



**AGENDA AND NOTICE OF A MEETING
Housing & Community Development Committee
Tuesday, April 15, 2025**

**Lorraine H. Morton City Hall, 909 Davis Street, Evanston, IL. 60201 Council Chambers
7:00 PM**

Those wishing to make public comments may submit written comments or sign-up to provide in-person comment with the public comment form or by calling/texting 847-448-4311 by 5pm the day of the meeting.

The purpose of public comment is to enable members of the public to provide input on any topic on the agenda. The Committee may question the commenter, but a response is not required. The length of the public comment period will be **15 minutes**; the time allocated for each commenter is dependent on the number wishing to speak, but will not exceed **5 minutes per person**. The length of the public comment may be extended at the discretion of the Chairperson depending on the number of commenters and time needed to address the items on the agenda.

Public comment form: <https://forms.gle/juR6pAK1NMmWNQCJA>

To listen to the meeting, join the Zoom meeting online:

Please click the link below to listen online via Zoom:

<https://us06web.zoom.us/j/89903481176>

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1. CALL TO ORDER/DECLARATION OF A QUORUM

2. PUBLIC COMMENT

3. APPROVAL OF MEETING MINUTES

- A. **Approval of minutes for the March 18, 2025 meeting.** 3 - 5
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4. NEW BUSINESS/OLD BUSINESS

- A. **Discussion regarding a City Council referral to ban the use of price-fixing software in Evanston's rental housing market** 6 - 7

Staff recommends the Housing and Community Development Committee discuss the proposed referral and provide direction to staff regarding the next steps.

For Discussion

[Discussion regarding a City Council referral to ban the use of price-fixing software in Evanston's rental housing market - Attachment - Pdf](#)

- B. **Discussion regarding a City Council referral to prohibit non-owner-occupied vacation rentals** 8 - 9

Staff recommends the Housing and Community Development Committee discuss the proposed referral and provide direction to staff regarding the next steps.

For Discussion

[Discussion regarding a City Council referral to prohibit non-owner-occupied vacation rentals - Attachment - Pdf](#)

- C. **Staff Updates**

5. ADJOURNMENT

Agenda items and order are subject to change.

Questions can be sent to Marion Johnson, Housing & Grants Supervisor at marionjohnson@cityofevanston.org.

The City of Evanston is committed to making all public meetings accessible to persons with disabilities. Any citizen needing mobility or communications access assistance should contact 847-448-4311 or 847-448-8064 (TTY) at least 48 hours in advance of the scheduled meeting so that accommodations can be made. La ciudad de Evanston está obligada a hacer accesibles todas las reuniones públicas a las personas minusválidas o las quines no hablan inglés. Si usted necesita ayuda, favor de ponerse en contacto con la Oficina de Administración del Centro a 847/866-2916 (voz) o 847/448-8052 (TDD).



Housing & Community Development Committee

Tuesday, March 18, 2025 @ 7:00 PM

Lorraine H. Morton Civic Center, 2100 Ridge Avenue, Evanston, IL 60201 Council Chambers

COMMITTEE MEMBER

PRESENT:

Bobby Burns, Councilmember
Eleanor Revelle, Councilmember
Juan Geracaris, Councilmember
Fran Sweeney, Committee Member
Trina Ntamere, Committee Member
Joanne Zolomij, Committee Member

COMMITTEE MEMBER

ABSENT:

Devon Reid, Councilmember
Chloe Thurston, Commission Member
Emily Maloney, Committee Member

STAFF PRESENT:

Marion Johnson, Housing & Grants Manager
Ana Elizarraga, Housing & Economic Development Analyst
Erin Baynes, Policy and Planning Supervisor
Meagan Jones, Neighborhood and Landuse Planner
Cara Pratt, Sustainability and Resilience Manager

1. CALL TO ORDER/DECLARATION OF A QUORUM

Chair Revelle called the meeting to order and declared quorum at 7:04 p.m.

2. PUBLIC COMMENT

The 2024 Consolidated Annual Performance Evaluation (CAPER) Public Comment period is closed.

No public comment.

Draft

3. APPROVAL OF MEETING MINUTES

A. **Approval of meeting minutes of the December 17, 2024 meeting.**

Motion to approve meeting minutes from the December 17, 2024 meeting.

