's failure to maintain.

(a) If the landlord fails to disclose to the tenant in writing any cited housing code violations as required in this article, or to correct any condition constituting a subsequently cited housing code violation within the time specified in a duly served

notice to correct such cited housing code violation by the building official, the tenant affected by the condition may notify the landlord in writing of the tenant's intention to correct the condition at the landlord's expense. If the landlord, after receipt of such notice by the tenant, fails to correct the condition within the time specified for the performance of any act required by the notice of the building official or any duly granted extension thereof, the tenant, after first obtaining a contractor's firm certificate of insurance from the qualified appropriate tradesman who is to perform the work, and after furnishing such certificate to the landlord in the case of any work to be done on the premises, may have the work done in a competent manner and, after submitting to the landlord a paid itemized invoice and, where applicable, a properly completed waiver of lien, may deduct from his or her rent the amount thereof.

(b) If the cited housing code violation is one involving essential services which a landlord fails to supply contrary to the rental agreement, or if such violation is one giving rise to a hazardous condition which materially and immediately affects health and safety, the tenant affected by the condition may, in the alternative to the remedy set forth above, after the city's deadline for compliance has passed, notify the landlord in writing of the tenant's intention to:

(1) Procure reasonable amounts of heat, hot water, running water, electricity, gas or other essential service during the period of the landlord's noncompliance and deduct their cost from the rent; or

(2) Procure substitute housing during the period of the landlord's noncompliance, in which case the tenant is excused from paying rent for the period of the landlord's noncompliance. The tenant's actual cost of substitute housing may be deducted from the rent, provided that the amount deducted shall not exceed the average cost for a hotel/motel room in Urbana.

(c) If the landlord fails to provide essential services or to correct the hazardous condition within the time specified in the notice to correct the cited housing code violation or any extension granted by the building official, or if any such similar uncorrected condition or uncorrected interruption of services for any significant period recurs and is cited by the city more than three (3) times in any twelve-month period, the tenant may vacate the premises and terminate the rental agreement, in which case the tenant may recover from the landlord all rent payments not applied to rent accrued prior to the termination of the rental agreement and all damage or security deposits not rightfully applied to damages to the rental unit.

(d) The provisions of this section may not be used by the tenant more than three (3) times during any twelve-month period nor may the combined total dollar amount so deducted or excused during any such period exceed two (2) months' rent. If the tenant proceeds under this section, the tenant may not proceed under any other sections for such breach.

(e) The tenant may not exercise his or her rights under this section if the condition was caused by the inability or unwillingness of a utility supplier to provide service or by the

deliberate or negligent act or omission of the tenant, a member of his or her family, or other person on the premises with the tenant's consent.

(Ord. No. 9394-58, § 1, 1-18-94)

Sec. 12.5-24. Landlord remedies for tenant's failure to maintain.

(a) If a tenant, through the tenant's own actions or those of an invitee, causes a landlord to be cited for a housing code violation by the building official or fails to correct any condition constituting a cited housing code violation as set forth in this article within the time specified in a duly served notice to correct such housing code violation by the building official, the landlord affected by the condition may notify the tenant in writing of the landlord's intention to correct the condition at the tenant's expense. If the tenant, after receipt of such notice by the landlord, fails to correct the condition within the time specified for the performance of any act required by the notice of the building official or any duly granted extension thereof, the landlord may enter the rental unit, after providing twenty-four (24) hours advance notice, and have the work done in a competent manner and submit to the tenant an itemized invoice for the actual cost and for reasonable charges for the landlord's service, payable on the next date periodic rent is due, or if the rental agreement has terminated, payable immediately.

(b) If a tenant, through the tenant's own actions or those of an invitee, causes a landlord to be cited for any housing code violation:

(1) More than three (3) times during any twelve-month period; or

(2) Involving essential services; or

(3) Giving rise to a condition which materially and immediately affects the health and safety of others residing in or having access to the premises;

the landlord cited for the condition may, in the alternative to the remedies set forth herein, terminate the rental agreement and order the tenant to vacate the premises. When the tenant is ordered to vacate pursuant to this section, the landlord may recover all rent accrued prior to the termination of the rental agreement, and apply any damage or security deposit to damages to the premises.

(Ord. No. 9394-58, § 1, 1-18-94)

Sec. 12.5-25. Unlawful eviction.

(a) It is unlawful for any landlord or any person acting at the direction of the landlord to knowingly oust or dispossess or attempt to oust or dispossess any tenant from a rental unit without authority of law, by plugging, changing, adding or removing any lock or latching device; or by blocking any entrance into said rental unit; or by removing any door or window from said unit; or by interfering with the services to said unit, including

but not limited to, electricity, gas, hot or cold water, plumbing, heat or telephone service; or by removing a tenant's personal property from said unit; or by the use of force or threat of violence, injury or force to a tenant's person or property; or by any other act rendering a rental unit or any part thereof or any personal property located therein inaccessible or uninhabitable.

(b) The provisions of subsection (a) shall not apply where the landlord acts pursuant to a court order for possession.

(c) If the tenant, in a civil legal proceeding against the landlord, establishes that a violation of this section has occurred, the tenant shall be entitled to recover possession of the rental unit or personal property and shall recover an amount equal to not more than two (2) months rent or the actual damages sustained, whichever is greater, and reasonable attorney's fees.

(Ord. No. 9394-58, § 1, 1-18-94)

Sec. 12.5-26. Retaliatory conduct.

(a) Except as provided in this article, a landlord may not retaliate by decreasing services or by bringing or threatening to bring action for possession or by refusing to renew a rental agreement because the tenant has:

(1) Complained in good faith of a code violation to a government agency charged with the responsibility for the enforcement of such code;

(2) Complained to the landlord of a violation of any of the provisions of this article;

(3) Organized a tenant association or complained to the Tenant Union, Student Legal Service, or similar private or governmental organization about a violation of the provisions of this article or a violation of the rental agreement;

(4) Exercised or attempted to exercise any right or enforce any remedy granted to the tenant under this article.

