

JUST HOUSING ORDINANCE DISCLOSURE

Pursuant to Article II of the Cook County Human Rights Ordinance, the Board of Directors of 3750 Lake Shore Drive, Inc. (the “Board”) is required to make the following disclosures to you as an applicant to purchase shares of 3750 Lake Shore Drive, Inc. (“3750”) for the right to occupy an apartment at 3750 N. Lake Shore Drive, Chicago, Illinois (the “Property”):

1. Application Process

(a) Just Housing Ordinance Disclosure

(i) An applicant must acknowledge receipt and review of this Disclosure and return a signed copy to the Management Office prior to 3750 accepting an application and an application fee from the applicant.

(b) Application & Interview

(i) An applicant must submit a completed Application Checklist with all required supporting documents to 3750 along with the \$200 Application Fee (payable to 3750 Lake Shore Drive, Inc.) for the Application Committee and the Board to consider an applicant.

(ii) The Application Committee will meet to review your application and your financial credit report. The applicant(s) shall attend a meeting and interview with the Application Committee. At this meeting you will have the opportunity to discuss the rules and procedures of the Property, and the Application Committee may ask about information contained in your application.

(iii) After the interview, the Application Committee will vote on whether to recommend approval of your application pending a criminal background check. The Committee Chair will make the Application Committee’s recommendation to the Board of Directors, which will vote for approval or rejection of your application pending a criminal background check.

(iv) Once the Board determines an applicant has satisfied the application and interview process for 3750, the Management Office will notify the applicant that the applicant has been approved pending a criminal background check and that a criminal background check will be performed.

(c) Criminal Background Check

(i) After sending the applicant notice that the applicant has fulfilled all other application obligations, 3750 will order a criminal background check of the applicant.

(ii) Within five days of 3750 obtaining the criminal background check, 3750 will provide the applicant a copy of the report. The applicant will then have five business days to produce evidence that disputes the accuracy or relevance of information related to any criminal convictions from the last three years or any evidence of rehabilitation or other mitigating factors.

(iii) Unless the Board determines that the applicant poses a demonstrable risk as defined in the Just Housing Amendment Interpretive Rules based on an applicant's criminal convictions in the previous three years, the application will be approved.

2. Applicant Selection Criteria

The Board shall have the right to deny an application if the Board determines that the person is not willing or able to assume the financial and social responsibilities which the Board believes are necessary in order to be a member of 3750 and/or an occupant of the Property.

(a) Social

(i) An applicant must demonstrate to the Application Committee and the Board that the applicant will preserve and promote the cooperative ownership principles on which 3750 is founded, abide by 3750's By-Laws, Proprietary Lease and Rules and Regulations, and cooperate with other owners and occupants to maintain a high standard in living conditions at the Property.

(i) The Application Committee and the Board will consider an applicant's current living situation, employment history, business/professional references, participation in clubs/organizations and any other relevant information provided by the applicant to the Application Committee and the Board.

(ii) After both the Application Committee and the Board have approved an applicant based on all other factors and information that the applicant provides, 3750 will order a criminal background check for each applicant. The Application Committee and the Board will only consider an applicant's criminal convictions that are less than three years old.

(b) Financials

(i) An applicant who wishes to purchase an apartment at the Property must generally demonstrate sufficient cash flow over a three-year period to cover the total annual assessment and mortgage payments pertaining to that apartment after meeting all other financial commitments, such as but not limited to: credit card balances, other mortgage payments, alimony, child support, personal loans, student loans and car loans. A credit bureau report from recognized agencies, one of which must include a FICO score, is to be submitted with the application along with the completed Application Checklist.

(ii) Each applicant will be asked to furnish a complete financial statement as part of the application process including an IRS Form 4506 "Request for Copy of Tax Return" which allows 3750 to obtain copies of filed tax returns should the Application Committee deem this to be necessary. If there is a question as to the nature or existence of any asset, the Application Committee reserves the right to exclude that asset from consideration.

(iii) The total monthly debt load shall not generally exceed 30 percent of the applicant's reasonably expected gross average monthly income from all sources over the next three years. The Application Committee will take into consideration readily liquid assets and net worth in determining an applicant's qualifications.

3. Just Housing Amendment Interpretative Rules

A copy of Part 700 of the Cook County Commission on Human Rights' procedural rules is attached and can be found [here](#). You can also contact the Cook County Commission on Human Rights through their website, by calling 312-603-1100 or visiting their office at 69 W. Washington Street, Suite 3040, Chicago, Illinois 60602.

