



**AGENDA AND NOTICE OF A MEETING
Housing & Community Development Committee
Tuesday, October 17, 2023**

**Lorraine H. Morton Civic Center, 2100 Ridge Avenue, 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:

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1. CALL TO ORDER/DECLARATION OF A QUORUM

2. PUBLIC COMMENT

3. APPROVAL OF MEETING MINUTES

- A. **Approval of September 19, 2023 Meeting Minutes** 3 - 5
[Housing & Community Development Committee - Sep 19 2023 - Minutes - Pdf](#)

4. NEW BUSINESS/OLD BUSINESS

- A. **Discussion of Draft Amended Residential Landlord Tenant Ordinance, Including Just Cause for Eviction Provisions** 6 - 14

For Discussion

[Summary of Discussion on Updates to the Residential Landlord Tenant Ordinance, Including Just Cause for Eviction Provisions - Attachment - Pdf](#)

- B. **One-Stop Shop Housing Retrofit ("Green Homes") Semi Annual Report**

For Discussion

- C. **Staff Updates**

Reminders of rescheduled and additional Housing & Community Development Committee meetings in the coming weeks and months:

- 11/14/23--rescheduled from 11/21/23
- 12/5/23--additional special meeting
- 12/12/23--second Tuesday of the month due to holiday

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 (TYY) 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).

Draft



Housing & Community Development Committee

Tuesday, September 19, 2023 @ 7:00 PM

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

**COMMITTEE MEMBER
PRESENT:**

Hugo Rodriguez, Committee Member, Loren Berlin, Committee Member, Joanne Zolomij, Committee Member, Bobby Burns, Councilmember, Eleanor Revelle, Councilmember, Juan Geracaris, Councilmember, and Chloe Thurston, Commission Member

**COMMITTEE MEMBER
ABSENT:**

Devon Reid, Councilmember

STAFF PRESENT:

1. CALL TO ORDER/DECLARATION OF A QUORUM

A.

The meeting was called to order at 7:06pm by Chair Revelle.

2. PUBLIC COMMENT

A. [Tina Paden](#) commented on the City Housing Provider Mitigation fund being discussed in the Just Cause Task Force as part of the update to the Residential Landlord Tenant Ordinance.

[Dominic Voz](#) of Open Communities commented on updates to the Residential Landlord Tenant Ordinance being considered by the Housing and Community Development Committee.

[Written comment received.](#)

3. APPROVAL OF MEETING MINUTES

A. Approval of minutes from the July 18, 2023 meeting.

Moved by Councilmember Geracaris
Seconded by Rodriguez

Ayes: Rodriguez, Zolomij, Geracaris, and Thurston

Abstained Berlin and Revelle
:

Motion Passed 4-0 on a recorded vote

4. NEW BUSINESS/OLD BUSINESS

- A. Approval of rescheduling November 2023 meeting from 11/21/23 to 11/14/23

Moved by Berlin
Seconded by Zolomij

Ayes: Rodriguez, Berlin, Zolomij, Burns, Revelle, Geracaris, and Thurston

Motion Passed 7-0 on a recorded vote

- B. Approval to hold an additional meeting in December 2023 on 12/5/23

There is a high volume of projects for the Housing & Community Development Committee to review, discuss, and vote on in the coming months. Staff recommend there be two meetings in the month of December to accommodate these needs.

Moved by Councilmember Geracaris
Seconded by Thurston

Motion Passed 7-0 on a recorded vote

- C. Landlord Tenants Services (MTO) Semi-Annual Report

Staff shared updates on the performance of Metropolitan Tenant Organization in providing landlord-tenant services.

- D. Inclusionary Housing Waitlist Semi-Annual Report

Staff shared updates on Community Partners for Affordable Housing's Inclusionary Housing waitlist.

- E. Staff Updates

- Residential Landlord Tenant Ordinance Updates

Staff provided an update on the progress of the Residential Landlord Tenant Ordinance update. The Committee is expected to review the amended ordinance language at the October 17, 2023 and to make a vote in either November or December. Staff also shared information on the progress of the Just Cause Task Force.

- Non-profit/Public Facilities Applications

Staff shared that applications for non-profit/public facilities applications for funding have opened. Applications are due on November 3, 2023.

Draft

Housing & Community Development Committee
September 19, 2023

5. ADJOURNMENT

- A. The meeting was adjourned at 8:33pm.