(b) If the landlord acts in violation of subsection (a), the tenant has a defense in any retaliatory action against him or her for possession and shall be entitled to recover possession, an amount equal to two (2) months rent and reasonable attorney's fees.

(Ord. No. 9394-58, § 1, 1-18-94)

K. Visitability Ordinance

ORDINANCE NO. 2000-09-105

AN ORDINANCE AMENDING THE 1989 CABO ONE- AND TWO-FAMILY DWELLING CODE

WHEREAS, the Urbana City Council finds the following:

- a. That persons with disabilities and their immediate families are often isolated in their homes because most homes contain barriers to persons with disabilities; and
- b. That persons with disabilities and their immediate families often experience difficulty finding suitable, affordable housing; and
- c. That there are features in construction that can make a new house visitable, and in many cases livable, for persons with disabilities; and

WHEREAS, the Urbana City Council finds that it is appropriate to implement visitable construction standards for single and two-family construction in projects where the City participates; and

Whereas, the Urbana City Council finds that it is appropriate to promulgate standards that may be less restrictive than the Illinois Accessibility Code and the accessibility requirements contain in the City of Urbana Building Codes for larger construction projects.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. That the City of Urbana Building Code is hereby amended as follows:

- a. The 1989 CABO One- And Two-Family Dwelling Code as previously adopted by the Urbana City Council is hereby amended to include Appendix F entitled “Visibility Standards” and to read as follows:

Section F - 101 (Scope)

The provisions of this appendix shall control the design of visitability features in new construction of one and two family dwellings funded with financial assistance originating from or flowing through the City of Urbana and shall supersede other requirements of this code.

Section F - 102 (Definitions)

Public Funds means funds subject to the control or regulation of the City of Urbana, Illinois or any of its officers in their official capacity, except pension

Financial Assistance means providing public funds intended to be used for paying for labor or materials in the construction of a new single-family or two-family structure. It also includes use of public funds to acquire the parcel of land or the donation of the parcel of land owned by the City, on which a new single-family or two-family structure is to be constructed. Such financial assistance shall not include infrastructure, sanitary or storm sewer or other public infrastructure improvements.

Section F - 103 Applicability

For the purpose of this section “new construction” shall include the construction of a new single-family or duplex dwelling on a vacant lot. It shall not include additions to or remodeling of existing buildings. Such financial assistance shall include funds only used for the purchase of land or the donation of land from the City used to construct structures governed by this ordinance. Its shall also include funds used for the actual construction of the governed structures, but shall not include infrastructure installation such as sanitary or storm sewers, streets or other costs.

If public funds are utilized to upgrade a particular element(S) of a structure for hazard mitigation, such as higher wind resistance, tornado shelters or other similar features, it shall not in and of itself, require the building to meet the requirements of this section.

Alternate methods to the specific clearance to grade and slope requirements of sections R 301.3 and R304.2 respectively, may be approved by the code official to achieve the requirements of this section.

Section F - 104 Visitability Features

F-104.1 - No step entrance: There shall be at least one entrance (front, side, rear, or through the garage) which has no steps and is served by walks and/or ramps meeting the specifications of section F-103.2.

F-104.2 - Visitable Route: The required no step entrance shall be accessed via a visitable route that shall meet the following criteria.

F-104.2.1 Grade: Sidewalks and ramps that are part of a visitable route shall have the maximum slope and length shown in Table Number F-103.1

Table F-104.1 Max Grade and length for visitable route elements

ELEMENTS	GRADE	LENGTH
Sidewalks	1/20	N/L
Type 1 Ramp	1/8	5' (Max 7.5" rise)
Type 2 Ramp	1/10	12' (Max 14.5" rise)
Type 3 Ramp	1/12	30' (between landings)_

F-104.2.2 Width: The visitable route shall have a minimum clear width of 36 inches.

F-104.2.3 Landings: Landings in a visitable route shall be not less than 36" by 36" clear or shall meet the requirements of Section 400. Illustration B, Figures 7 or 25 of the Illinois Accessibility Code - (4/24/97) whichever is greater.

F-104.2.4 Surfaces: Surfaces shall be non-slip.

F-104.2.5 Drainage cross slope: Cross slope shall be no greater that 1/50.

F-104.3 Doors/Openings: All doors or openings shall have a minimum net clear width of 32".

Exception: Doors to closets with an area of 15 square feet shall be excluded from this requirement.

F-104.4 Bathroom Walls: Each bathroom or other room containing a toilet, bathtub, shower stall, or shower seat shall have reinforcing in the walls to allow for future installation of grab bars around those fixtures.

F-104.5 Corridors: Corridors shall be at least 36" in width.

F-104.6 Environmental Controls:

F-104.6.1 Wall Electrical Outlets: Wall electrical outlets shall be mounted at least 15 inches above the finished floor.

F-104.6.2 Light switches, thermostats and other controls: Lights switches, thermostats and other control devices shall be mounted no higher than 48 inches above the finished floor.

F-105. Waivers. In cases where site conditions or other restrictions warrant, waivers from this code may be granted by the Urbana City Council after consideration and recommendation of the Building Code Board of Appeals (Board). Said waivers will be forwarded to the City Council only if the Board recommends their approval by majority vote of the members present and voting. If the Board does not reach a favorable recommendation, the waiver is denied and the Board's findings will be the final administrative decision on such a waiver. The City Council shall have the authority to grant or deny waiver requests that the Board forwards.

Section 2. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities, and this Ordinance shall be in full force and effect from and after its passage and publication in accordance with Section 1-2-4 of the Illinois Municipal Code.



