

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

DOROTHY GAUTREAUX, et al.,

Plaintiffs,

v.

CHICAGO HOUSING AUTHORITY,

Defendant.

)
)
)
)
) 66 C 1459
)
) Hon. Marvin E. Aspen
)
)

MOTION OF PLAINTIFFS TO SHOW CAUSE

Now come plaintiffs by counsel, and state and move as follows:

1. On June 3, 1996, this Court entered a "revitalizing order" respecting North Kenwood-Oakland in Chicago in which, among other things, The Habitat Company, as *Gautreaux* Receiver, was authorized to develop approximately 91 scattered site public housing units within the revitalizing area. A copy of such revitalizing order is attached hereto as Exhibit A.

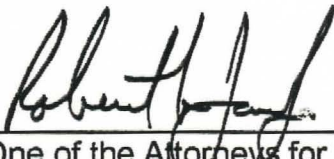
2. From August 1997 through November 2000 the Receiver completed the development of 56 such units, and transferred the same to CHA for management. Each of such units has been accepted by CHA and is now under the management of CHA and/or its private management agents. (Twelve additional units are under construction and are presently scheduled for completion and transfer to CHA by July 2001.)

3. On information and belief, over a dozen of such completed and accepted units have never been occupied by public housing families but remain vacant and unoccupied, except for "house-sitters" employed for a time by CHA and/or its agents.

4. Such persisting vacancies of completed units frustrate the relief to which plaintiffs are entitled under this Court's prior orders.

WHEREFORE, plaintiffs move the Court for an order directing CHA to show cause why it should not promptly tenant the vacant units.

Respectfully submitted,



One of the Attorneys for Plaintiffs

June 11, 2001

Alexander Polikoff
Robert L. Jones, Jr.
Julie Elena Brown
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FOR THE PUBLIC INTEREST
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Chicago, Illinois 60602
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EXHIBIT A

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

DOROTHY GAUTREUX, et al.	)	
Plaintiffs,	)	
	)	
vs.	)	66 C 1459
	)	66 C 1460
CHICAGO HOUSING AUTHORITY and	)	
HENRY CISNEROS, Secretary of	)	(Consolidated)
Department of Housing and Urban	)	
Development,	)	
Defendants.	)	

ORDER

This matter coming to be heard on the Joint Motion of Plaintiffs, and Defendants Chicago Housing Authority and Department of Housing and Urban Development, for an order designating a North Kenwood-Oakland Revitalizing Area and permitting development of family public housing units therein, and the Court having heard presentations concerning the proposed order; and

The Receiver, Daniel Levin and The Habitat Company, having represented to the Court that they have examined the proposal respecting the appropriate number of public housing units to be provided therein and the conditions to be made applicable thereto, and that they support the Joint Motion; and

The Court being cognizant that the principal remedial purpose of the orders previously entered in these consolidated cases has been and is to provide plaintiff class families with desegregated housing opportunities; and

The Court also being cognizant that on occasion it has

permitted public or assisted housing to be provided in census tracts not within the General Public Housing Area upon a sufficient showing of "revitalizing" circumstances such that a responsible forecast of economic integration, with a longer term possibility of racial desegregation, could be made; and

The Court being of the view that such a forecast can be made with respect to the North Kenwood-Oakland Revitalizing Area if the terms and conditions of this order are met;

Now, therefore, IT IS HEREBY ORDERED:

1. The Court designates as the North Kenwood-Oakland Revitalizing Area ("Revitalizing Area") that portion of the City of Chicago that lies between Oakwood Boulevard on the north, the Illinois Central Railroad right-of-way on the east, 47th Street on the south, and Cottage Grove Avenue on the west;

2. The Receiver, previously appointed by the Court to develop scattered site public housing on behalf of the defendant, Chicago Housing Authority, shall be free to develop, through new construction or rehabilitation of existing buildings, up to 241 units of public housing within the Revitalizing Area, subject to the following conditions:

- a) No more than 100 units of public housing shall be developed on CHA-owned land that is the site of CHA's Lakefront high-rise buildings (the area bounded by 40th Street on the north, the Illinois Central Railroad right-of-way on the east, 42nd Place on the south, and Lake Park Avenue on the west).

- b) No more than approximately 50 units of public housing shall be developed on the site of the demolished Washington Park buildings (the CHA-owned property bounded by 41st Street on the north, Drexel Avenue on the east, Cottage Grove Avenue on the west, and Bowen Avenue on the south) and adjacent property.
- c) The balance of such units of public housing within the Revitalizing Area, in addition to those referred to in subparagraphs (a) and (b) above, shall be developed on other sites distributed throughout the Revitalizing Area.
- d) One-half of the public housing units developed pursuant to subparagraphs (a) and (b) above shall be occupied by families whose incomes are in the range of 50-80% of the median income in the Chicago Metropolitan Area, and such units shall be geographically distributed approximately evenly among the units developed pursuant to subparagraphs (a) and (b).

3. The CHA Tenant Selection and Assignment Plan previously approved by this Court shall be modified to afford eligible displaced Lakefront tenant families, as defined in the "Revised Agreement Regarding Former Residents of the Lakefront Properties and the Future Use of Those Properties," dated September 22, 1995, between CHA and the Lakefront Community Organization, first

priority to all public housing units developed pursuant to subparagraphs 2(a), (b) and (c) of this Order, subject only to the provisions of subparagraph 2(d) of this Order.

ENTER:

Marion E. Copen

Judge

Date: *June 3*
~~May 14~~, 1996

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Defendants.

66 C 1459

Hon. Marvin E. Aspen

NOTICE OF MOTION

To: Attached List

PLEASE TAKE NOTICE that on Friday, June 15, 2001, at 9:30 a.m., we shall appear before the Honorable Marvin E. Aspen, Judge of the United States District Court, and then and there present the attached Motion of Plaintiffs to Show Cause, a copy of which is hereby served upon you.



Robert L. Jones, Jr.
One of the Attorneys for Plaintiffs

June 11, 2001

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Julie Elena Brown
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CERTIFICATE OF SERVICE

I, Robert L. Jones, Jr., an attorney, certify that on June 11, 2001, I caused copies of the foregoing Notice and Motion to be served upon the persons whose names appear on the attached service list in the manner stated therein.



Robert L. Jones, Jr.

SERVICE LIST

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