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MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

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

all → CONCERNED RESIDENTS OF ABLA,
FERRELL FREEMAN, NONA YOUNG, CAROLYN
NANCE, WANDRA STIMAGE, VIOLA SINGLETON, and
VERA SMITH, on behalf of themselves, and
→ AFRICA SIMPSON, KIZZIE JOHNSON, LATONYA
MAXWELL, LATONYA WILLETT, and LORREE BROWN,
on behalf of themselves and all others similarly situated,

Plaintiffs,

vs.

THE CHICAGO HOUSING AUTHORITY ("CHA"),
an Illinois Municipal Corporation; PHILLIP JACKSON,
In His Official Capacity as Chief Executive Officer of the
CHA; THE UNITED STATES DEPARTMENT OF
HOUSING AND URBAN DEVELOPMENT ("HUD"); and
ANDREW CUOMO, In His Official Capacity as Secretary
of HUD,

Defendants.

99C 4959

No.

Complaint for
Declaratory
and
Injunctive
Relief

JUDGE GETTLEMAN

MAGISTRATE JUDGE ASHMAN

COMPLAINT

I. PRELIMINARY STATEMENT

✓ 1. This civil rights class action lawsuit is brought to redress the harm to current and
former residents of the Addams, Brooks, Loomis, and Abbott ("ABLA") public housing
development on Chicago's Near West Side and to people on CHA's waiting list. ABLA is in the
recently gentrified Near West Side medical district area and abuts Little Italy. As the
neighborhood has become more desirable, the ABLA projects, blighted by years of neglect, stand
in the way of "progress."

2. The Chicago Housing Authority ("CHA"), using \$60 million of HUD money, developed a plan to tear down most of ABLA, destroying 3,000 housing units needed by the impoverished, very low-income, African American, female-headed households with children who live or recently lived in ABLA, or who have applied for public housing in Chicago and are waiting for an available unit.

3. The CHA has already displaced over 1,000 ABLA families, and hundreds more will be relocated to "revitalize their neighborhood."

4. Ninety-nine percent of the residents of ABLA are African American. They have lived for decades both to the north and south of Roosevelt Road. The defendants' "revitalization" plans would change that. Where today there are very low income African American residents in ABLA on both sides of Roosevelt Road, "revitalization" will concentrate those who remain almost exclusively south of Roosevelt Road -- away from the gentrifying and predominately white areas of Little Italy and University Village that are north of Roosevelt Road, and away from the new market and above-market rate construction which is the centerpiece of CHA's "revitalization" plan.

5. Under the defendants' plans, more than 2,500 units of public housing for very low income residents will be lost at ABLA, while hundreds of new homes unaffordable to them will be built. Approximately three-fourths of the new homes will be occupied predominantly by higher-income families, many of whom are likely to be white families.

6. Although one-half of the new units to be constructed at ABLA are set aside for "public housing eligible" families, these units will be for what federal guidelines term "low income" families (families with an average annual income between 50% and 80% of the area median income ("AMI") for the Chicago area (between \$28,700 and \$45,920 for a family of

three). ABLA residents are overwhelmingly "very low income" families (with an average annual family income of \$5,883). Under defendants' plans, only a small portion of the proposed new units will be set aside for them. The "very low income" ABLA families will be given rehabilitated public housing units, not newly constructed homes, or will be relocated away from the community. More than two-thirds of very low income units at ABLA will be eliminated.

7. On July 13, 1999, the CHA defendants caused to be issued a Request for Proposal ("RFP") for a development manager to implement CHA's "revitalization plan" for ABLA. Responses to the RFP are due on or before September 16, 1999.

8. This suit has been filed because all reasonable steps short of litigation have failed. The sad fact is that less discriminatory means of consolidating, repairing and replacing the public housing at ABLA are available to the defendants, but defendants have ignored these alternatives and have excluded plaintiff Concerned Residents of ABLA ("CRA"), the individually-named plaintiffs, and plaintiff class members from participating or consulting in the formulation of plans for ABLA despite explicit statutory mandate to include them. (See § IV.B., *infra*.) Unfortunately, the people already displaced were not informed of their rights and instead of being offered the opportunity to remain in a revitalized ABLA, were shuffled off to segregated areas of Chicago, either by intent or culpable inaction, once again in violation of these residents' statutory rights. Shamefully, these public agencies mandated to use public money to reduce racial segregation have conceived a plan which fails to alleviate the blight of segregation for these very poor, African American, female-headed households. These people are seeking to have the Court protect them by forcing these public agencies to do what the law requires – fully informing the present and former ALBA residents of their rights, and requiring consultation with the residents to create a plan which provides the maximum amount of integrated housing for very

low income families. (See, § IV., infra) Despite statutes and regulations requiring such conduct, defendants have to date failed to do this and have taken numerous actions in direct violation of federal housing, relocation and civil rights laws.

II. JURISDICTION AND VENUE

9. This court has jurisdiction over plaintiffs' claims under 28 U.S.C. §§ 1331 (federal question) and 1343 (civil rights), and 42 U.S.C. § 3613 (fair housing). Venue is proper in this judicial district under 28 U.S.C. § 1391(b).

III. PARTIES

The Plaintiffs

The Concerned Residents of ABLA

10. The Concerned Residents of ABLA ("CRA") is an association of tenants living in the ABLA public housing development. CRA is incorporated as an Illinois non-profit organization. CRA's mission is to act as an advocate for ABLA residents in the residents' efforts to protect their rights as tenants of the CHA, to stimulate self-determination for the residents, and to encourage all ABLA residents to become responsible citizens of the community. CRA also seeks to represent the best interests of all ABLA tenants. All ABLA tenants are eligible to join CRA and to participate in CRA activities.

11. ABLA residents formed CRA in the fall of 1996 when it became clear to them that CHA had plans to demolish much of ABLA and to relocate many ABLA families. CRA was concerned that tenants' rights would not be upheld in this process, specifically, that tenants would be forcibly relocated and would not be able to live in the new replacement housing being built at ABLA.

12. Under federal housing statutes and HUD HOPE VI requirements discussed below, tenant organizations such as CRA are to be afforded a meaningful opportunity to participate in planning, development, implementation and monitoring of local urban revitalization programs. Instead, defendants have shut CRA out.

Individual Residents of ABLA

13. Plaintiff Ferrell Freeman is an African American female. For over 40 years, Ms. Freeman lived in the Jane Addams portion of ABLA. Prior to her relocation south of Roosevelt Road in June 1997, Ms. Freeman lived for 25 years in a low-rise three-story walk-up apartment building located at 1328 W. Taylor Street. In October 1996, CHA informed Ms. Freeman that the municipal building court had issued a vacate order for her building, which order had been agreed to by CHA, and that she had six (6) days to move or face being set out of her unit. After she contested the unlawfully short notice, CHA eventually relocated Ms. Freeman to 1433 W. 13th Street, a 15-story high-rise in Grace Abbott Homes, an ABLA sub-development located south of Roosevelt Road. Ms. Freeman wants to return to the revitalized Jane Addams community, although CHA has not provided her any guarantee that she will be able to do so. Ms. Freeman is President of CRA.