L. Human Rights Ordinance

Chapter 12 HUMAN RIGHTS

Art. I. In General, §§ 12-1--12-15

Art. II. Commission on Human Relations, §§ 12-16--12-36

Art. III. Discrimination, §§ 12-37--12-117

Div. 1. Generally, §§ 12-37--12-60

Div. 2. Prohibited Practices, §§ 12-61--12-80

Div. 3. Complaint Procedures, Investigation and Mediation,
§§ 12-81--12-100

Div. 4. Administration and Enforcement, §§ 12-101--12-117

Art. IV. Reserved

ARTICLE I. IN GENERAL

Secs. 12-1--12-15. Reserved.

ARTICLE II. COMMISSION ON HUMAN RELATIONS

Sec. 12-16. Establishment.

There is hereby established a commission on human relations.

Sec. 12-17. Composition, appointment.

The commission on human relations shall consist of nine (9) members to be appointed by the mayor with the approval of the city council. Members of the commission shall be chosen from among residents of the city representing various segments of the community. In the making of appointments hereunder, the mayor may receive recommendations by civic groups.

Sec. 12-18. Terms of members.

The term of office of each person appointed to the commission on human relations, unless otherwise expressly provided for by ordinance, shall expire at 7:30 p.m. on the third May first following the date of appointment. The terms of office of the members shall be staggered.

Sec. 12-19. Organization.

The commission on human relations shall elect from its members a chairperson and such other officers as it deems necessary, and may adopt such rules and regulations as may be necessary or appropriate to carry out its duties.

Sec. 12-20. Quorum.

The lesser of a majority of members or any four (4) members of the commission on human relations shall constitute a quorum.

Sec. 12-21. Meetings; absence of member.

(a) The commission on human relations shall meet from time to time, at least once each month, on call of the chairperson or of any four (4) members.

(b) Any member who is absent from all meetings in three (3) consecutive months may be replaced as in the case of a vacancy.

Sec. 12-22. Duties; cooperation with city offices.

(a) The commission on human relations shall cooperate with the mayor, city council, city departments, agencies and officials in securing the furnishings of equal services to all residents, and where the need is greater, in meeting that need with added service; training city employees to use methods of dealing with intergroup relations which develop respect

for equal rights and which result in equal treatment without regard to race, color, sex, religion, national origin, ancestry, disability, or sexual orientation; assuring fair and equal treatment under the law to all citizens; protecting the rights of all person to enjoy public accommodations and facilities and to receive equal treatment from all holders of licenses, contracts or privileges from the city; and maintaining equality of opportunity for employment and advancement in the city government.

(b) The purposes of the human relations commission shall be to:

- (1) promote and uphold the provisions of the Urbana Human Rights Ordinance;
- (2) to hear complaints of unlawful discrimination filed with the city, in accordance with the provisions of this ordinance;
- (3) plan and carry out programs aimed at eliminating discrimination as defined in this ordinance, as well as to all residents;
- (4) develop means of anticipation and relief of community tensions that arise from racial, ethnic, religious and social differences;
- (5) cooperate with the mayor, city council, city departments, agencies and officials in establishing and maintaining good community relations and securing the furnishings of equal services to all residents;
- (6) stimulate active involvement of business, religious and education sectors of the community to encourage full and equal opportunity for all persons;
- (7) receive and investigate complaints involving discrimination, as defined but not limited to, the protections of the Human Rights Ordinance, in accordance with Section 12-81.

(8) initiate investigations into areas of possible discrimination which might come to the attention of the commission although there is no individual complaint. These class based investigations, after the Commission's factfinding, may be issued as HRC reports and be distributed throughout the community. The Human Relations Commission may initiate action, including informal mediation and recommendations to the Council for formal action, to end any discrimination it may find as a result of these investigations, in accordance with Section 12-81.

(c) The commission shall advise and consult with the mayor and city council on all matters involving racial, religious, gender, ethnic, disability or sexual orientation prejudice or discrimination and recommend such legislative action as it may deem appropriate to effectuate the policy of this article.

(d) The commission will periodically review, with the Personnel Director and the mayor or his designee, the city's affirmative action program and report the results of the review to the city council.

(e) The services of all city departments and agencies shall be made available by their respective heads to the commission at its request, and information in the hands of any department or agency shall be furnished to the commission upon written request to the mayor. Upon receipt of recommendations in writing from the commission, each department or agency shall submit a reply in writing indicating the disposition of, and action taken, with regard to such recommendations.

(f) The commission shall render an annual report to the mayor and city council.

Sec. 12-23. Cooperation with other agencies.

The commission on human relations shall invite and enlist the cooperation of racial, religious and ethnic groups, community organizations, labor and business organizations,

professional and technical organizations, and other groups in the city in carrying on its work. The commission may aid in the formation of local community groups in such neighborhoods as it may deem necessary or desirable to carry out specific programs designed to lessen tensions or improve understanding in the community. The commission shall cooperate with state and federal agencies whenever it deems such action appropriate in effectuating the policy of this article.

Sec. 12-24. Performance of duties delegated by mayor and council.

The commission shall perform such further duties as may be delegated to it by the mayor and city council.

Sec. 12-25. Budget.

The commission on human relations shall annually submit a budget to the mayor. Such budget shall show those funds that are deemed necessary by the commission to implement its duties under this article.

Secs. 12-26--12-36. Reserved.

ARTICLE III. DISCRIMINATION

DIVISION 1. GENERALLY

Sec. 12-37. Intent and purpose.

It is the intent of the City of Urbana in adopting this article, to secure an end, in the city, to discrimination, including, but not limited to, discrimination by reason of race, color, creed, class, national origin, religion, sex, age, martial status, physical and mental disability, personal appearance, sexual preference, family responsibilities, matriculation, political affiliation, prior arrest or conviction record or source of income, or any other discrimination based upon categorizing or classifying a person rather than evaluating a persons unique qualifications relevant to an opportunity in housing, employment, credit or access to public accommodations.

Sec. 12-38. Short title.

This article may be cited as the "Human Rights Ordinance."

Sec. 12-39. Definitions.

[For the purpose of this article, the following words and terms shall be defined as herein set forth:]

Bona fide occupational qualification. A qualification reasonably necessary to the normal operation of a particular business.