Applicant's Acknowledgement

I have reviewed this Just Housing Ordinance Disclosure and understand my rights under the Just Housing Amendment.

By: _____ By: _____

Name: _____ Name: _____

Date: _____ Date: _____

PART 700 JUST HOUSING AMENDMENT INTERPRETIVE RULES (ADDED 12/31/19)

Section 700.100 Prohibition of Discrimination

Article II of the Cook County Human Rights Ordinance (“Ordinance”) prohibits unlawful discrimination, as defined in §42-31, against a person because of any of the following: race, color, sex, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, military discharge, source of income, gender identity or housing status.

Additionally, any written or unwritten housing policy or practice that discriminates against applicants based on their criminal history, as defined in § 42-38(a) of the Ordinance, is a violation of the Ordinance. Any written or unwritten housing policy or practice which discriminates against applicants based on their convictions, as defined in § 42-38(a) of the Ordinance, prior to the completion of an individualized assessment violates the Ordinance.

Nothing in this section shall be interpreted as prohibiting a housing provider from denying housing to an applicant based on their criminal conviction history when required by federal or state law.

SUBPART 710 AUTHORITY AND APPLICABILITY

Section 710.100 Authority

These rules are adopted in accordance with the authority vested in the Cook County Commission on Human Rights (“Commission”), pursuant to § 42-34(e)(5) and §42-38(c)(5)(c) of the Ordinance, to adopt rules and regulations necessary to implement the Commission’s powers.

Section 710.110 Applicability

These rules shall go into effect on the effective date of the Just Housing Amendment (No. 19-2394) to the Ordinance and shall only apply to claims that arise out of actions that occur on or after the effective date of the amendments.

SUBPART 720 DEFINITIONS

Section 720.100 Business Day

“Business Day” means any day except any Saturday, Sunday, or any day which is a federal or State of Illinois legal holiday.

Section 720.120 Demonstrable Risk

“Demonstrable risk,” as referenced in § 42-38(c)(5)(c), refers to the likelihood of harm to other residents’ personal safety and/or likelihood of serious damage to property. When the applicant is a person with a disability, “demonstrable risk” must be based on (a) objective evidence and (b) a conclusion that any purported risk cannot be reduced or eliminated by a reasonable accommodation.

Section 720.130 Individualized Assessment

“Individualized Assessment,” as referenced in § 42-38(a) means a process by which a person considers all factors relevant to an individual’s conviction history from the previous three (3) years. An individualized assessment is not required for convictions that are more than three (3) years old. Factors that may be considered in performing the Individualized Assessment include, but are not limited to:

- (1) The nature and severity of the criminal offense and how recently it occurred;
- (2) The nature of the sentencing;
- (3) The number of the applicant’s criminal convictions;
- (4) The length of time that has passed since the applicant’s most recent conviction;
- (5) The age of the individual at the time the criminal offense occurred;
- (6) Evidence of rehabilitation;
- (7) The individual history as a tenant before and/or after the conviction;
- (8) Whether the criminal conviction(s) was related to or a product of the applicant’s disability; and
- (9) If the applicant is a person with a disability, whether any reasonable accommodation could be provided to ameliorate any purported demonstrable risk.

Section 720.140 Relevance

“Relevance,” as referenced in § 42-38(e)(2), refers to the degree to which an individual’s conviction history makes it likely that the applicant poses a demonstrable risk to the personal safety and/or property of others.

Section 720.150 Tenant Selection Criteria

“Tenant selection criteria,” as referenced in § 42-38(e)(2)(a), means the criteria, standards and/or policies used to evaluate whether an applicant qualifies for admission to occupancy or continued residency. The criteria, standards and/or policies concerning the applicant’s conviction history from the previous three (3) years shall apply only after a housing applicant has been pre-qualified. The criteria must explain how applicants’ criminal conviction history from the previous three (3) years will be evaluated to determine whether their conviction history poses a demonstrable risk to personal safety or property.

SUBPART 730 TWO STEP TENANT SCREENING PROCESS

Section 730.100 Notice of Tenant Selection Criteria and Screening Process

Before accepting an application fee, a housing provider must disclose to the applicant the following information:

- (A) The tenant selection criteria, which describes how an applicant will be evaluated to

determine whether to rent or lease to the applicant;

- (B) The applicant's right to provide evidence demonstrating inaccuracies within the applicant's conviction history, or evidence of rehabilitation and other mitigating factors as described in §740.100(B) below; and
- (C) A copy of Part 700 of the Commission's procedural rules or a link to the Commission's website, with the address and phone number of the Commission.