14. Plaintiff Nona Young is an African American female who lives at 840 S. Lytle, in Jane Addams. For years Ms. Young has complained to CHA about the severe damage caused to her apartment by chronic water leakage through the roof. CHA never made anything other than cosmetic repairs. Now CHA is insisting that, due to deteriorating conditions, Ms. Young's building must be vacated and that she must move. CHA is trying to force Ms. Young to move to Altgeld Gardens, a racially segregated development on the far South Side of Chicago. CHA has not offered any guarantee to Ms. Young that she can return to the revitalized Jane Addams community, although she would like to do so. Ms. Young is a member of CRA.

15. Carolyn Nance is an African American female who lives at 916 S. Ada, in Jane Addams, with her daughter. She has lived in Jane Addams for almost 10 years. CHA has never personally interviewed Ms. Nance as to her housing needs or preferences, nor has it provided her with any notices regarding its plans to redevelop Jane Addams or ABLA. The only alternative housing which CHA has mentioned as being available to Ms. Nance is ABLA housing south of Roosevelt Road. Ms. Nance wants to stay in the revitalized Jane Addams community, but CHA has given her no guarantee that she will be able to do so. Ms. Nance is a member of CRA.

16. Wandra Stimage is an African American female who lived from the early 1990's until January 1997 in a 16-story high-rise building at 1239 S. Racine with her children. In January 1997, her apartment became uninhabitable due to lack of heat, burst pipes, and flooding. CHA subsequently moved Ms. Stimage's family into an adjacent 16-story high-rise building at 1111 W. Roosevelt. CHA has never personally interviewed Ms. Stimage as to her housing needs or choices and has never provided her with personal notices about CHA's redevelopment or relocation plans for ABLA or Brooks Extension, as required by the federal Uniform Relocation Act ("URA"). See § IV.D, infra. CHA refused to allow Ms. Stimage's attorney to accompany her to a meeting where the CHA was discussing plans for Brooks Extension. She wants to remain and live at the new housing in Brooks Extension, but CHA has not provided her any assurance that she will be able to do so. Ms. Stimage is a member of CRA.

17. Viola Singleton is an African American female who has lived at 1111 W. Roosevelt for 37 years. CHA has never personally interviewed Ms. Singleton as to her housing needs or choices and has never provided Ms. Singleton with personal notices about CHA's redevelopment or relocation plans for ABLA or Brooks Extension, as required by the URA. CHA refused to allow Ms. Singleton's attorney to accompany her to a meeting where the CHA was discussing

plans for Brooks Extension. She wants to stay and live at the new housing in Brooks Extension, but CHA has not provided her any guarantee that she will be able to do so. Ms. Singleton is a member of CRA.

18. Vera Smith is an African American female who has lived in ABLA for almost 20 years, most recently with her grandchildren at 1209 S. Racine. CHA has never personally interviewed Ms. Smith as to her housing needs or choices and has never provided Ms. Smith with personal notices about CHA's redevelopment or relocation plans for ABLA or Brooks Extension, as required by the URA. She wants to stay and live at the new housing in Brooks Extension, but CHA has not provided her any guarantee that she will be able to do so. Ms. Smith is a member of CRA.

Individual Residents Displaced from ABLA

19. Africa Simpson is an African American female who grew up in ABLA and lived with her children in 1239 S. Racine until January 1997, when burst pipes caused flooding in her apartment. Ms. Simpson made repeated calls for service, but to no avail. Instead, CHA offered to move Ms. Simpson into a 15-story Abbott high-rise. Ms. Simpson, concerned about her and her children's safety, refused, and CHA then encouraged her to accept a Section 8 certificate, which she did. A Section 8 certificate is a federal rental subsidy which authorizes a local Section 8 administrator to pay rent to private landlords for privately owned apartments. Ms. Simpson lived with friends until she found a private landlord willing to accept her Section 8 certificate. However, Ms. Simpson's landlord failed to properly maintain the apartment. When the apartment subsequently failed its federally-required annual Housing Quality Standards ("HQS") inspection, Ms. Simpson was forced to vacate the apartment and remained homeless for several months. She has now found another apartment but wants to move back to ABLA to be close to

her job and her children's school. Ms. Simpson was never offered relocation assistance, nor did CHA inform her about the new units to be built at Brooks Extension. If CHA had informed her about the new units, she would have stayed at ABLA in order to obtain one of them.

20. Kizzie Johnson is an African American female who grew up in ABLA and lived with her children in 1239 S. Racine until late in 1996. At that time, 1239 S. Racine was deteriorating to the point of uninhabitability, and CHA was vacating the building, so CHA moved Ms. Johnson to 1111 W. Roosevelt. CHA subsequently offered Ms. Johnson a Section 8 certificate, which she accepted because she did not want to stay in 1111 W. Roosevelt and see it suffer the same fate as 1239 S. Racine. Ms. Johnson rented a private apartment with her Section 8 certificate, but was subsequently forced to move when it failed an HQS inspection. Ms. Johnson has since found another apartment but wants to move back to ABLA to be close to her job and her children's school and day care. Ms. Johnson was never offered relocation assistance, nor did CHA inform her about the new units to be built at Brooks Extension. If CHA had informed her about the new units, she would have stayed at ABLA in order to obtain one of them.

CHA Waiting List Plaintiffs

21. Latonya Maxwell is an African American female with four minor children. She first applied for CHA housing approximately four years ago, and she recently renewed her application for CHA housing. For approximately the past year, Ms. Maxwell has been homeless and has either resided in a temporary shelter or has doubled up with relatives. Ms. Maxwell has no foreseeable prospect of permanent housing and would like to live in a new or rehabilitated unit at ABLA.

22. Latonya Willett is an African American female who lives with her husband and two minor children. She applied for CHA housing approximately three years ago. Since that time

Ms. Willett's family has lived in two different apartments, and in each case has had difficulty paying the private market rents which are a high percentage of her family's income. Ms. Willett has no foreseeable prospect of affordable housing and would like to live in a new or rehabilitated unit at ABLA.

23. Lorree Brown is an African American female with four minor children. She applied for CHA housing approximately ten years ago. Since that time, Ms. Brown's family has lived in numerous apartments, and in each case has had difficulty paying the private market rents which are a high percentage of her income. Ms. Brown has no foreseeable prospect of affordable housing and would like to live in a new or rehabilitated unit at ABLA.

Class Action Allegations and Class Definition

24. The named plaintiffs bring this action on behalf of themselves and, pursuant to Fed. R. Civ. P. 23(a) and (b)(2), on behalf of all persons similarly situated. The plaintiff class (sometimes referred to herein as "class plaintiffs") is defined as: all persons who, on or after August 1, 1995: (a) resided in and left the ABLA development, or (b) did not reside in the ABLA development, but had applied to live in public housing operated by the CHA by a Registration for Housing application submitted to CHA. The class is so numerous that joinder of all members is impractical, consisting of approximately 1,000 former ABLA families and approximately 20,000 families who have applied for public housing and are waiting for available units. There are questions of law and fact common to the class as a whole. The claims of representative parties are typical of the claims of the class, and the representative parties will fairly and adequately protect the interests of the class. The defendants have acted and refused to act on grounds generally applicable to the plaintiff class, thus making appropriate final injunctive and declaratory relief with respect to the class as a whole.

The Defendants

The CHA Defendants

25. Defendant CHA is an Illinois municipal corporation, created and existing under the Illinois Housing Authorities Act, 310 ILCS 10/1 et seq. The CHA is a Public Housing Agency within the meaning of 42 U.S.C. § 1437 and administers federally subsidized and assisted low-rent housing as authorized by the United States Housing Act ("USHA"). See § IV.A., infra.