Commission. The City of Urbana's human relations commission.

Complainant. A person who believes that he/she has been aggrieved by a violation of a provision of this article and who files a complaint with the commission or officer.

Council. The council of the City of Urbana, Illinois.

Credit transaction. Any invitation to apply for credit, application for credit, extension of credit or credit sale.

Disability. The term "disability," with respect to an individual, means (a) a physical or mental impairment that substantially limits one (1) or more of the major life activities of an individual; (b) a record of such an impairment; or (c) being regarded as having such an impairment.

Discrimination. Any practice or act which is unlawfully based wholly or partially on the race, color, creed, class, national origin, religion, sex, age, martial status, physical or

mental disability, personal appearance, sexual preference, family responsibilities, matriculation, political affiliation, prior arrest or conviction record or source of income of any individual, or any subclass of the above groups.

Employee. Any individual employed or seeking employment from an employer.

Employer. Any person who, for compensation, employs any individual except for the employer's parents, spouse or children; or who employs domestic servants engaged in and about the employer's household.

Employment agency. Any person regularly undertaking or attempting, with or without compensation, to procure employees for an employer or to procure for employees the opportunity to work for an employer, including any agent of such a person.

Family responsibilities. The state of being, or the potential to become, a contributor to the support of a person or persons in a dependent relationship, irrespective of their number, including single parents.

Labor organization. Any collective bargaining unit, committee, group, association or plan in which employees participate directly or indirectly and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours or other terms, conditions or privileges of employment.

Lease. This includes sublease, assignment, rental, or providing the use of real property for a fee, goods, services or anything of financial value, and includes any contract to do any of the foregoing.

Marital status. The state of being married, separated, divorced, widowed or single and the conditions associated therewith, including pregnancy or parenthood.

Matriculation. The condition of being enrolled in college or a university, whether as an undergraduate, graduate or professional student in any area of study, fulltime or part-time, in either a degree or non-degree program, or in a business, nursing, professional, secretarial, technical or vocational school or an adult educational program.

Officer. The City of Urbana's human relations officer, or the officer's designee.

Owner. Any person who holds legal or equitable title to, or owns any beneficial interest in, any real property or who holds legal or equitable title to a share of, or holds any beneficial interest in, any real estate cooperative which owns any real property.

Person. One or more individuals, labor unions, employers, employment agencies, partnerships, associations, creditors, corporations, cooperatives, legal representatives, government agency, trustees, owner, or any agent or representative of any of the foregoing.

Personal appearance. The outward appearance of any person, irrespective of sex, with regard to bodily condition or characteristics, such as weight, height, facial features, or other aspects of appearance. It shall not relate, however, to the requirement of cleanliness, uniforms, or prescribed attire, if and when such requirement is uniformly applied for admittance to a public accommodation or to employees in a business establishment for a reasonable business purpose.

Political affiliation. The state of belonging to or endorsing any political party or organization or taking part in any activities of a political nature.

Public accommodations. All places, businesses or individuals offering goods, services or accommodations to the general public.

Real property. Any real estate, vacant land, building or structure, or any part thereof within the city limits of Urbana, Illinois.

Respondent. A person charged with a violation of a provision of this article.

Sex. The state of being or becoming male or female or transsexual, or pregnant, or the ability to become pregnant.

Sexual harassment. Any unwelcome sexual advances or requests for sexual favors or any conduct of a sexual nature when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, housing, or access to public accommodations, (2) submission to or rejection of such conduct by an individual is used as the basis for decisions in employment, housing, or access to public accommodations affecting such individual, or (3) such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive environment for working, housing, or use of public accommodations.

Sexual orientation. Male or female homosexuality, heterosexuality or bisexuality, by preference or practice.

Source of income. The point or form of the origination of legal gains of income accruing to a person in a stated period of time; from any occupation, profession or activity, from any contract, agreement or settlement, from federal, state or local payments, including Section 8 or any other rent subsidy or rent assistance program, from court ordered payments or from payments received as gifts, bequests, annuities or life insurance policies.

Secs. 12-40--12-60. Reserved.

DIVISION 2. PROHIBITED PRACTICES

Sec. 12-61. Discrimination in opportunities, generally.

(a) Every individual shall be afforded the opportunity to participate fully in the economic, cultural and intellectual life that is available in the city, which shall include but not be limited to opportunities in employment, housing, places of public accommodation and credit or commercial transactions.

(b) It shall further be unlawful to discriminate in the provisions of any of the foregoing opportunities.

(c) With respect to age, physical or mental disability, matriculation or source of income, it shall not be an unlawful practice to accord preferential treatment to any individual when such treatment is designed to promote the safety, health or welfare of such individuals because of their circumstances, relative to their age, physical or mental disability, matriculation or source of income, which would not normally allow them to enjoy, to the fullest extent, those benefits of our society which are generally available to others. Notwithstanding the existence of separate or different programs or activities provided in accordance with this section, an individual shall not be denied the opportunity to participate in such programs or activities that are not separate or different.

Sec. 12-62. Employment.

(a) *By an employer.* It shall be an unlawful practice for an employer to do any of the following acts for a reason based wholly or partially on discrimination:

(1) To fail or refuse to hire, to discharge or to accord adverse, unlawful and unequal treatment to any person with respect to his/her application, hiring, training,

compensation, tenure, upgrading, promotion, layoff or any other terms, conditions or privileges of employment;

(2) To limit, segregate or classify his/her employees in any way which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect his/her status as an employee; provided, that an employer who is discriminating with respect to compensation shall not, in order to comply with the provisions of this section, reduce the wage rate of any employee;

(3) To engage in, permit, or tolerate sexual harassment.

(b) *By an employment agency.* It shall be an unlawful practice for an employment agency to do any of the following acts for a reason based wholly or partially on discrimination:

(1) To fail or refuse to refer for employment any individual, or otherwise to discriminate against any individual in any way which would deprive or tend to deprive such individual of an employment opportunity;

(2) To engage in, permit, or tolerate sexual harassment.

