

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

DOROTHY GAUTREUX, et al.,	)	
	)	
Plaintiffs,	)	No. 66 C 1459
	)	
v.	)	No. 66 C 1460
	)	
CHICAGO HOUSING AUTHORITY, et al.,	)	(Consolidated)
	)	
Defendants.	)	

ANSWER

Now comes a Supplemental Defendant, John J. Hoellen, the duly elected Alderman of the 47th Ward of the City of Chicago and an acting member of the City Council of the City of Chicago and answering pro se the Supplemental Complaint heretofore filed herein against him relates as follows:

1. Supplemental Defendant John J. Hoellen admits the allegations contained in paragraphs 1-7, 9, and 11-13, all inclusive.

2. Supplemental Defendant John J. Hoellen denies the allegation set forth in paragraph 8 and states that he has been informed and believes the fact to be that CHA presently has more than one thousand unoccupied low-income Dwelling Units in the City of Chicago which are presently available for rental to low-income tenants.

3. Supplemental Defendant John J. Hoellen states that he has no knowledge that CHA did not advise the City Council of any real property proposed to be acquired by it for the purpose of increasing the supply of Dwelling Units during the period from July 1, 1969 until March 5, 1971 as alleged in paragraph 10 of Plaintiff's Supplemental Complaint.

4. Supplemental Defendant John J. Hoellen states that the allegations contained in paragraph 14 of Plaintiff's Supplemental Complaint are conclusions and as such should be stricken.

5. Supplemental Defendant John J. Hoellen states that the order of this Court of January 3, 1972, is part of the record of the cause now on hearing.

ADDITIONAL DEFENSES

6. The City Council of the City of Chicago has been vested by Statute with authority to approve sites for the construction of low-income housing (Ill. Rev. Stats. Chapter 67½, Sec. 9).

7. Supplemental Defendant John J. Hoellen denies that his refusal to approve certain scattered low-income housing sites in the neighborhoods of the 47th Ward which he represents is based upon racial prejudice as Plaintiffs imply in their Supplemental Complaint, but rather is based upon the following facts:

- (A) The concerns of the vast majority of his constituency are based upon difficulties of assimilating unacculturated families of the lowest economic level into the cultural mainstream of a neighborhood already haunted by the fears of creeping blight and deterioration from the adjoining community known as "Uptown."
- (B) Many acculturated families of all colors and many nationalities, black, white, oriental and American Indian already live harmoniously in the Ravenswood and West Lake View communities which are represented by this Supplemental Defendant.

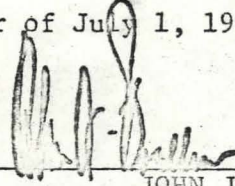
(C) In the Ravenswood and West Lake View communities most families dwell in frame or brick apartment buildings where the average current market value of each dwelling unit does not exceed \$15,000; and indeed many apartment units are valued at less than \$10,000. Most units were constructed during the period of 1890 to 1930. It is insulting to the community to build new Housing Units as currently proposed by CHA of the type and at the cost of more than \$20,000 per unit, whose design is so incongruously more modern and more expensive than the adjoining units which are owned or rented by taxpayers or tenants who are already embittered at the high taxes assessed and the high rents charged for their obsolescent dwelling units. Tenants and taxpayers alike deeply resent subsidizing housing for families of the lowest income level which would be substantially newer and more expensive than their own dwelling unit for which they have labored so diligently. Units of the type proposed by CHA, which would blend well within a suburban community, would appear absurdly grotesque as subsidized housing in Ravenswood and West Lake View and would further polarize the antagonisms of the communities.

(D) The concerns of the communities represented by this Supplemental Defendant further relate to demography. If CHA units were built in the communities known as

Ravenswood and West Lake View, it would strain an already over-crowded school system. McPherson, Ravenswood and Waters Elementary Schools are now served by portable classrooms. The presence of CHA units would further over-crowd the schools and lower the quality of education at these schools.

- (E) Mr. Justice Black in writing the majority opinion for the United States Supreme Court in James v. Valtierra, 91 S. Ct. 1331 (1971), in a case which upheld a California constitutional provision requiring referendum approval of low-cost public housing projects stated at page 1334 that " . . . a lawmaking procedure that 'disadvantages' a particular group does not always deny equal protection. . . . This procedure ensures that all the people of a community will have a voice in a decision which may lead to large expenditures of local government funds for increased public service and to lower tax revenues." It was for the same reason that the Illinois General Assembly inserted the requirement that the elected representatives of the people must first approve public housing sites. (Ill. Rev. Stats., Ch. 67½, Sec. 9). It is clear that the decision of this Court entered herein on February 10, 1969, no longer represents the law of our land.

WHEREFORE, Supplemental Defendant John J. Hoellen moves the
Court to strike the Supplemental Complaint and to dismiss the Defendants
AND/OR alter and amend the Judgment Order of July 1, 1969. (304 F. Supp. 736).



JOHN J. HOELLEN

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UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF ILLINOIS
DIVISION

Court file
→

Name of Presiding Judge, Honorable Richard B. Austin

Cause No. 66 C 1459 / 1460 Conn.

Date 3/17/72

Title of Cause Sautereaux et al

vs OHA et al

Brief Statement
of Motion

~~not~~ to file answer of Supl Def John J. Hoellen
instantly

Notice
must
be
filed

The rules of this court require counsel to furnish the names of all parties entitled to notice of the entry of an order and the names and addresses of their attorneys. Please do this immediately below (separate lists may be appended).

Names and
Addresses of
moving counsel

John J. Hoellen

1940 W Irving Park Road, Chicago

Representing

Pro Se.

Names and
Addresses of
other counsel
entitled to
notice and names
of parties they
represent.

Reserve space below for notations by minute clerk

Enter order (draft)

Austin J

Hand this memorandum to the Clerk.
Counsel will not rise to address the Court until motion has been called.