Motion: Committee Member Sweeney

Second: Councilmember Geracaris

Motion Passed 6-0-3

Ayes: Burns, Revelle, Geracaris, Sweeney, Ntamere, and Zolomij

Nayes: None

Absent: Reid, Thurston, and Maloney

4. NEW BUSINESS/OLD BUSINESS

A. **Approval of the 2024 Consolidated Annual Performance Evaluation Report (CAPER) for the City's Community Development Block Grant and HOME Investment Partnerships**

Motion to approve the 2024 Consolidated Annual Performance and Evaluation Report (CAPER). The CAPER must be submitted to the Chicago Field Office of the U.S. Department of Housing and Urban Development by March 31, 2024.

Motion: Councilmember Geracaris

Second: Committee Member Sweeney

Motion Passed 6-0-3

Ayes: Burns, Revelle, Geracaris, Sweeney, Ntamere, and Zolomij

Nayes: None

Absent: Reid, Thurston, and Maloney

B. **Discussion of the second version of the Envision Evanston Draft Comprehensive Plan.**

Staff presented information about the second version of the Envision Evanston Draft. Neighborhood and Landuse Planner, Meagan Jones and Policy and Planning Supervisor Erin Baynes were present to answer questions from the committee.

5. STAFF REPORTS AND UPDATES

A. **Green Homes Staff Update**

Staff presented an update of the Green Homes Project. Cara Pratt, Sustainability and Resilience Manager, was present to answer questions from the committee.

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B. **Federal Funding Update**

Staff presented a Federal Funding update. Marion Johnson, Housing & Grants Manager was present to answer questions from the committee.

6. ADJOURNMENT

Chair Revelle called the meeting adjourned at 8:29 p.m.



Memorandum

To: Members of Housing & Community Development Committee
From: Elizabeth Williams, Planning Manager
CC: Sarah Flax, Community Development Director, Erin Baynes, Planning & Policy Supervisor
Subject: Discussion regarding a City Council referral to ban the use of price-fixing software in Evanston's rental housing market
Date: April 15, 2025

Recommended Action:

Staff recommends the Housing and Community Development Committee discuss the proposed referral and provide direction to staff regarding the next steps.

Council Action:

For Discussion

Summary:

On April 24, 2024, a referral sponsored by Councilmember Geracaris, with co-sponsors Reid and Revelle, was submitted and seeks to introduce a local ordinance to prohibit the use of price-fixing software in Evanston's rental housing market. Price-fixing software refers to technological tools, platforms, or systems that facilitate the manipulation or coordination of rental prices among housing providers, property managers, or real estate firms. These tools may use complex algorithms to:

- Track competitor prices and suggest adjustments that align with industry pricing.
- Automate real-time rent changes based on market conditions and competitor data.
- Segment tenants or regions for differential pricing, often leading to uniform and artificially high rent rates.
- Analyze consumer behavior to reinforce pricing strategies that reduce market competition.

Such software can enable anti-competitive practices by allowing multiple housing providers or property managers to indirectly coordinate pricing strategies without direct communication, potentially violating federal antitrust laws.

Examples of Price-Fixing Software

Several software platforms commonly used in the rental housing market have been identified as employing or enabling algorithmic pricing strategies:

- RealPage – Subject of federal scrutiny in the 2023 case U.S. v. RealPage Inc.

- PriceLabs – Offers dynamic pricing tools that adjust based on market data.
- Zillow Rental Manager – Includes “Rent Zestimate” tools that may inform pricing decisions.
- Yardi
- Rentec Direct
- AppFolio
- Rentometer

These platforms vary in their features but may contribute to pricing coordination across properties. Preliminary research suggests the use of such software is likely among large and newer buildings in the city, though its scope has yet to be fully quantified.

Legal Context

The recent U.S. v. RealPage Inc. case highlights growing concerns about the role of software in facilitating illegal coordination to establish rental prices. Under Section 1 of the Sherman Antitrust Act (1890), any agreement or conspiracy to restrain trade—including price-fixing—is a per se violation of federal law.

Municipal Responses

Two major U.S. cities have already taken legislative action to address this issue:

- San Francisco, CA – Passed [Ordinance 224-24](#) (September 3, 2024), the first in the nation to ban the use of algorithmic rent-setting software for multifamily housing.
- Philadelphia, PA – Unanimously passed [Bill No. 240823](#) (October 24, 2024), prohibiting both algorithmic and manual rental price-fixing practices.