(c) *By an employer or employment agency.* It shall be an unlawful practice for an employer or employment agency to make or use a written or oral inquiry or form of application that elicits or attempts to elicit information for a reason based wholly or partially on discrimination; to make or keep a record of or disclose such information, except that the collection and reporting of such information shall not be unlawful if done for equal opportunity or affirmative action purposes pursuant to any local, state or federal government equal opportunity or affirmative action program.

(d) *By a labor organization.* It shall be an unlawful practice for a labor organization to do any of the following acts for a reason based wholly or partially on discrimination:

(1) To exclude or to expel from its membership, or otherwise discriminate against any individual;

(2) To limit, segregate or classify its membership;

(3) To classify or fail or refuse to refer for employment any individual in any way which would deprive or tend to deprive such individual of an employment opportunity, or otherwise adversely affect his/her status as an employee or an applicant for employment;

(4) To engage in, permit, or tolerate sexual harassment.

(e) *By an employer, employment agency or labor organization* It shall be an unlawful practice for an employer, employment agency or labor organization to do any of the following acts for a reason based wholly or partially on discrimination:

(1) To exclude any individual in admission to, or employment in, any program established to provide apprenticeship or other training or retraining, including an on-the-job training program;

(2) To place or accept an order or request for referrals, to print or publish, or cause to be printed or published, any notice or advertisement, or use any publication form, relating to employment by such an employer, or to membership, or any classification or referral for employment by such a labor organization or employment agency, indicating any preference, limitation, specification or distinction based on discrimination.

(f) *Exceptions:*

(1) It shall not be an unlawful practice for an employer to observe the conditions of a bona fide seniority system or a bona fide employee benefit system such as retirement, pension or insurance plan which is not a subterfuge to evade the purposes of this article,

except that no such employee seniority system or benefit plan shall excuse the failure to hire any individual.

(2) It shall not be an unlawful practice for a notice or advertisement to indicate a preference, limitation or specification where such factors are bona fide occupational qualifications necessary for employment. Nor shall it be unlawful for a person to request, accept an order for, refer or hire an individual based on such a preference, limitation or specification where such factors are bona fide occupational qualifications necessary for such employment.

(3) It shall not be an unlawful practice for any person to develop a lawful affirmative action plan designed to overcome the effects of past discrimination and to take action not otherwise prohibited by this article or state or federal law to carry out any such affirmative action plan.

Sec. 12-63. Public accommodations.

(a) Generally.

(1) It shall be an unlawful practice to do any of the following acts wholly or partially for a reason based on discrimination: To deny, directly or indirectly, or charge a higher price than the regular rate, for the full and equal enjoyment of the goods, services, facilities, privileges, advantages and accommodations of any place of public accommodation; to print, circulate, post, mail, or otherwise cause, directly or indirectly, to be published a statement, advertisement or sign which indicates that the full and equal enjoyment of the goods, services, facilities, privileges, advantages or accommodations of a place of public accommodation will be refused, withheld from or denied an individual; or that an individual's patronage of, or presence at, a place of public accommodation is objectionable, unwelcome, unacceptable or undesirable. It shall also be unlawful to fail to make reasonable modifications to policies, practices or procedures when such modifications are necessary to afford equal services or accommodations to individuals with disabilities; to fail to remove architectural barriers and communication barriers that are structural in nature in existing facilities, where such removal may be readily achievable; to fail to take such steps as may be necessary to ensure that no individual with a disability is excluded, segregated or otherwise treated differently than other individuals because of the absence of auxiliary aids and services. A party providing goods or services to the public shall not be required to take any action under this section that would fundamentally alter the nature of such goods and services being offered or would result in an undue burden.

(b) Credit transactions:

(1) It shall be an unlawful practice for any person to deny, refuse or restrict the amount or use of credit that is extended; or to impose different terms or conditions with respect to extensions of credit based on discrimination.

(2) It shall be an unlawful practice for any person to refuse, upon the written request of an unsuccessful applicant for credit, to provide within a reasonable period of time such an applicant with a written statement explaining the reason(s) for the denial, refusal or restriction of the amount or use of credit.

(3) It shall not be unlawful for any party to a credit transaction to consider the credit history of any individual applicant and to use accepted standards to determine an individual applicant's ability to fulfill the terms of the transaction if such methods are utilized in the same fashion to determine all applicant's eligibility for credit and are not

designed to contravene, nor have the effect of contravening, the intent of this article.

Sec. 12-64. Housing and commercial space.

(a) *Generally.* It shall be an unlawful practice to do any of the following acts for a reason wholly or partially based on discrimination:

(1) To refuse to negotiate for, enter into, or perform any sale, exchange or lease of any real property; or to require different terms for such transaction or to represent falsely that an interest in real property is not available for inspection, purchase, sale, exchange, lease or occupancy when in fact it is so available.

(2) To include in the terms or conditions of a transaction in real property, any clause, condition or restriction.

(3) To refuse to lend money, guarantee a loan, accept a deed of trust or mortgage, or otherwise refuse to make funds available for the purchase, acquisition, construction, alteration, rehabilitation, repair or maintenance of real property; or impose different conditions on such financing; or refuse to provide title or other insurance, relating to the ownership or use of any interest in real property.

(4) To refuse or restrict facilities, service, repairs or improvements for a tenant or lessee.

(5) To make, print or publish, or to cause to be made, printed or published any notice, statement or advertisement, with respect to a transaction, or proposed transaction, in real property, or financing related thereto, which notice, statement or advertisement indicates or attempts to indicate any preference or limitation.

(6) To discriminate in any financial transaction involving real property on account of the location of the residence or business, a practice commonly referred to as "red lining."

(7) To refuse examination of copies of any listing of real property.

(8) To enter into a listing agreement which prohibits the inspection, sale, exchange, lease or occupancy of real property.

(9) To act or undertake to act, in any capacity, in a transaction in which a person knows that a violation of this article has occurred or will occur.