26. Defendant Phillip Jackson is the Chief Executive Officer of the CHA. He is charged with establishing and administering the policies of the CHA, including those related to the daily operation, administration, and maintenance of all public housing in the City of Chicago.

27. The ABLA public housing development is owned and managed by the CHA defendants.

The Federal Defendants

28. Defendant HUD is the federal agency charged with administration and enforcement of the United States Housing Act and of federal laws and contracts relating to the operation, administration, maintenance, rehabilitation and demolition of public housing projects.

29. Defendant Andrew Cuomo is the Secretary of HUD, and, as such, is charged with the administration and enforcement of all functions, powers and duties of HUD, including those relating to the public housing programs.

IV. STATUTORY AND REGULATORY SCHEME

A. The United States Housing Act

30. Over sixty years ago, Congress passed the United States Housing Act of 1937 ("USHA"), declaring that it is "the policy of the United States to promote the general welfare of the Nation by employing its funds and credit . . .to remedy the unsafe and unsanitary housing

conditions and the acute shortage of decent, safe and sanitary dwellings for families of lower income" 42 U.S.C. § 1437.

31. The national housing goal as stated in the USHA is the realization as soon as feasible of "a decent home and suitable living environment for every American family." 42 U.S.C. §§ 1441 and 1441a; 12 U.S.C. § 1701t.

B. Defendants' Duty to Consult with Plaintiffs as to Future Plans

32. Section 18 of the USHA, 42 U.S.C. § 1437p, governs demolition of public housing developments. Sections 18(b)(1) and 18(b)(2) require that public housing agencies: (1) consult with affected tenants and tenant organizations regarding demolition and redevelopment plans, and (2) relocate tenants displaced by demolition to replacement housing of their choice, to the maximum extent practicable.

33. Section 18(b)(1) provides that all applications for demolition submitted to HUD must have been "developed [by a public housing agency] in consultation with tenants and tenant councils, if any, who will be affected by the demolition . . ." 42 U.S.C. § 1437p(b)(1).

34. HUD has promulgated federal regulations implementing Section 18(b)(1). These regulations provide that public housing agencies must consult "with tenants of the project involved, any tenant organizations for the project, and any PHA-wide tenant organizations that will be affected by the demolition or disposition." 24 C.F.R. § 970.4(a).

35. HUD is supposed to require public housing agencies receiving HOPE VI funds to involve all affected tenants in the redevelopment process:

Residents are to be included in all phases of the application preparation, planning, implementation and operation of the HOPE VI development ... [Public Housing Authorities or "PHAs"] are responsible for communicating and disseminating information to all affected residents and ensuring that all affected residents have opportunities to participate Resident involvement often starts with the duly elected resident council [in this case, the ABLA Local Advisory Council or

"LAC"], but the PHA must make sure that the resident council is truly representative. PHAs must give all affected residents reasonable notice of meetings about HOPE VI planning and implementation, and provide them with opportunities to provide input. Such meetings should be open to all affected residents and their representatives.

HUD's FY 1998 HOPE VI Guidebook at 1 (emphasis added).

C. Defendants' Duty to Assist in Relocation, Alleviate Segregation, and Provide Residents Their Choice of Replacement Housing

36. The ABLA "revitalization" is being funded with \$59.5 million of HOPE VI funds appropriated in 1996 and 1998.

37. Section 18(b)(2) provides that "all tenants to be displaced as a result of the demolition or disposition will be given assistance by the public housing agency and are [to be] relocated to other decent, safe, sanitary, and affordable housing, which is, to the maximum extent practicable, housing of their choice, including housing assisted under Section 1437f [the Section 8 housing program] of this title . . ." 42 U.S.C. § 1437p(b)(2).

38. HUD's applicable regulations regarding Section 18(b)(2) provide:

Relocation of displaced tenants on a nondiscriminatory basis. Tenants who are to be displaced as a result of demolition and or disposition must be offered opportunities to relocate to other comparable/suitable . . . decent, safe, sanitary and affordable housing (at rents no higher than permitted under the Act) which is, to the maximum extent practicable, housing of their choice, on a nondiscriminatory basis, without regard to race, color, religion (creed), national origin, handicap, age, familial status, or sex, in compliance with applicable Federal and State laws. 24 C.F.R. § 970.5(a).

39. In October 1998, Congress amended Sections 18(b)(1) and 18(b)(2) of USHA. See Quality Housing and Work Responsibility Act of 1998 ("QHWRA"), Pub. L. 105-276, 112 Stat. 2461 (Oct. 21, 1998). HUD subsequently determined that all demolition applications received by HUD on or before the effective date of QHWRA, October 21, 1998, are to be processed pursuant to the provisions of Section 18(b)(1),

Section 18(b)(2) and 24 C.F.R. Part 970 that were in effect prior to October 21, 1998. 64
Fed. Reg. 8203 (Feb. 18, 1999).

D. Defendants' Duty to Help Relocate and Not Resegregate

40. Congress passed the Uniform Relocation Assistance and Real Property Acquisition Policies Act (the "Uniform Relocation Act" or "URA"), 42 U.S.C. § 4601 *et seq.*, in order to ensure that persons displaced from their homes as a result of government action are resettled into new homes following certain procedures and are not materially disadvantaged by their forced relocation.

41. In particular, the URA and its implementing regulations specify that:

a. "A displacing agency, before approving a project, must assess the characteristics and needs of the households to be displaced (42 U.S.C. § 4625(c), 49 C.F.R. § 24.205 (c)(2)(i)), and determine whether qualified replacement housing is available to meet those needs." 49 C.F.R. § 24.205(a)(2), 24 C.F.R. § 970.8(d)(3).

b. A displacing agency must "[a]ssure that a person not be required to move from a dwelling unless the person has had a reasonable opportunity to relocate to a comparable replacement dwelling. . ." 42 U.S.C. § 4625(c)(3). The URA defines the term "comparable replacement dwelling" as a "dwelling that is (1) decent, safe and sanitary; (2) adequate in size to accommodate the occupants; (3) within the financial means of the displaced person; (4) functionally equivalent; (5) in an area not subject to unreasonable adverse environmental conditions; and (6) in a location generally not less desirable than the location of the displaced person's dwelling with respect to public utilities, facilities, services, and the displaced person's place of employment." 42 U.S.C. § 4601(10).

c. "Wherever possible, minority persons shall be given reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings, not located in an area of minority concentration, that are within their financial means." 49 C.F.R. § 24.205(c)(2).

d. Every family covered by the URA is entitled to 42 months of relocation assistance payments in the amount that the family's rent increased as a result of relocation, up to a maximum total disbursement of \$5,250. 49 C.F.R. § 24.402.

42. In QHWRA (see supra ¶ 39) Congress amended Section 18 of the USHA by providing that the URA would no longer apply to demolition and relocation activities under Section 18. However, HUD has determined that the URA shall continue to apply to (a) any person displaced before October 21, 1998, (b) any person displaced as a result of HUD's approval of a demolition before October 21, 1998, and (c) any person displaced as a result of a demolition that is part of a HOPE VI project. 64 Fed. Reg. 8203-8204 (Feb. 18, 1999).

D. Defendants' Duty to Maintain Neighborhoods

43. The Community Development Block Grant ("CDBG") Program was created pursuant to Title I of the Housing and Community Development Act ("HCDA"), as amended, codified at 42 U.S.C. § 5301 et seq. The primary objective of the HCDA is "the development of viable urban communities, by providing decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low and moderate income." 42 U.S.C. § 5301(a). For purposes of the HCDA, "low income" is defined as 0% to 50% of area median income, and "moderate income" is defined as 50% to 80% of area median income. 24 C.F.R. § 570.3.

