

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

Michael W. Dobbins
CLERK

Office of the Clerk

Alexander L. Polikoff
Business & Professional People for the Public Interest
25 East Washington Street
Suite 1515
Chicago, IL 60602

Case Number: 1:66-cv-01459

Title: Gautreaux v. Chgo Housing Auth

Assigned Judge: Honorable Marvin E. Aspen

MINUTE ORDER of 12/16/03 by Hon. Marvin E. Aspen: Joint motion to authorize development of 27 new non-elderly public housing units is granted [0-1]. (Entered Agreed der.) Mailed notice

This docket entry was made by the Clerk on December 17, 2003

ATTENTION: This notice is being sent pursuant to Rule 77(d) of the Federal Rules of Civil Procedure or Rule 49(c) of the Federal Rules of Criminal Procedure. It was generated by ICMS, the automated docketing system used to maintain the civil and criminal dockets of this District. If a minute order or other document is enclosed, please refer to it for additional information.

For scheduled events, motion practices, recent opinions and other information, visit our web site at www.ilnd.uscourts.gov

Check our web site for CourtWeb--a concise listing of rulings by judges. Check for rulings on noticed motions. Also, subscribe to CourtWatch--a free service--to receive e-mail notification of CourtWeb postings.

To apply for a PACER account, call 1.800.676.6856

The Court having heard from the parties concerning the proposed order, including that the Receiver, Daniel Levin and The Habitat Company LLC support the Joint Motion; and

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

The Court being authorized to issue orders in this case "designed . . . to achieve results consistent with [the Judgment Order]" (304 F. Supp. 736, 741); and

The Court being of the view that based on the representations of the Parties and the Receiver, the proposed 27 public housing units are designed to achieve results consistent with the Judgment Order previously entered in this cause;

Now, therefore, IT IS HEREBY ORDERED:

(A) The Receiver, previously appointed by the Court to develop non-elderly public housing on behalf of the defendant, Chicago Housing Authority, shall be free to develop or cause to be developed 27 units of non-elderly public housing in a mixed-income building at the northeast corner of 39th Street and State Street, provided, however, that (1) an additional 53 affordable rental units are built and marketed simultaneously within the building so that public housing units constitute no more than 34% of the total number of residential units to be constructed pursuant to this Order, and (2) the public housing units are and remain well distributed among the new units to be constructed in the building.

(B) Within the building, the Chicago Housing Authority and its designees shall be free to provide public housing units above the third floor to families with children.

(C) The Chicago Housing Authority Tenant Selection and Assignment Plan, originally approved by Order of this Court on November 24, 1969, and amended by further orders dated September 12, 1983, June 9, 1989, October 1, 1990, October 6,

1994, August 14, 1995, July 20, 2001, August 29, 2002, March 24, 2003 and August 5, 2003, is hereby amended to require that the 27 public housing units that are the subject of this order be made available to eligible families living in CHA units or with temporary Section 8 vouchers. If there are no such families available to occupy the units, then such units shall be made available to families on the CHA public housing waiting list.

ENTER:

Marion E. Aspen
Judge

Dated: 12/16/03