(10) To purchase, sell, exchange, lease or occupy real property, or authorize and direct one in his/her employment or on his/her behalf to do so, or solicit another person to do so, for the specific reason and intention of preventing another person or persons from transacting the same.

(11) To refuse to negotiate for, enter into or perform any sale, exchange or lease of any real property because of discrimination against any party to the transaction, any member of the family of any such party, any person using or occupying or intending to use or occupy the real property or any person using or occupying any real property in the area in which such real property is located.

(12) To refuse to permit, at the expense of a person with a disability, reasonable modifications of existing premises occupied or to be occupied by such person if such modifications may be necessary to afford such person full enjoyment of the premises; except that, in the case of a rental, the landlord may, where it is reasonable to do so, condition permission for a modification on the renter agreeing to restore the interior of the premises to the condition that existed before modifications to the extent necessary for future reasonable use of persons without disabilities, reasonable wear and tear excepted. The landlord may not increase for disabled persons any customarily required security deposit. Where it is necessary in order to ensure with reasonable certainty that funds will be available to pay for the restorations at the end of the tenancy, the landlord may

negotiate as a part of such a restoration agreement a provision requiring that the tenant pay a reasonable amount of money not to exceed that cost of the restoration. The landlord shall only collect restoration money for actual costs incurred in the restoration. The landlord may condition permission for a modification on the renter providing a reasonable description of the proposed modification as well as reasonable assurances that the work will be done in a workman-like manner and that any required building permits will be obtained;

(13) To refuse to make reasonable accommodations in rules, policies, practices, or services, when such accommodations may be necessary to afford a person with a disability equal opportunity to use and enjoy a dwelling.

(b) *Blockbusting and steering*. It shall be an unlawful practice for any person, whether or not acting for monetary gain, directly or indirectly to engage in the practice of "blockbusting" or "steering", including, but not limited to, the committing of any one or more of the following acts:

(1) To promote, induce, influence, or attempt to promote, induce or influence a transaction in real property through any representation, means or device whatsoever calculated to induce a person to discriminate or to engage in such transaction wholly or partially in response to discrimination, prejudice, fear or unrest adduced by such means, device or representation.

(2) To place a sign or display any other device either purporting to offer or tending to lead to the belief that an offer is being made for a transaction in real property that is not in fact available or offered for transaction, or which purports that any transaction in real property has occurred that in fact has not.

(3) To represent that a change has occurred, will occur or may occur with respect to the composition of the owners or occupants in any block, neighborhood or area in which real property, which is the subject of a real estate transaction, is located if such representation is based on discrimination.

(4) To represent that a change with respect to the composition of the owners or occupants in any block, neighborhood or area will result in a lowering of property values, in an increase in criminal or anti-social behavior, or in a decline in the quality of schools in such block, neighborhood or area if such representation is based on discrimination.

(c) *Signs, notices, publications*. It shall be an unlawful practice for any person to do any of the following acts for a reason wholly or partially based on discrimination:

(1) To post or erect or cause or permit any person to post or erect any sign or notice upon any real property, managed by or in the custody, care or control of such person, indicating an intent to sell or lease any real property in a manner that is unlawful under this article.

(2) To publish or circulate, or cause or permit any person to publish or circulate, a statement, advertisement or notice of an intention to sell or lease any real property in a manner that is unlawful under this article.

(d) *Exceptions*:

(1) Nothing in this article shall require the owner to offer real property to the public at large before selling, exchanging or leasing it, provided that the owner complies with all other provisions of this article.

(2) Nothing in this article shall be construed to apply to the rental or leasing of housing accommodations in that portion of a building in which the owner, or members of his or

her family, occupy one of the living units and in which the owner-occupant anticipates the necessity of sharing a kitchen or bathroom with a prospective tenant, not related to the owner-occupant.

(3) The provisions of this article shall not be so construed as to prohibit a person from inquiring into and reporting upon the qualifications of any prospective buyer or tenant with respect to limitations or exclusions other than those based on discrimination.

(4) Nothing in this article is intended to prohibit any person from giving preference in renting or leasing housing, or any part thereof, to elderly and/or disabled persons, or both to elderly and to disabled when the building is either constructed or remodeled to make provision for the needs of elderly and/or disabled. Evidence of such provision includes but is not limited to, ramps; doorway provisions; bathroom equipment, such as shower seats; grab bars; hardware, such as door levers in place of doorknobs, adaptable kitchen appliances, and/or other services meeting the needs of its residents.

Secs. 12-65--12-80. Reserved.

DIVISION 3. COMPLAINT PROCEDURES, INVESTIGATION AND MEDIATION

Sec. 12-81. Filing of complaints.

(a) Any individual who believes that he or she has been aggrieved by a violation of the provisions of this article may file a complaint with the commission or officer. An individual seeking compensatory damages must file a complaint with the human relations officer. The officer shall keep records of all complaints made to the Human Relations Office, whether or not a formal complaint has been filed.

(b) The officer may, in lieu of an individual complainant filing a written statement, on his or her initiative, file and process a written statement of alleged discrimination.

(c) The complainant shall make a written statement that an unlawful practice has been committed, setting forth the facts upon which the complaint is based, and setting forth facts sufficient to enable the officer to identify the respondent. Such written statement shall be referred to herein as a "complaint."

(d) All complaints shall be filed within ninety (90) days of the occurrence of the alleged violation, or ninety (90) days after the discovery thereof, but in no event shall a complaint be filed more than one (1) year after the occurrence of the violation.

(e) Complaints filed may be voluntarily withdrawn at the request of the complainant at any time prior to the completion of the public hearing specified in section 12-84(b). The circumstances accompanying such withdrawal may be fully investigated by the officer or the commission.

(f) The officer may investigate individual instances and patterns of conduct, which the commission or officer feels are in violation of the provisions of this article, and may file complaints in connection therewith.

Sec. 12-82. Notice and response to complaint, preliminary investigation, initial determination.