44. In any development project assisted under the CDBG Program, there must be a residential anti-displacement and relocation assistance plan in place that provides, among other things, that:

a. governmental agencies or private developers shall provide within the same community comparable replacement dwellings for the same number of occupants as could have been housed in the occupied and vacant occupiable low and moderate income dwelling units demolished or converted to a use other than for housing low and moderate income persons, and provide that such replacement

housing may include existing housing assisted with project based assistance provided under section 1437f of this title. 42 U.S.C. § 5304(d)(2)(A)(i).

b. such comparable replacement dwellings shall be designed to remain affordable to persons of low and moderate income for 10 years from the time of initial occupancy. 42 U.S.C. § 5304(d)(2)(A)(ii).

c. in the case of displaced persons of low and moderate income, provide . . . compensation sufficient to insure that, for a 5-year period, the displaced families shall not bear, after relocation, a ratio of shelter costs to income that exceeds 30 percent. 42 U.S.C. § 5304(d)(2)(A)(iii)(I).

d. Persons displaced shall be relocated into comparable replacement housing that is –

- (I) decent, safe and sanitary;
- (II) adequate in size to accommodate the occupants;
- (III) functionally equivalent;
- (IV) in an area not subject to unreasonably adverse environmental conditions.

42 U.S.C. § 5304(d)(2)(A)(iv).

F. Defendants' Duty Not to Segregate and Not to Adversely Affect Protected Classes

45. The Fair Housing Act provides that "it shall be unlawful":

a. "To . . . make unavailable or deny [] a dwelling to any person because of race, color, . . . sex, [or] familial status . . ." 42 U.S.C. § 3604(a); or

b. "To discriminate against any person in the terms, conditions, or privileges of . . . rental of a dwelling, or in the provision of services or facilities in connection therewith, because of race, color, sex [or] familial status. . ." 42 U.S.C. § 3604(b).

46. The Fair Housing Act provides further that HUD shall administer its programs and activities relating to housing and urban development in a manner affirmatively to further fair housing. 42 U.S.C. § 3608(e)(5).

47. Title VI of the Civil Rights Act of 1964 provides that "[n]o person in the United States shall, on the grounds of race, color or national origin, be excluded from participation in, be

denied the benefits of, or be subjected to discrimination under, any program or activity receiving Federal financial assistance." 42 U.S.C. § 2000d.

48. HUD has promulgated federal regulations implementing Title VI which provide, in pertinent part, that:

[a] recipient, in determining the types of housing, accommodations, facilities, services, financial aid, or other benefits which will be provided under any such program or activity, or the class of persons to whom, or the situations in which, such housing, accommodations, facilities, services, financial aid, or other benefits will be provided under any such program or activity, or the class of person to be afforded an opportunity to participate in any such program or activity, may not, directly or through contractual or other arrangements, utilize criteria or methods of administration which have the effect of subjecting persons to discrimination because of their race, color, or national origin.

24 C.F.R. §§ 1.4(b)(2) and (3).

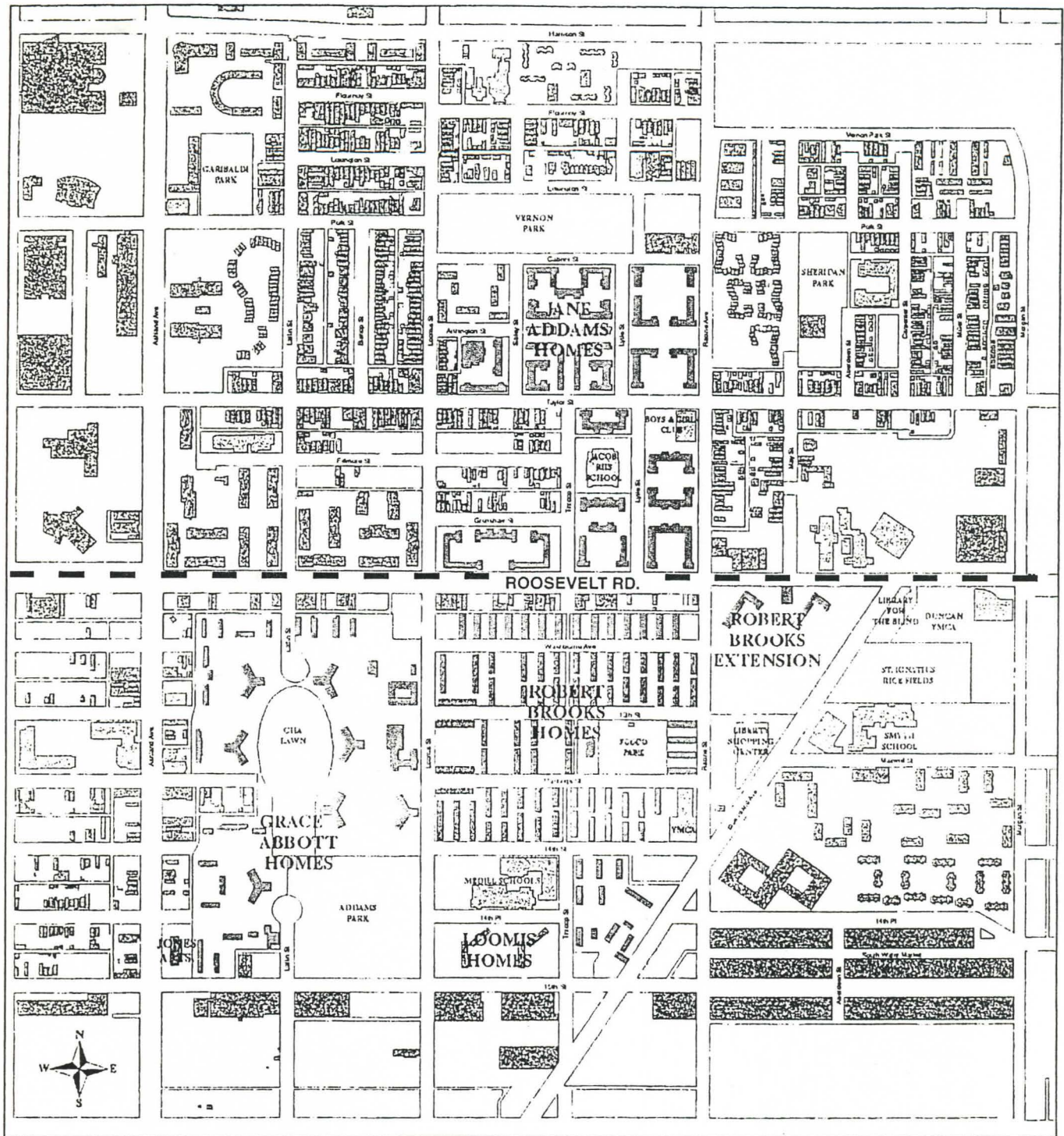
V. STATEMENT OF FACTS

A. The ABLA Development

49. ABLA is a family public housing development located on 100.5 acres of land on the Near West Side of Chicago. It consists of four different sub-developments: Jane Addams Homes, Robert Brooks Homes and Brooks Extension, Loomis Courts, and Grace Abbott Homes. See ABLA Site Plan below on the following page 16A:

50. Approximately 99% of the residents at ABLA are African American. Approximately 82% of the residents at ABLA are female, and 48% of the residents are under 18 years of age.