Memorandum

To: Members of Housing & Community Development Committee
From: Lindsey Wade, Housing & Economic Development Analyst
Subject: Summary of Discussion on Updates to the Residential Landlord Tenant Ordinance, Including Just Cause for Eviction Provisions
Date: October 17, 2023

Recommended Action:

Staff recommends the Housing and Community Development Committee (HCDC) discuss the draft updates to Evanston's Residential Landlord Tenant Ordinance (RLTO), including proposed Just Cause Eviction provisions developed by the Task Force, before providing a recommendation at the December Special Meeting.

Committee Action:

For Discussion

Summary:

Approximately 44% of Evanston residents rent their homes, meaning roughly 41,942 households benefit from landlord-tenant regulations. Recent updates to the Cook [County Residential Tenant Landlord Ordinance \(RTLO\)](#), recommendations from the federal government, guidance from leading housing policy-making institutions, and analysis of local rental market and housing needs indicate Evanston's current [Residential Landlord Tenant Ordinance \(RLTO\)](#) warrants updates. Following more than a year of collaboration with HCDC, community based organizations, and engagement with key stakeholders, the Community Development Department drafted proposed language that incorporates HCDC discussion, stakeholder input, and best practices. The proposed language also includes the results of discussion over the course of six weeks by Just Cause Task Force members. Members met weekly to develop a Just Cause Eviction and Relocation Assistance model, along with a City Housing Provider Mitigation Fund. The Just Cause Task Force members included a tenant, housing provider, a legal expert, and two HCDC members, who were each a housing provider and a tenant, respectively.

The proposed RLTO allows for implementation of modern, systemic, high impact solutions that align with the City's mission, HCDC's purpose, and the Community Development Department's obligation to the U.S. Department of Housing and Urban Development (HUD). The Department of Community Development requests HCDC members review and discuss

the proposed language to absolve any remaining uncertainty about the new provisions and prepare for making a recommendation to the City Council at HCDC's Special Meeting in December.

Alignment with City of Evanston Mission, Housing & Community Development Committee Purpose, and Affirmatively Furthering Fair Housing

The draft updates to Evanston's Residential Landlord Tenant Ordinance meet multiple goals and objectives the City is tasked with. The City of Evanston's [mission](#) is to promote "the highest quality of life for all residents by providing..." "responsive municipal services and delivering those services equitably, professionally, and with the highest degree of integrity". Furthermore, the City's [vision](#) is to "create the most liveable city in America". Adopting contemporary landlord-tenant provisions currently in practice across Cook County and in other parts of the country, such as limiting late fees, bolstering the right to tenant organizing, and requiring just cause to evict, support an improved quality of life and promote housing stability for Evanston households. The updates also provide a response to major disruptions caused in the rental market due to the COVID-19 pandemic and the structural shifts it made in society. Furthermore, the provisions drafted in the RLTO update, such as the requirement to provide fair notice for lease non-renewals and rent increases, help to make Evanston a more liveable city by giving tenants the time they need to make a decision should they be required to move.

The Housing & Community Development Committee's [purpose](#) is to "improve housing, combat homelessness" and "maintain housing affordability and diversity". The proposed Residential Landlord Tenant Ordinance updates combat homelessness by exacting measures such as requiring a One-Time Right to Pay and Stay, which gives tenants who are late on their rental payments one chance to pay back their rent, should an eviction order be filed, before a judgment is made—allowing tenants the time they need to access emergency rental assistance and/or representation in court. Provisions in the draft updated RLTO maintain housing affordability and diversity by providing tenants the Right of First Refusal, or Tenant Opportunity to Purchase—which gives tenants of buildings being sold time to organize and collectively purchase their building to avoid lease non-renewal or eviction that is often commonplace in rental dwelling purchases. Proposed measures also support tenants ability to look for a new home in a low-supply, high-cost rental market.

The City of Evanston's Community Development Department is obligated as a U.S. Department of Housing and Urban Development (HUD) grantee to [Affirmatively Further Fair Housing \(AFFH\)](#). AFFH supports the Fair Housing Act of 1968, which prohibits housing discrimination and directs HUD participants to take meaningful, "actions to overcome patterns of segregation, promote fair housing choice, eliminate disparities in housing-related opportunities, and foster inclusive communities that are free from discrimination". The draft updates to Evanston's RLTO meet these obligations in several ways. For example, the development of a low-barrier, ordinance-compliant tenant screening tool promotes fair housing choice for voucher holders and other low-income tenants. Incorporating a just cause for eviction provision that prevents housing providers from non-renewing a lease for arbitrary, retaliatory, or discriminatory reasons also aids in cultivating a community free from discrimination.