(a) The officer shall promptly investigate allegations of discrimination set forth in any complaint and shall furnish the respondent with a copy of said complaint by certified mail or personal service within seven (7) days of filing of the complaint.

(1) The respondent shall file a verified response to the allegations set forth in the complaint within twenty-eight (28) days of the date respondent receives the complaint.

All allegations contained in the complaint not timely denied by the respondent shall be deemed admitted, unless the respondent states that it is without sufficient information to form a belief with respect to such allegation. The officer shall issue a notice of default directed to any respondent who fails to file a verified response to a complaint within twenty-eight days of the date on which the complaint was received by the Respondent, unless the respondent can demonstrate good cause as to why such notice should not be issued.

(2) The respondent shall, at the request of the officer, permit the officer to inspect and copy such records as may be relevant to the investigation. Should the respondent refuse to permit such inspection and copying, the commission may issue a subpoena for such records.

(b) An initial determination in writing shall be made by the investigator, stating whether or not there is probable cause to believe that this article has been violated, and on what facts such determination is based. Notice of the initial determination shall be furnished to the respondent and complainant within forty-two (42) days of the date the respondent files its verified response to the complaint.

(c) If the officer finds, with respect to any respondent, that the commission lacks jurisdiction or that probable cause does not exist, the officer shall issue and cause to be served on the Respondent and the Complainant an order dismissing the allegations of the complaint, along with a copy of this section explaining the Complainant's right to appeal.

(d) An order dismissing the allegations of the complaint for lack of jurisdiction or lack of probable cause may be appealed to the commission by the complainant within twenty-eight (28) days of the date on which the order was served, by mailing to the Chair of the Commission a written request for an informal public hearing.

(1) The Chair shall appoint one member of the Commission and two other persons familiar with the Ordinance to hear the appeal.

(2) The informal hearing shall be held within twenty-eight (28) days of the date a written request is received by the Chair of the Commission.

(3) Notice of the informal hearing date shall be served upon the complainant and the respondent no less than seven (7) days in advance of the hearing date.

(4) The Commissioner appointed to hear the appeal shall preside at the informal hearing at which time the officer will state the reasons for his/her initial determination of no probable cause and the complainant will state his/her objections to the determination. The respondent shall have the opportunity, but shall be under no obligation, to comment in support of the officer's determination.

(e) After hearing from all parties, a decision shall be made by majority vote of the body hearing the appeal to either:

(1) Issue an order in concurrence with the officer's finding of no probable cause; or

(2) Issue an order determining probable cause, stating on what basis such determination is made. Notice of the order determining probable cause shall be served upon the respondent within seven (7) days, after which the officer shall attempt conciliation in accordance with the procedures set forth herein.

Sec. 12-83. Informal conciliation; follow-up proceedings; confidentiality.

(a) In the event of a determination of probable cause, an attempt shall be made by informal methods of conference, conciliation and persuasion to eliminate the alleged

discriminatory practice and to compensate the complainant for damages suffered as a result of the practice.

(b) If the respondent and complainant agree to a conciliation agreement in writing, such written agreement shall be reported to the commission and the commission shall issue an order stating the terms of the agreement and furnish a copy of the order to the complainant and respondent.

(c) At any time within one year from the date of a conciliation agreement, the commission, or the officer at the request of the commission, shall investigate whether the terms of the agreement are being complied with by the respondent. Upon finding that the terms of the agreement are not being complied with by the respondent, the commission shall certify the matter to the city attorney for enforcement proceedings.

(d) If the respondent and complainant do not agree to a written conciliation agreement within forty-two (42) days of the determination of probable cause, either party shall have the right to a public hearing of the complaint before the commission in accordance with the procedures set forth in Section 12-84. Said public hearing shall commence within 105 days of the date that a written request for a hearing is received by the chair of the commission.

(e) Except for the terms of the conciliation agreement and any information presented at public meetings or hearings, neither the commission, the officer, nor any officer or employee thereof shall make public, without the written consent of the involved parties, information concerning the complaint.

(f) Nothing in this article shall be so construed as to contravene, or attempt to contravene, the provisions or intent of the Illinois Open Meeting Law.

Sec. 12-84. Public hearing.

(a) *Notice of hearing.* In case of failure of conciliation efforts, or in advance of such efforts, as determined by the officer, and after finding probable cause and after consulting and coordinating with the office of the city attorney, the officer shall cause to be issued and served in the name of the commission, a written notice of the time, date and place of hearing, together with a copy of the complaint, as the same may have been amended, requiring the respondent to answer the charges of such complaint at a public hearing; such hearing to be scheduled not less than thirty (30) days nor more than ninety (90) days after such service. Notice shall be served by registered or certified mail, return receipt requested, or by personal service.

(b) *Conduct of hearing.*

(1) After a complaint has been noticed for hearing, the commission shall conduct said hearing to make a determination concerning the complaint. The chair of the commission shall appoint a hearing officer, and the hearing officer shall rule on motions and all other matters and conduct the hearing according to rules as adopted by the commission. The city shall be responsible for paying the costs of such hearing officer provided that the city attorney has approved the form of the retention agreement form.

(2) The office of the city attorney or the officer shall present the city's case before the commission. Efforts at conciliation and reconciliation shall not be received into evidence.

(3) If the respondent fails to appear at the hearing after having been served with notice, the commission shall proceed with the hearing on the basis of the evidence in support of the complaint.