51. The average ABLA household size is 2.7 persons. The average annual family income at ABLA is \$5,883. For 1999, the area median income ("AMI") in Chicago for a comparable family (i.e., three persons) is \$53,750.



ABLA BEFORE REDEVELOPMENT

Existing Conditions
June 1998

- Existing CHA Housing
- CHA Property

52. To determine eligibility for public housing, HUD has created two categories of public housing based on income limits: "low income" and "very low income" housing. For 1999, the income limit in Chicago for eligibility for "low income" housing is \$43,000 for a family of three. For "very low income" housing, the ceiling is \$28,700 for a family of three. Virtually all of the families who reside in ABLA qualify as "very low income" households under HUD's guidelines, and most of the housing in ABLA is categorized as "very low income" housing.

53. Since 1995, the CHA has been preparing for "revitalization" by consolidating, vacating and demolishing ABLA buildings. CHA has already displaced over 1,000 (or about 40%) of ABLA's families. Almost all of these families are now living in racially segregated areas.

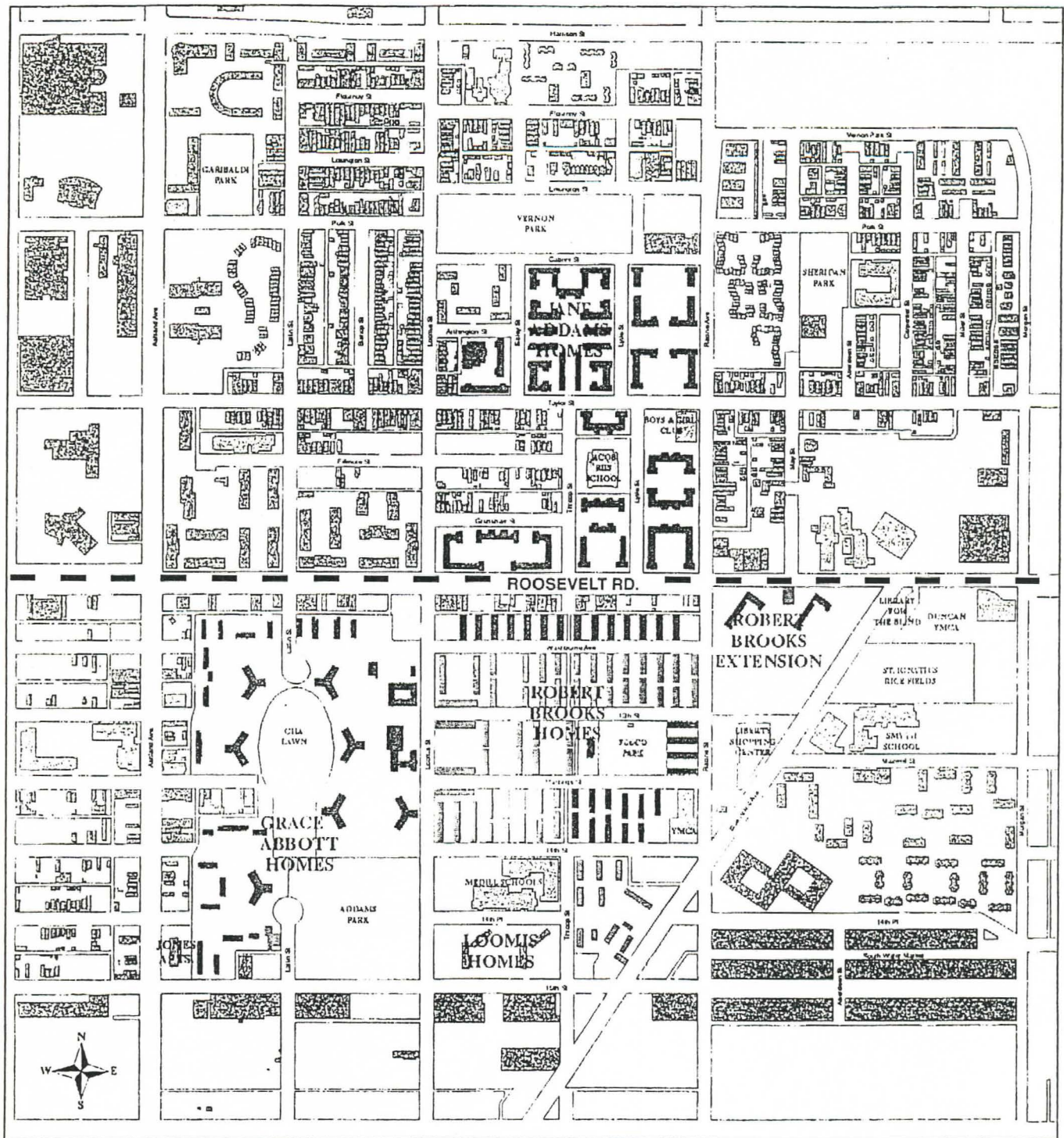
B. Defendants' Redevelopment Plans for ABLA

54. Through a combination of demolition, rehabilitation, and new construction, the defendants intend to reduce the number of very low income public housing units at ABLA by 70%.

55. Under defendants' "revitalization" plans, almost 3,000 public housing units at ABLA will be demolished:

ABLA SUB-DEVELOPMENT	TOTAL UNITS: PRE-REVITALIZATION	UNITS TO BE DEMOLISHED
Jane Addams Homes	987	987
Robert Brooks Homes	835	375
Brooks Extension	450	450
Loomis Courts	126	0
Grace Abbott Homes	1,198	1,180
TOTAL	3,596	2,992

See ABLA Demolition Plan, below at page 17A. (Buildings shown in red are to be demolished.)



ABLA AFTER REDEVELOPMENT

1998 HOPE VI Application

Chicago Housing Authority

Proposed Buildings for Demolition

June 1998

- Proposed buildings for demolition
- Proposed buildings to be retained
- CHA Property

56. This massive elimination of public housing units will be undertaken by the defendants as an "urban revitalization demonstration program" under the HOPE VI program. The CHA defendants have detailed their plans to "revitalize" ABLA in three separate HOPE VI applications, as a result of which they have received HUD approvals for \$59.5 million in federal funds. The CHA intends to combine these federal funds with an additional \$345.5 million of funds from the city and private developers.

57. Under the defendants' plans, 2,417 units of housing will be built on CHA-owned land at ABLA, of which:

- a. 40% (966) will be market rate units sold to families with incomes exceeding 120% of the AMI (over \$68,880 for a family of three);
- b. 33% (795) will be low and moderate income units sold or rented to families with incomes between 51% and 120% of AMI (between \$28,700 and \$68,880 for a family of three); and
- c. Only 27% (656) will be very low income units rented to families with incomes at or below 50% of AMI (under \$28,700).

58. Upon information and belief, the federal defendants have provided the City of Chicago with Community Development Block Grant ("CDBG") funds pursuant to 42 U.S.C. § 5301 et seq., and the CHA defendants will in part fund the implementation of the ABLA "revitalization" plan with monies received through the CDBG program.

59. At least 2,995 occupied and vacant occupiable very low income units will be or already have been demolished as part of the defendants' plans. See ABLA Demolition Plan, supra at page 17A.