Section 730.110 Step One: Pre-Qualification

No person shall inquire about, consider or require disclosure of criminal conviction history before the prequalification process is complete, and the housing provider has determined the applicant has satisfied all other application criteria for housing or continued occupancy.

Section 730.120 Notice of Pre-Qualification

Once a housing provider determines an applicant has satisfied the pre-qualification standards for housing, the housing provider shall notify the applicant that the first step of the screening procedure has been satisfied and that a criminal background check will be performed or solicited.

Section 730.130 Step Two: Criminal Background Check

After a housing provider sends the notice of pre-qualification required by Section 730.120, a housing provider may conduct a criminal background check on the prequalified applicant.

However, the housing provider may not consider any information related to the criminal convictions that are more than three (3) years old or any covered criminal history as defined in Section 42-38(a) of the Ordinance.

SUBPART 740 CONVICTION DISPUTE PROCESS

Section 740.100 Notice

Within five days of obtaining a background check on an applicant, the housing provider must deliver a copy of the background check to the applicant. The housing provider must complete delivery in one of the following ways: (1) in person, (2) by certified mail, or (3) by electronic communication (e.g., text, email).

Section 740.110 Opportunity to Dispute the Accuracy and Relevance of Convictions

Once a housing provider complies with the requirements of Section 740.100, the applicant shall have an additional five (5) business days to produce evidence that disputes the accuracy or relevance of information related to any criminal convictions from the last three (3) years.

Section 740.120 Dispute Procedures and Other Applicants

Nothing in these rules shall prevent a housing provider from approving another pre-qualified individual's housing application during the pendency of the criminal conviction dispute process.

SUBPART 750 **REVIEW PROCESS**

Section 750.100 **General**

After giving an applicant the opportunity to dispute the accuracy and/or relevance of a conviction, a housing provider shall conduct an individualized assessment, in accordance with Sections 720.120 through 720.140. of these rules, to determine whether the individual poses a demonstrable risk. If the applicant poses a demonstrable risk, the housing provider may deny the individual housing.

Section 750.110 **Exceptions**

A housing provider must perform an individualized assessment prior to denying an individual housing based on criminal conviction history, except in the following circumstances:

- (A) A current sex offender registration requirement pursuant to the Sex Offender Registration Act (or similar law in another jurisdiction); and/or
- (B) A current child sex offender residency restriction.

Section 750.120 **Prohibited Factors**

Any person conducting an individualized assessment, as defined in Section 720.130 of these rules, is prohibited from basing any adverse housing decision, in whole or in part, upon a conviction that occurred more than (3) years from the date of the housing application.

SUBPART 760 **NOTICE OF FINAL DECISION**

Section 760.100 **Decision Deadline**

A housing provider must either approve or deny an individual's housing application within three (3) business days of receipt of information from the applicant disputing or rebutting the information contained in the criminal background check.

Section 760.110 **Written Notice of Denial**

- (A) Any denial of admission or continued occupancy based on a conviction must be in writing and must provide the applicant an explanation of why denial based on criminal conviction is necessary to protect against a demonstrable risk of harm to personal safety and/or property.
- (B) The written denial must also contain a statement informing the housing applicant of their right to file a complaint with the Commission.

Section 760.120 **Confidentiality**

The housing provider must limit the use and distribution of information obtained in performing the applicant's criminal background check. The housing provider must keep any information gathered confidential and in keeping with the requirements of the Ordinance.

SUBPART 770 EVALUATION

Section 770.100 Evaluation and Report

The Commission on Human Rights shall conduct an evaluation of the rules implementing the Just Housing Amendment to the Cook County Human Rights Ordinance to determine whether the rules should be amended to better effectuate the Amendment's purpose. The evaluation shall include an analysis of whether applicants who receive a positive individualized assessment from housing providers are ultimately admitted into the unit that they applied for. This analysis will inform the Commission on Human Rights on whether it needs to modify the rules to re-instate a requirement that housing providers hold the unit open during the individualized assessment process. In addition, the evaluation should include data about complaints brought under the Just Housing Amendment. The evaluation shall be completed and made publicly available by March 31, 2021.