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- (4) The respondent may appear at the hearing with or without representation, may examine and cross-examine the witnesses and the complainant, and may offer evidence.
- (5) At the conclusion of any hearing, the commission shall render a decision as to whether or not the respondent has engaged in an unlawful practice or has otherwise violated the provisions of this article. No such decision by the commission shall be by a vote of less than a majority of its duly authorized members. If it is determined that a respondent has not engaged in an unlawful practice, the commission shall issue, and cause to be served on the respondent and the complainant, a decision and order dismissing the case. If it is determined that a respondent has engaged in an unlawful practice, the commission shall issue, and cause to be served on such respondent, a decision and order, accompanied by findings of fact and conclusions of law, requiring such respondent to cease and desist from such unlawful practice, and to take such action as in the judgment of the commission will carry out the purposes of this article. Such action may include, but shall not be limited to, the following acts on behalf of the complainant and other aggrieved individuals: Hiring, reinstating or upgrading, with or without back pay; restoring membership in any respondent labor organization, admitting to or allowing to participate in a program, apprenticeship training program, on-the-job training program or other occupational training or retraining program; the extension of full, equal and unsegregated accommodations, advantages, facilities and privileges; payment of compensatory damages; extending credit, referring for employment, selling, exchanging or leasing real property, or providing housing accommodations.
- (6) Nothing in this article shall be construed as to permit back pay and/or compensatory damages to equal more than the actual monetary losses or costs incurred by the complainant(s) as a result of the discrimination by the respondent(s).

Secs. 12-85--12-100. Reserved.

DIVISION 4. ADMINISTRATION AND ENFORCEMENT

Sec. 12-101. Fines.

Any person found in violation of any provision of this article by the commission, or in subsequent judicial proceedings in a court of law, shall be fined not more than five hundred dollars (\$500.00) for each violation.

Sec. 12-102. Judicial review.

Any person suffering a legal wrong, or adversely affected or aggrieved by an order or decision of the commission in a matter, pursuant to the provisions of this article, is entitled to a judicial review thereof, upon filing a written petition for such a review with the circuit court of the Sixth Judicial Circuit or any court of competent jurisdiction.

Sec. 12-103. Enforcement powers of commission; institution of civil proceedings.

(a) The chair of the commission, or the acting chair in the absence of the chair, shall issue subpoenas at the instance of the commission or the investigator, or at the instance of a respondent or complainant to the proceedings, whenever necessary to compel the attendance of a witness or to require the production for examination of any books, payrolls, records, correspondence, documents, papers or other evidence in any investigation or hearing of a discrimination complaint.

(b) If the commission determines that the respondent(s) have not, after thirty (30) calendar days following service of its order, corrected the unlawful practice and complied with this article, the commission shall certify the matter to the city attorney for enforcement proceedings.

(c) The city attorney shall institute, in the name of the City of Urbana, civil proceedings, including the seeking of such restraining orders and temporary or permanent injunctions, as are necessary to obtain complete compliance with the commission's orders.

Sec. 12-104. Compliance with article provisions.

(a) It shall be an unlawful practice for any person to refuse to hire, to discharge, to evict from housing or commercial space, to refuse to negotiate for, sell, exchange or lease any real property or to include terms or conditions for such property, to harass, intimidate or in any other way retaliate or discriminate against, or interfere with any individual because he/she has made a complaint, testified or assisted in any proceeding under this article, whether on his/her own behalf or for another individual, or because he or she has told, objected to, or commented upon any policy, rule, action, or barrier to that which he or she in good faith believes violates this article.

(b) It shall be an unlawful practice for any person to aid, abet, compel or coerce another person to commit an act which is unlawful under the provisions of this article, or to attempt to do so.

(Ord. No. 7879-92, § 1(25), 4-24-79; Ord. No. 9798-49, § 1, 10-6-97)

Sec. 12-105. Exceptions.

(a) Any practice or act of discrimination which would otherwise be prohibited by this article shall not be deemed unlawful if it can be established that such practice or act can be justified on the basis of being reasonably necessary to the normal operation of the business or enterprise. However, a "business necessity" exception shall not be justified by the factors of increased cost to business, business efficiency, the comparative or stereotypical characteristics of one group as opposed to another or the preferences of co-workers, employers' customers or any other person.

(b) Nothing contained in the provisions of this article shall be construed to bar any religious or political organization from giving preference to persons of the same political or religious persuasion in the conducting of the said organizations' activities.

(c) Nothing contained in the provisions of this article shall be considered to be discriminatory on the basis of age if the act occurs with respect to a person under the age of eighteen (18).

(d) The provisions of this article shall not apply to other units of government, including the Federal government or any of its agencies, the State of Illinois and any other political subdivision, municipal corporation or their agencies.

Sec. 12-106. Severability of provisions.

If any provision or part thereof of this article, or application thereof to any person or circumstance, is held invalid, the remainder of the article and the application of the provision, or part thereof, to other persons not similarly situated or to other circumstances shall not be affected thereby.

(Ord. No. 7879-92, § 1(27), 4-24-79)

Sec. 12-107. Posting of notice.

Every person subject to this article shall post and keep in a conspicuous location, where business or activity is customarily conducted or negotiated, a notice provided by the City of Urbana, whose form and language shall have been prepared by the officer setting forth excerpts from, or summaries of, the pertinent provisions of this article and information pertinent to the filing of a complaint.

(Ord. No. 7879-92, § 1(28), 4-24-79)

Sec. 12-108. Records and reports.

When a complaint has been filed against a person pursuant to this article, the respondent shall preserve all records, which may be relevant to the charge or action until a final disposition of the charge. Such records shall include, but not be limited to, application forms submitted by applicants, sales and rental records, credit and reference reports, personnel records, and any other records pertaining to the status of an individual's enjoyment of the rights and privileges protected or granted under this article.

Secs. 12-109--12-117. Reserve

XI. CERTIFICATION

City of Urbana

Analysis of Impediments
To Fair Housing Choice

The foregoing analysis of fair housing choice in Urbana, Illinois, has been conducted to comply with HUD regulations 24 CFR Part 570.904(c) and with the City's certification to affirmatively further fair housing in conjunction with its Community Development Block Grant program. This analysis has been reviewed by the Urbana Community Development Commission, which advises the Urbana City Council on matters pertaining to the City's CDBG program. The Community Development Commission accepted this document at its meeting on the _____ day of _____, 2003.

Tod Satterthwaite, Mayor

Date