60. CHA submitted demolition applications for ABLA to HUD pursuant to Section 18 of the USHA prior to October 21, 1998.

C. The Jane Addams Homes

61. Defendants' plans will most severely impact the Jane Addams Homes, which are located north of Roosevelt Road. Addams is surrounded by areas commonly known as Little Italy and University Village. The Illinois Medical District lies immediately to its west, and the University of Illinois at Chicago immediately to its east. These are all gentrified or rapidly gentrifying areas.

62. In the census tract in which Jane Addams is situated, 87.1% of the residents are African American. By contrast, all but one of the five adjoining census tracts is majority white -- the sole exception being tract #2831, which has slightly more African Americans than whites.

Census Tract	% African American	% White
#2832 (Jane Addams)	87.1%	11.9%
#2833 (E. of Jane Addams)	7.9%	54.4%
#2822 (N.E. of Jane Addams)	8.0%	62.4%
#2823 (N. of Jane Addams)	0.0%	93.4%
#2824 (N.W. of Jane Addams)	13.5%	66.7%
#2831 (W. of Jane Addams)	41.7%	37.5%

63. There are currently 26 walk-up (low-rise) apartment buildings at Jane Addams, providing 859 units of "very low income" housing. This housing is occupied exclusively by families earning between 0% and 50% of the AMI. Under defendants' HOPE VI/CDBG plans, all of these very low income units will be demolished. In their place, private developers will build 700 or more new units, with 80% of these expected to be sold at market-rate prices. None of the contemplated new units have been identified as replacement units for very low income residents.

64. If Hope VI/CDBG "revitalization" goes forward unchanged, virtually all Jane Addams residents will be moved south of Roosevelt Road. In a 1997 Hope VI filing with HUD, the CHA explicitly stated that federal funds were being sought to demolish Jane Addams and to concentrate replacement housing for Addams residents, to the extent it was being provided, south of Roosevelt Road (around Addams Park which is located at 14th and Loomis Streets); in fact, the CHA has already relocated many Addams residents south of Roosevelt Road.

65. Since 1995, the CHA has engaged in a conscious policy of displacing Addams residents by allowing their units to deteriorate to the point of near or actual uninhabitability. The CHA has allowed and encouraged uninhabitable conditions and then used these same poor building conditions as a reason to vacate and/or demolish Addams units. In April 1997, 567 families lived at Jane Addams; by April 1998, approximately 430 families lived there; by December 1998, only 353 families were left. These actions constitute de facto relocation and demolition, an emptying out of Addams without complying with the requirements of the USHA, the URA and the CDBG Program.

66. To further advance its program of demolition and displacement, CHA has aggressively marketed its Section 8 program to ABLA residents in general and to Addams residents in particular, encouraging as many families as possible to move out. Between 1995 and 1998, more families were relocated from ABLA with Section 8 certificates and vouchers than from any other CHA development. About 25% of all Section 8 certificates or vouchers went to ABLA families, who make up only 8% of the total CHA resident population. The targeting of ABLA residents increased in 1998. Beginning in March 1998, about 40% of all Section 8 certificates or vouchers went to ABLA families. The actual numbers of ABLA residents displaced under the Section 8 program from March 1, 1998 to September 30, 1998 compared to other CHA developments are as follows:

CHA Development	Number of Families Displaced By CHA Under the Section 8 Program March-September 1998
ABLA	104
Lakefront	34
Robert Taylor Homes	33
Cabrini Green	22
Washington Park	21
Rockwell Gardens	12

67. The CHA and federal defendants have failed to provide Jane Addams residents with their choice of replacement housing, as required by Section 18 of the USHA, failed to provide them personal notices or other benefits as required by the URA, and failed to provide sufficient replacement units as required by the CDBG Program. Nor have defendants conducted the area housing availability survey or comprehensive individual tenant assessments and interviews as required by the URA. CHA has also sought to expedite the emptying of Jane Addams buildings by, in some cases, providing tenants with unlawfully short notices to vacate.

68. Almost all of the families leaving Addams have been relocated into racially segregated areas. CHA's intra-development relocation of Jane Addams residents has led to the perpetuation and exacerbation of residential racial segregation as Addams tenants have been, and continue to be, relocated to predominantly African American communities south of Roosevelt Road.

69. In addition, of those ABLA families who have been displaced out of ABLA altogether through the Section 8 program, the majority have relocated to racially segregated areas. Between 1995 and 1998 about 80% of CHA families relocated through the Section 8 program moved to Chicago census tracts that were at least 90% African American. In addition, of the thirty

Chicago census tracts receiving the most CHA families, all but two are at least 97% African American.

D. The Robert Brooks Extension

70. Brooks Extension lies in a triangular area south of Roosevelt Road and between Blue Island Avenue and Racine Avenue. See ABLA Site Plan, supra at page 16A. Until last year, the Brooks Extension consisted of three high-rise buildings, each containing 150 units. In 1998, the CHA defendants vacated and demolished one of them (1239 S. Racine) and have expressed their intent to demolish the remaining two buildings, for a total loss of 450 units.

71. The defendants' 1998 Hope VI/CDBG plans call for the construction of 108 replacement units, although in 1996, CHA secured approval from HUD to construct 250 replacement units. As a result, where there were once 450 units, the defendants' "revitalization" plans will result in 108 units. This will be insufficient to house even the current Brooks Extension residents. As of December 1998, and despite steady deterioration of their living conditions, sometimes to the point of near or actual uninhabitability, 200 families remain living at Brooks Extension. Obviously 108 new units will not accommodate these families -- even if every new unit were reserved for very low income families.

72. The Hope VI/CDBG revitalization plans do not specifically reserve these 108 new units for very low income families. Under the plan, as few as half of the new units (54) might be reserved for very low income families. As a result, there will be insufficient units for residents who want to stay at Brooks Extension or for those who left Brooks Extension without being provided full and complete information about their replacement housing choices and who, therefore, may want to return.

73. The CHA and federal defendants have failed to provide Brooks Extension residents with their choice of replacement housing as required by Section 18 of the USHA, failed to provide them with personal notices or other benefits as required by the URA, and failed to provide sufficient replacement housing units as required by the CDBG Program. Nor have defendants conducted the area housing availability survey or comprehensive individual tenant interviews that are required by the URA.

74. As in the case of Jane Addams, CHA's current and planned relocation of Brooks Extension residents has led and will lead to the perpetuation and exacerbation of residential racial segregation as tenants have been and will continue to be relocated to predominantly African American communities.

E. The Grace Abbott Homes

75. Abbott presently provides 1,198 units of housing in 166 row houses and seven 15-story high-rises. These buildings are located south of Roosevelt Road, in an area bounded by Loomis Street on the east and Ashland Avenue on the west. The area is severely racially segregated: according to the 1990 census, approximately 99% of the residents of the census tract where Abbott buildings are located are African American.

76. The defendants' HOPE VI/CDBG revitalization plans call for demolishing all seven Abbott high-rises, including a newly rehabilitated building at 1440 West 13th Street. At least 1,180 units of housing will therefore be lost, and only 100 to 300 units of very low income housing will be constructed in their place. Under the defendants' plans, the new units will be built on what is now Addams Park or on Abbott land, all of which is south of Roosevelt Road.

F. Brooks Homes and Loomis Courts.

77. The defendants intend to demolish approximately 58% of the units in Brooks Homes (483 of 835) and to rehabilitate the remaining 352 units (132 Brooks Homes units have thus far been rehabilitated). All 126 units at Loomis Courts are also to be rehabilitated. Defendants intend to house only very low income families at the 352 rehabilitated Brooks Homes units and in one-half (63) of the Loomis Courts units, all of which are located south of Roosevelt Road.