Analysis of Local Rental Market

Evanston’s RLTO was last updated in 2016. Since that time, the rental housing market has become increasingly volatile, and vacancy rates have narrowed. The effects of the COVID-19 pandemic on the economy had a catastrophic impact on housing costs and tenant turnover patterns. This resulted in skyrocketing rents and eviction moratoriums. The end of the pandemic was declared in May of 2023 and many renters and landlords continue to experience the repercussions. The effects of the pandemic on the housing market are evident in Evanston’s local housing data. For example, the median monthly rent in Evanston increased approximately 15% between 2016 and 2021, with the greatest year over year growth occurring between 2020 and 2021, where rents climbed 7% higher than in the previous year.

Furthermore, Evanston’s vacancy rate dropped from 10% in 2016 to 9% in 2021, and is estimated to be at approximately 7% in 2022, based on 1-Year American Community Survey (ACS) estimates. The stark increase in rental cost and lack of vacancy in Evanston can increase the risk of displacement. As rents continue to rise and fewer options for rental units persists, Evanston continues to lose residents to other jurisdictions—jeopardizing the diversity that make Evanston a desirable city to live.

According to Cook County Sheriff’s data, which does not capture motions filed for eviction or lease non-renewals, evictions are returning to pre-pandemic levels. Displacement due to evictions is also evident in semi-annual reports from community-based organizations the City contracts with for landlord-tenant services. For example, Metropolitan Tenant Organization reported 32 eviction phone calls and 39 early lease termination calls to Evanston’s landlord-tenant hotline, which is on target to meet 2022 eviction and early lease termination year-end report totals of 84 evictions and 59 early lease terminations.

Landlord-Tenant Hotline Calls, 2022-Present

Period	Call Type	Number
1/1/2022-12/31/2022	Eviction	84
1/1/2022-12/31/2022	Early Lease Termination	59
1/1/2023-7/31/2023	Eviction	32
1/1/23-7/31/2023	Early Lease Termination	39

The strong demand for housing, in combination with increasing rental costs and housing instability, it is critical the City take upstream approaches to increase stability and decrease the risk of eviction and displacement of Evanston residents by implementing policy changes.

Guidance from the Federal Government and Leading Housing Policy-Making Institutions

The COVID-19 pandemic put housing instability at the forefront of the nation, and the temporary protections implemented for tenants during this time highlighted the need for a long-term, comprehensive eviction prevention strategy. Earlier this year, the Department of Community Development provided HCDC members two articles that describe how to support a successful rental housing market in a post-pandemic society. The [White House Blueprint for a Renters Bill of Rights](#) (2023) lists five principles to guide local governments in crafting a fair housing market, and examples for implementation: “Safe, Quality, Accessible, and Affordable Housing; Clear and Fair Leases; Education, Enforcement, and Enhancement of Renter Rights; the Right to Organize; and Eviction Prevention, Diversion, and Relief” (White House 2023). Similar principles are outlined in the article, [“Home For Good: Strategies to](#)

[Prevent Eviction and Promote Housing Stability](#)” (Enterprise Community 2022), which provide a list of strategies that support landlords’ ability to maintain property, improve access to affordable housing, and bolster tenant rights. “Home for Good” also incorporates a tool to evaluate each strategy based on level of effort (amount of modification or review required), cost of implementation (taxpayer, private, nonprofit), and scale of impact (household, community, or system). The proposed updates to Evanston’s RLTO are consistent with both these articles.

Improving Access to Housing

Access to housing is critical to meet the basic needs of renters in Evanston. However, common tenant screening practices, such as credit score minimums and rent to income ratio requirements, among others, make it difficult for prospective tenants to secure housing. Considering approximately 47% of renters in Evanston are cost burdened (2021 ACS 5-Year Estimates), meaning they spend thirty percent or more of their income on housing costs, these screening criteria present challenges to housing security for over 6,000 households each year. Although there are protections against source of income discrimination written into the City’s Fair Housing Ordinance, provisions such as these are often not enough to protect tenants using means other than gross wages or employment to cover their housing costs. Tenants using a housing voucher, child support, Temporary Assistance for Needy Families (TANF), or other such resources, to pay their rent may easily be rejected as tenant applicants due to being unable to meet minimum thresholds for income. Local advocacy groups and public housing authorities have reported persistent difficulties with finding housing providers that will accept housing vouchers, either due to the upfront administrative burden or due to tenants not meeting cash income thresholds.

