

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

DOROTHY GAUTREAUX, et al.,	)	
Plaintiffs,	)	
-vs-	)	No. 66 C 1459
	)	No. 66 C 1460
CHICAGO HOUSING AUTHORITY, et al.,	)	Hon. Marvin E. Aspen
Defendants.	)	

**JOINT MOTION OF THE PLAINTIFFS AND CHA REGARDING
BETTENDORF PLACE, HOPE MANOR AND INDEPENDENCE APARTMENTS**

The Plaintiffs and the Chicago Housing Authority (CHA) jointly move that this Court enter the attached Order permitting the CHA to supply Project Based Section 8 funding, through Housing Assistance Payment (HAP) contracts, to Bettendorf Place, Hope Manor and Independence Apartments. In support of this motion, the parties state as follows:

BETTENDORF PLACE

1. Bettendorf Place is a rehabilitation of a 24 unit walk-up apartment building located at 8425 S. Saginaw in the South Chicago community, a Limited area undergoing some revitalization. The project provides permanent supportive housing for people with AIDS. The CHA seeks approval to supply project based Section 8 funding for 20 units, through a HAP contract, to Bettendorf Place. The Bettendorf Place project is part of a larger redevelopment project in the area initiated by the local community and is supported by St. Mary Magdelene Church and the Alexian Brothers AIDS Ministry. Community meeting were held to discuss the need for AIDS supportive housing in the community. Alexian Brothers is the developer of this project.

2. South Chicago is in a Limited area undergoing significant transition with new commercial uses strengthening the historic commercial spine, Commercial Avenue, major City-sponsored redevelopment plans and several new housing developments. South Chicago has a designated TIF district. In addition, the former site of US Steel, less than one mile east of the site, is

one of the City's largest redevelopment projects. New housing development has been successful in the area, including the opening in 2009 of Victory Centre, a large complex of 112 units of supportive and senior apartments. In addition, Casa Kirk, a 29 unit mixed income development, was built at 92nd and Burley Avenue just four years ago. The community is also the site of a new Job Resource Center, a renovated Russell Square Park and a tenant assistance association. There is a new charter school in the community and a new community newspaper.

HOPE MANOR APARTMENTS

3. Hope Manor Apartments will construct 50 units of housing in a four story building at 3455 W. Madison, in the East Garfield Park community. The project targets homeless and disabled veterans, both individuals and families, and contains studio and multi-bedroom units. The CHA seeks approval to supply project based Section 8 funding for 30 units, through a HAP contract, to Hope Manor Apartments. The site was selected in part due to ease of public transportation to the Jesse Brown VA Medical Center. Hope Manor Apartments is supported by and has received funding from the Veterans Administration and the City of Chicago. Volunteers of America is the developer of Hope Manor Apartments.

4. The East Garfield community has seen significant revitalization in recent years, including a new community center, a new two-acre campus park, and new commercial resources. The Chicago Center for Green Technology is located in the East Garfield community and is spearheading community greening programs, including community gardening and job training.

INDEPENDENCE APARTMENTS

5. Independence Apartments will consist of 42 units of new housing for families in seven walk-up apartment buildings at Independence and Arthington, in the Homan Square/North Lawndale community. The project is a mixed income development with only nine of the 42 units to be supported by project based Section 8 funding, through a HAP Contract. Independence Apartments

is part of the larger Homan Square development, a mixed income development containing both rental and for-sale housing, as well as a large community center and several new schools. The developer is the Shaw Company, a national developer, that has successfully developed conventional housing, commercial projects and mixed income developments.

6. Although Homan Square/North Lawndale is a Limited area, this project will contribute to community revitalization. The City of Chicago, HUD and IHDA and private entities have all committed substantial resources toward revitalizing this community.

7. The plaintiffs and the CHA disagree about whether new construction in Limited and Revitalizing areas assisted with project-based section 8 subsidies falls within the Judgment Order of this Court. Without resolving this issue, the parties agree that the CHA should be permitted to sign these Housing Assistance Payment contracts with Bettendorf Place, Hope Manor Apartments and Independence Apartments. This is without prejudice to the parties' respective positions on the legal issues presented. The proposed Order accomplishes this result.

8. The Receiver has been fully apprised of the Bettendorf Place, Hope Manor Apartments and Independence Apartments developments and this Motion and Order. The Receiver has no objection to the entry of this Order.

/s/ Thomas E. Johnson
One of the Attorneys for the CHA

Scott Ammarell
General Counsel
Chicago Housing Authority
60 East Van Buren, 12th Floor
Chicago, Illinois 60606
312-913-7050

Thomas E. Johnson
Johnson, Jones, Snelling, Gilbert & Davis
36 S. Wabash Ave., Suite 1310
Chicago, IL 60603
(312) 578-8100

Attorneys for the Chicago Housing Authority

Alexander Polikoff
Julie Elena Brown
Business & Professional People for
the Public Interest
25 E. Washington St., Suite 1515
Chicago, IL 60602
(312) 641-5570

Attorneys for the Plaintiffs

Edward W. Feldman
Miller Shakman & Beem LLP
180 North La Salle Street, Suite 3600
Chicago, Illinois 60601
(312) 263-3700
Attorney for the Receiver

5. This Court's Judgment Order previously entered herein on July 1, 1969, as modified from time to time, shall remain in full force and effect, and this Court retains jurisdiction to enforce the same.

Enter: _____
Hon. Marvin. E. Aspen
United States District Court

Dated: _____

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NOTICE OF MOTION

TO: SEE ATTACHED SERVICE LIST

PLEASE TAKE NOTICE that on Thursday, December 3, 2009, at 10:30 a.m., or as soon as counsel may be heard, we shall appear before the Honorable Judge Aspen in the courtroom usually occupied by him, at the U.S. District Courthouse, 219 South Dearborn Street, Chicago, Illinois, and then and there present **JOINT MOTION OF THE PLAINTIFFS AND CHA REGARDING BETTENDORF PLACE, HOPE MANOR AND INDEPENDENCE APARTMENTS**

/s/Thomas E. Johnson
One of the Attorneys for CHA

Thomas E. Johnson
Johnson, Jones, Snelling, Gilbert & Davis
36 S Wabash Ave., Suite 1310
Chicago, IL 60603
(312) 578-8100

CERTIFICATE OF SERVICE

Thomas E. Johnson, an attorney, hereby certifies that a copy of this Notice and attached Motion was served upon the parties on the attached Service List by the electronic filing system on December 3, 2009.

/s/ Thomas E. Johnson

SERVICE LIST

Gautreaux, et al. v. CHA, et al.
Case Nos. 66 C 1459 & 66 C 1460

Alexander Polikoff
Julie Elena Brown
Business & Professional People for
the Public Interest
25 E. Washington St., Suite 1515
Chicago, IL 60602
(312) 641-5570

Mr. Edward Feldman
Miller, Shakman & Hamilton
208 S. LaSalle St., Suite 1100
Chicago, IL 60604
(312) 263-3700