These ordinances aim to preserve housing affordability and market fairness by curbing rent inflation driven by automated pricing tools.

Next Steps

- Continue research into software use among local housing providers and property managers.
- Review similar municipal ordinances to inform Evanston’s policy design, including enforcement mechanisms and penalty structures.
- Present ordinance language for the committee’s recommendation - timeline pending a new referral from the 82nd City Council.



Memorandum

To: Members of Housing & Community Development Committee
From: Andrew San Roman, Building & Development Services Manager
CC: Sarah Flax
Subject: Discussion regarding a City Council referral to prohibit non-owner-occupied vacation rentals
Date: April 15, 2025

Recommended Action:

Staff recommends the Housing and Community Development Committee discuss the proposed referral and provide direction to staff regarding the next steps.

Committee Action:

For Discussion

Summary:

On February 24, 2024, a referral sponsored by Councilmember Geracaris, with co-sponsors Reid and Kelly, was submitted and seeks to introduce a local ordinance to prohibit vacation rentals at properties not occupied by the owner based on the view that this takes missing middle housing off the market while the City is experiencing a housing shortage.

The current "Vacation Rentals" ordinance does not provide a definition for "owner-occupied". In practice, the term has been taken to mean any property that is occupied by the owner more than 50% of the year. However, a precise definition would need to be provided in any amended ordinance.

The City's "Vacation Rentals" ordinance currently allows short-term rentals in the City, with two separate pathways to approval. For owner-occupied properties, an administrative review is performed by City staff. For non-owner-occupied properties, applications are reviewed and approved by the Planning & Development Committee. In both cases, inspections are performed at the properties, and all required documentation is reviewed for compliance with the standards outlined in the ordinance.

The City recently acquired new software that has enabled identification of properties currently listed as short-term rentals in the City of Evanston. That software, as of April 11th, has identified 222 separate units listed as short-term rentals within the City. By comparison, there are currently 14,397 long-term rental units registered with the City.

Questions to Consider

- How will "owner-occupied" be defined?
 - Would a unit qualify if the owners occupy it during the summer and then leave for the winter?
 - Would a detached coach house qualify?
 - Would units within a multi-unit building qualify if the owner lives in the building?

- What proof would an owner-occupant need to provide?
- Should the definition of “vacation rental” be amended?
 - The ordinance currently applies to: “A dwelling unit or portion thereof offered for rent for a period shorter than thirty (30) consecutive days to any person other than a member of the owner's family”.
 - Some short-term rentals are occupied for more than 30 days, sometimes as long as 6 months, and often for professionals needing short-term housing (e.g., traveling nurses, visiting professors, contract workers, etc.).
 - The code currently exempts units that will be rented for “no more than one (1) rental period per dwelling unit per twelve-month period”.
 - Tracking and enforcing this exemption is not feasible.
- The current ordinance allows that the “City Council may deny a vacation rental license upon a finding that such denial is in the public interest”. How is “public interest” defined?
 - The lack of clarity has the potential to lead to inconsistent application of the ordinance.
- Are the standards objective, clear, and well-defined?
 - This will allow property owners and potential homebuyers to clearly understand their rights and plan for financial outcomes, as well as allowing staff to enforce the ordinance fairly and equitably.
- What procedures will be followed for applications that have been received and are currently under review?

Other Municipalities

Many U.S. cities have taken legislative action to regulate short-term rentals. The methods they have used to do so vary widely. Some municipalities, such as Durango, CO, have limited short-term rentals to certain zoning districts within the City and limited the number of permits that can be issued. Full bans on short-term rentals have led to costly lawsuits and, ultimately, required walking back requirements in some cities, such as New York, Santa Monica, and Anaheim. The State of North Carolina is currently considering a bill (Senate Bill 291) that would limit the right of local municipalities to ban or strictly regulate short-term rentals in response to bans put in place in cities like Asheville.

Next Steps

- Review similar municipal ordinances to inform Evanston’s policy design, including enforcement mechanisms, penalty structures, and possible legal ramifications.
- Draft an amended ordinance, pending a new referral by the 82nd City Council, if so desired.