Tenants at risk of source of income discrimination may have other barriers to housing, such as a low credit score, high rent to income ratio, and eviction history, and need additional protections to secure a lease. Screening out tenants despite supportive resources reduces the impact and efficacy of income stabilization programs and creates systemic inefficiencies at all levels of government and society. Both [“Home For Good: Strategies to Prevent Eviction and Promote Housing Stability”](#) (Enterprise Community 2022) and the [White House Blueprint for a Renters Bill of Rights](#) (2023) recommend the implementation of measures to “screen in” tenants rather than screen them out. Enterprise Community described limiting the use of common tenant screening tools and criteria as a useful measure for restoring stability after eviction that would have a systemic impact on how renters are able to navigate housing security. The White House argued there are too many inconsistencies and invalidities in consumer reporting for housing providers to use background and credit checks as their only screening tool. Communities such as [Portland](#) and the [State of Indiana](#) have already implemented limitations on the use of tenant screening criteria.

HCDC’s direction to develop a low-barrier screening tool in May 2023, such as a brochure for landlords describing multi-faceted approaches and alternative options for tenant screening that are more inclusive of a variety of income sources and rental history. The adoption and implementation of this provision supports the City of Evanston’s requirement to Affirmatively Further Fair Housing as a grantee of the U.S. Department of Housing & Urban Development. Removing barriers to access to housing for voucher holders and other low-income tenants allows individuals to live where they wish and to access safe and decent housing, creating more fair housing choice. For example, the White House stressed the need for more fair

tenant screening practices in its principle of Safe, Quality, Accessible and Affordable Housing, acknowledging the inconsistencies and invalidities of credit checks and other common tenant screening tools, and the impact an eviction record can have on a tenant's ability to access housing in the future. The development of a low-barrier, compliant tenant screening tool that HCDC recommended the Department develop earlier this year addressed the need for more fair access to housing.

Another barrier to access of housing are upfront costs. Although application fees and security deposits are considered a traditional, reasonable expense for new renters, the newer practice of some housing providers to add move-in fees and administration fees into the tenant application process have become huge access barriers for renters and especially so for low and moderate income households, based on reports from community based organizations. According to stakeholder engagement, charitable organizations often don't have funds outside of security deposit assistance to support tenants unable to afford such upfront costs, leaving low and moderate income tenants with few options to lease a new apartment and putting them at greater risk of displacement or the inability to access safe, accessible, and affordable housing. The impact of displacement for tenants who are moving due to lease non-renewal or rent increase is further exacerbated by such unregulated moving costs, effectively incapacitating and immobilizing tenants already struggling with housing costs.

The Housing and Community Development Committee recommended the addition of several provisions that address the need for greater tenant fee regulations, improve access to housing, and align with the landlord-tenant regulations of adjacent jurisdiction [Cook County](#). More specifically, the updated draft Residential Landlord Tenant Ordinance posits language that prevents renaming of the security deposit and provisions that limit late fees, application fees, move-in fees, and administrative fees to actual costs incurred by the housing provider. These provisions were bolstered by [Enterprise Community](#) (2022) as an upstream practice to improve access to affordable housing for low-income renters and called out in the [White House Blueprint for a Renters Bill of Rights](#) (2023) as an example of the need for more transparent policies and elimination of hidden costs. These provisions also advance the work of increasing access to housing choice as it relates to the Community Development department's obligation to affirmatively further fair housing. As an aside, the HCDC also recommended removing the requirement that housing providers pay interest on security deposits based on consistently low interest rates, negligible benefit to tenants, and administrative burden of housing providers.

Clear and Fair Leases

As explained by the [White House](#) (2023), transparency in leases supports sound decision making by prospective tenants and supports a strong working relationship between housing providers and tenants. The [White House](#) (2023) also reported that leases increasingly appear to posit provisions that are inconsistent with tenant rights and would not hold up if contested in court. Because of this, government must take meaningful and measurable actions to mitigate the undermining of tenant rights in leases. A lack of clarity regarding leases is evident in Evanston because lease inquiries were the highest recorded landlord-tenant hotline topic reported in the first half of 2023, indicating a need for more clarity and information for housing providers and tenants about how to navigate and understand the terms of their lease. In response, HCDC recommended the addition of several disclosure and lease attachment provisions as a part of the RLTO update, which were disclosing utility costs

when the tenant pays heat, disclosing foreclosure activity, providing information about bed bug detection, reporting, and removal, and attaching a plain-language summary of the RLTO to the lease. These practices were described by [Enterprise Community](#) (2022) as an upstream approach to bolstering tenant rights and also align with the [Cook County RTLO's](#) provisions.

