

Friday, April 1, 2005

Public Hearing for Notice Procedures under the Illinois Federally Assisted Housing Preservation Act

The Illinois Housing Development Authority has released a notice of proposed rules for notice procedures under the Illinois Federally Assisted Housing Preservation Act (formerly SB2329). As provided for in the Act, the Notice Provision informs tenants of their rights and responsibilities, assists advocates in identifying properties and triggers next steps and provides owners with next steps, provides them a format for notifying tenants, and informs them of their rights and responsibilities.

Although these proposed Notice Procedures are an important first step in enforcing the Act, it should include additional information in keeping with the intent of the legislation. **On our website is a link to the proposed notice provisions, our CRN analysis, and a model letter** to the Illinois Housing Development Authority asking to revise the Notice Provisions to include information that will better inform and protect tenants of federally assisted housing and enable advocates to better assist them. **If you cannot attend that day, as we know many of you will be at the Springfield Housing Rally, please submit your written comments** directly to IHDA, Richard B. Muller, 401 N. Michigan Avenue, Suite 900, Chicago, Illinois 60611.

We request that the Notice Provisions include:

1. A description of the key rights and procedures as provided by the Act and/or IHDA should include a one-page brief included with the notice that details those rights.
2. Specific details about which of the three covered actions or “triggers” the owners propose to take.
3. Organizations that could provide tenants with assistance.
4. A requirement for owners to send a copy of the notice to their HUD project manager.
5. A requirement for an affidavit of mailing and that notice be published in local newspapers and IHDA’s website.
6. Require tenants be informed of their right to form a Tenant’s Association and the 60 day deadline, rather than referring to the public law generally.
7. A statement informing tenants that this notice is not an eviction notice and that they should not move from the development before the termination date because they may hinder other rights and protections they have – rights to purchase, eligibility

While, technically, this hearing is concerned with the notice provisions, it is also an opportunity to ask that IHDA utilize all possible leadership and latitude in prioritizing resources for the preservation of rental housing.

The Public Meeting is scheduled for Thursday, April 7th at 10:00 am in the Board Room of the Illinois Housing Development Authority located at 401 North Michigan Avenue, Suite 900.

Contact us with questions or if you need additional information at 312-663-3936 or at gene@chicagorehab.org.