G. Plaintiffs' Attempts to Consult with CHA

78. The CHA defendants know about the rights of ABLA residents and former residents under the USHA, the URA, and Titles VI and VIII of the Civil Rights Acts, and of the obligations these laws impose on them when implementing consolidation, demolition and HOPE VI programs for ABLA. Nonetheless, the CHA has encouraged (and in some cases forced) ABLA tenants to move out without providing them proper notice of or full information about redevelopment plans for ABLA, without offering them the choice to live in the new housing, and without providing them the full range of federally-mandated relocation benefits, such as advisory services, a choice among three comparable replacement units, and relocation expenses.

79. The CHA defendants have also long been on notice that conditions at the Robert Brooks Extension violate even the minimal health and safety requirements of the Chicago Building Code. These unsafe and unsanitary conditions have been documented by plaintiffs, with the help of a structural engineering firm, Crest Consulting Engineers, P.C.

80. Plaintiffs have attempted to work with the CHA defendants. The CHA defendants, however, have refused to include plaintiffs in the process of formulating and implementing plans for the ABLA community, stating that it is CHA's policy to negotiate all major redevelopment and modernization activities only with the local LAC.

81. CHA and the LAC, however, have refused to admit Ms. Freeman, other CRA members, and their counsel to CHA and LAC meetings concerning the revitalization of ABLA, and have excluded them from participating in the preparation of HOPE VI applications to HUD.

82. Specifically, on February 20, 1998, CHA and the LAC forcibly prevented Ms. Freeman, other CRA members, and CRA's legal counsel from attending a meeting to discuss the CHA's plans for replacement housing for ABLA residents. CHA Police Department and Redevelopment personnel were called in to physically block CRA members and their attorneys from entering the meeting. Even after ABLA residents at the meeting informed the LAC's President, Deverra Beverly, and CHA's Redevelopment Director, Andrew Rodriguez, that they wished to be represented at the meeting by CRA members and the CRA's legal counsel, CRA and legal counsel were still barred from entering.

83. The LAC does not represent plaintiffs' views and has refused to present plaintiffs' views to the CHA in its consultations with the CHA. The LAC fails to represent the views of many ABLA residents.

H. CHA's Waiting List

84. There are approximately 20,000 families on CHA's waiting list for public housing.

85. Upon information and belief, the vast majority of these waiting list families are very low income African Americans, women, and families with children under 18 years of age.

VI. INJURY TO THE NAMED PLAINTIFFS AND THE PLAINTIFF CLASS

86. According to the 1990 United States census, 39% of the families living in the City of Chicago are African American. African American families, however, constitute 63% of the households living below the poverty line.

87. According to the 1990 United States census, 31% of the families living in Chicago are female-headed families. Female-headed families, however, constitute 66% of the families living below the poverty line.

88. According to the 1990 United States census, 26% of the families living in Chicago had related children under the age of 18. Families with children, however, constitute 40% of the families living below the poverty level.

89. The defendants' plans for ABLA, as described above, reduce the number of housing units available both to current and to recently displaced ABLA residents, as well as to public housing eligible families on CHA's waiting list. These plans have an adverse discriminatory impact on African Americans, females, and children because these groups are disproportionately eligible for public housing as compared to their representation in the general population, and they are disproportionately represented among ABLA residents.

90. The defendants' plans for ABLA and the relocation activities already undertaken by the CHA defendants, as described above, also exacerbate and perpetuate racial residential segregation, and they deny current and recently displaced ABLA residents the opportunity to reside in integrated neighborhoods.

91. These actions will cause and have caused irreparable injury to the named plaintiffs and to members of the plaintiff class. As a result of the defendants' actions, the plaintiffs and members of the plaintiff class have lost or will lose their homes, have suffered or will suffer displacement, and will be denied the opportunity to reside in the replacement housing currently proposed by the defendants. The defendants are in the midst of destroying the community in which the plaintiffs have lived and established personal ties.

92. The defendants' plans and actions as described above have caused and will cause irreparable injury to plaintiff Concerned Residents of ABLA, in that:

a. CRA represents the interests of its members, each of whom has been or will be harmed by defendants' proposed redevelopment plans;

b. The above-described activities of defendants have frustrated CRA's mission to promote tenant involvement in the redevelopment process and to facilitate a redevelopment plan that furthers the interests of all ABLA residents;

c. CRA has lost actual and potential members due to CHA's ongoing pattern of encouraging and/or forcing ABLA tenants to move out of the development by, inter alia, allowing units to deteriorate, relocating tenants with Section 8 certificates and vouchers, and transferring tenants to other public housing developments.

93. All of defendants' actions described herein constitute a pattern, practice and policy of housing discrimination and discrimination in general on the basis of race, gender and familial status.

94. Plaintiffs have no adequate remedy at law.

VII. CLAIMS FOR RELIEF AGAINST ALL DEFENDANTS

Claims Under Title VIII of the Civil Rights Act of 1968

COUNT I - Against All Defendants

95. Plaintiffs re-allege paragraphs 1 to 94 of this Complaint and incorporate them herein.

96. The defendants' actions as described above will have an adverse discriminatory effect upon African Americans and therefore constitute a violation of the Fair Housing Act, 42 U.S.C. § 3604(a), which provides that "it shall be unlawful . . . [t]o make unavailable or deny . . . a dwelling to any person because of race"

COUNT II – Against All Defendants

97. Plaintiffs re-allege paragraphs 1 to 94 of this Complaint and incorporate them herein.

98. Defendants' actions as described above will have an adverse discriminatory effect upon female-headed households and therefore constitute a violation of the Fair Housing Act, 42 U.S.C. § 3604(a), which provides that "it shall be unlawful . . . [t]o make unavailable or deny . . . a dwelling to any person because of . . . sex . . ."

COUNT III – Against All Defendants

99. Plaintiffs re-allege paragraphs 1 to 94 of this Complaint and incorporate them herein.

100. Defendants' actions as described above will have an adverse discriminatory effect upon families with children and therefore constitute a violation of the Fair Housing Act, 42 U.S.C. § 3604(a), which provides that "it shall be unlawful . . . [t]o make unavailable or deny . . . a dwelling to any person because of . . . familial status . . ."

COUNT IV – Against All Defendants

101. Plaintiffs re-allege paragraphs 1 to 94 of this Complaint and incorporate them herein.

102. The defendants' plans for Jane Addams as described above will deny current and displaced ABLA residents and future public housing residents the opportunity to reside in a racially integrated neighborhood, in violation of the Fair Housing Act, 42 U.S.C. § 3604.

COUNT V – Against All Defendants

103. Plaintiffs re-allege paragraphs 1 to 94 of this Complaint and incorporate them herein.

104. The defendants' actions as described above have and will exacerbate and perpetuate residential housing segregation and therefore constitute a violation of 42 U.S.C. § 3604.

Discrim/set
FHA

Discrim/children
FHA

Discrim/AA
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Segregation

why "particularly"
§ 8

VIII. CLAIMS FOR RELIEF AGAINST THE CHA DEFENDANTS

Claims Under Title VI of the Civil Rights Act of 1964

COUNT VI – CHA Defendants Only

105. Plaintiffs re-allege paragraphs 1 to 94 of this Complaint and incorporate them herein.

Discrim / race Title VI
106. The CHA defendants' plans as described above will have an adverse discriminatory effect upon African Americans, and therefore violate plaintiffs' rights secured by Title VI, which provides that "[n]o person in the United States shall, on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." 42 U.S.C. § 2000d; 24 C.F.R. §§ 1.4(b)(2) and (3) (HUD's implementing regulations).

COUNT VII – CHA Defendants Only

107. Plaintiffs re-allege paragraphs 1 to 94 of this Complaint and incorporate them herein.

Segregation
108. The CHA defendants' actions as described above have and will exacerbate and perpetuate residential racial segregation and therefore constitute a violation of 24 C.F.R. §§ 1.4(b)(2) and (3) (regulations implementing 42 U.S.C. § 2000d).

Claims Under Section 1983 and Section 18 of the USHA

COUNT VIII – CHA Defendants Only

Consent re ABLA
109. Plaintiffs re-allege paragraphs 1 to 94 of this Complaint and incorporate them herein.

110. The CHA defendants are each "persons" within the meaning of 42 U.S.C. § 1983, and their actions described herein were taken under color of state law.

111. The CHA defendants failed to meaningfully consult with plaintiffs CRA and individual ABLA residents who will be affected by the proposed demolition plans for ABLA and therefore violated Section 18(b)(1) of the USHA. 42 U.S.C. § 1437p(b)(1).

COUNT IX – CHA Defendants Only

112. Plaintiffs re-allege paragraphs 1 to 94 of this Complaint and incorporate them herein.

113. The CHA defendants are "persons" within the meaning of 42 U.S.C. § 1983, and their actions described herein were taken under color of state law.

114. In implementing their plans to redevelop ABLA, the CHA defendants have failed to relocate displaced ABLA tenants to decent, safe, sanitary, and affordable housing which is, to the maximum extent practicable, housing of their choice. Defendants have thereby violated plaintiffs' rights under Section 18(b)(2) of the USHA, 42 U.S.C. § 1437(b)(2).

Claim Under Section 1983 and the Uniform Relocation Act

COUNT X – CHA Defendants Only

115. Plaintiffs re-allege paragraphs 1 to 94 of this Complaint and incorporate them herein.

116. The CHA defendants are "persons" within the meaning of 42 U.S.C. § 1983, and their actions described herein were taken under color of state law.

117. The CHA defendants' relocation of families residing in Jane Addams and Brooks Extension has violated the Uniform Relocation Act and regulations promulgated thereunder because CHA has:

(a) Failed to adequately assess the needs and preferences of the displaced families pursuant to 42 U.S.C. § 4625(c)(1) and 49 C.F.R. § 24.205(c)(2)(1);

(b) Failed to give displaced families reasonable opportunities to relocate to decent, safe and sanitary replacement dwellings within their financial means that are not located in areas of African American concentration pursuant to 49 C.F.R. § 24.205(c)(2)(C);

(c) Failed to provide the displaced families comparable replacement housing, including housing that is decent, safe and sanitary pursuant to 42 U.S.C. §§ 4625(c)(3), 4630(3) and 49 C.F.R. § 24.2(d) and (f).

(d) Failed to provide the displaced families up to 42 months of relocation assistance payments in the amounts that the families' rent increased as a result of the relocation, up to a maximum total disbursement of \$5,250, pursuant to 49 C.F.R. § 24.402.

IX. CLAIMS FOR RELIEF AGAINST THE FEDERAL DEFENDANTS

Claim Under the Fair Housing Act

COUNT XI - Federal Defendants Only

Fair Housing
118. Plaintiffs re-allege paragraphs 1 to 94 of this Complaint and incorporate them herein.

119. In approving the CHA defendants' plans for ABLA, the federal defendants violated their duty under 42 U.S.C. § 3608(e)(5) affirmatively to further fair housing.

Claims Under the Housing and Community Development Act

COUNT XII - Federal Defendants Only

*Replacement
DU,*
120. Plaintiffs re-allege paragraphs 1 to 94 of this Complaint and incorporate them herein.

121. Defendants' plans provide for only 1,249 very low and low income replacement housing units. The plans therefore fail to provide within the same community comparable replacement dwellings for the same number of occupants as could have been housed in the 2,992

occupied and vacant occupiable very low and low income dwelling units demolished, in violation of 42 U.S.C. § 5304(d)(2)(A)(i).

COUNT XIII – Federal Defendants Only

122. Plaintiffs re-allege paragraphs 1 to 94 of this Complaint and incorporate them herein.

123. Defendants' plan fails to guarantee that 2,992 comparable replacement dwellings in the community remain affordable to persons of low and moderate income for 10 years from the date of initial occupancy and fails to provide compensation sufficient to insure that, for a five-year period, the displaced families will not bear, after relocation, a ratio of shelter costs to income that exceeds 30 percent, in violation of 42 U.S.C. § 5304(d)(2)(A)(ii) and (iii).

Claim Under the Administrative Procedure Act

COUNT XIV - Federal Defendants Only

124. Plaintiffs re-allege paragraphs 1 to 94 of this Complaint and incorporate them herein.

125. Defendant HUD is an agency within the meaning of 5 U.S.C. § 701(b)(1) of the Administrative Procedure Act ("APA").

126. In approving the CHA defendants' plans for ABLA despite the violations alleged above, the federal defendants took actions that were arbitrary, capricious, an abuse of discretion, not in accordance with law, in excess of statutory authority and without observance of procedures required by law, within the meaning of 5 U.S.C. § 706(2)(A)(C) and (D).

X. RELIEF REQUESTED

WHEREFORE, plaintiffs respectfully request that this Court:

A. Declare that the actions and omissions of the defendants, as set forth above, violate Title VIII, Title VI, Section 18 of the United States Housing Act, the Uniform Relocation Act and the Housing and Community Development Act.

B. Enter a preliminary and permanent injunction:

(1) Enjoining defendants from implementing the defendants' present ABLA redevelopment plans, including any efforts to relocate the residents of ABLA in violation of the United States Housing Act, the Uniform Relocation Act, the Housing and Community Development Act, and the Civil Rights laws.

(2) Enjoining the awarding, transfer, or expenditure of any ABLA-related HOPE VI or CDBG funds until a new revitalization plan for the ABLA development is developed by CHA after full consultation with CRA and all other ABLA residents; and

(3) Enjoining defendants from failing to reprocess applications for replacement housing of the approximately 1,000 families forced to relocate from ABLA since August 1995, to offer these families the right to return to a new or rehabilitated unit at ABLA, and, to otherwise insure that each family's relocation comports with the United States Housing Act, the Uniform Relocation Act and the Housing and Community Development Act.

(4) Enjoining defendants from failing to maintain the ABLA development in substantial compliance with the health and safety provisions of the Chicago Municipal Code until a new revitalization plan for the ABLA development can be implemented;

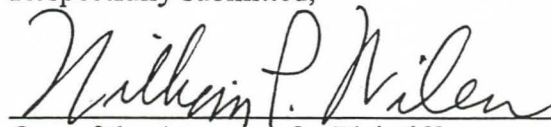
C. Enter an order requiring defendants to pay plaintiffs' reasonable costs and attorneys' fees for the prosecution of this action.

D. Enter an order that the plaintiffs shall not be required to post bond as security for the issuance of a temporary restraining order or preliminary injunction; and

E. Grant plaintiffs such further relief as this Court deems just and proper.

Dated: July 29, 1999

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "William P. Wilen".

One of the Attorneys for Plaintiffs

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