Additionally, it's important housing providers and tenants have an adequate length of time to correct maintenance issues, lease violations, and rent non-payment. According to [Enterprise Community](#) (2022), extending the period to cure bolsters the rights of tenants and mitigates impending eviction activity. Earlier this year, the HCDC resolved the issue of tenants residing in owner-occupied two-flats having only two days to correct a lease violation and the issue of tenants in all other rental dwelling units having thirty days to correct a lease violation by making the period to cure consistent with that of [Cook County's RTLO](#). The Committee's approval of a One-Time Right to Pay and Stay described earlier also supports the model of providing tenants with adequate time to correct lease violations and nonpayment to reduce eviction incidence.

Finally, an impactful way Evanston can support fair leases is through requiring advanced notice for lease non-renewal and rent increases. According to input from community stakeholders, tenants whose leases are being non-renewed face the challenge of securing a new lease at a rate likely much higher than their current rent payment, given the local rental market described above. Furthermore, tenants can easily be priced out of their current apartment due to rent increases, especially when the building transfers ownership or the unit has been rehabilitated. According to community stakeholders, finding a safe, affordable, accessible apartment may take an average of three months for any tenant, and possibly even longer for tenants who are low income or have an eviction history. Increasing notice periods are supported by [Enterprise Community \(2022\)](#), which described increasing the notice period as a high-impact approach to bolstering tenant rights.

Prior to HCDC's discussion around increasing the non-renewal notice period, the City of Evanston had a shorter notice period (30 days) than neighboring municipalities, including [Cook County](#) (60 days) and the [City of Chicago](#) (60 days for more than six months but less than three years; 120 days for more than three years). The Community Development Department initially introduced a graduated notice of non-renewal period based on the tenant's length of tenure, similar to the City of Chicago's [Fair Notice Ordinance](#). However, dialogue in community stakeholder meetings and in HCDC meetings demonstrated that a graduated notice would bring about a heavy administrative burden on housing providers, disrupting the operational flow of their business by having to check the length of a tenant's tenure. HCDC ultimately decided to implement one flat notice period, and resolved to increase Evanston's relatively short notice of non-renewal period from 30 days to 90 days prior to the end of the lease term, surpassing the lease non-renewal period of Cook County. At the same time, HCDC also recommended adding a provision that would require a tenant to respond no more than 30 days in advance to an offer for lease renewal, which is half as short as [Cook County](#).

The Community Development Department also presented HCDC with discussion of adding a graduated notice requirement based on rental increases. The City of Evanston, nor Cook County or the City of Chicago, currently have a measure such as this written into their

municipal code. Graduated notice based on rent increase is included in the Just Cause Ordinance proposed in the City of Chicago, however, and other governments, such as the State of California, have already adopted such noticing models. Graduated notice based on rent increase benefits tenants in the same way that graduated notice based on tenant tenure does. The graduation of notice period, as opposed to one flat rate, affords housing providers fewer incidences where they have to give notice further in advance than may be preferred for their business. In other words, graduated notice allows landlords to only have to give 90 days notice if the rent increase surpasses a certain threshold, rather than always having to give 90 days notice for a rent increase.

Although HCDC did not recommend graduated notice based on rent increase due to preference for one consistent period of time to provide notice of renewals or non-renewals, the Just Cause Task Force did bring the topic up during their discussions. Task Force members reviewed how rent increases can force tenants to move if the increase is too burdensome, and how rent increases may be used by housing providers to avoid Just Cause for Eviction provisions, discussed later in this summary. Using the Just Cause for Eviction model proposed for the City of Chicago, Task Force members decided to fully adopt the graduated notice based on rent increase modeled in the proposed Chicago ordinance to provide tenants priced out of their units with more time to secure a new lease, to mitigate the use of rent increases as unjust evictions, and to establish relocation assistance criteria, also discussed later in this summary. The Community Development Department is still looking into the legality of this policy along with other aspects of the Just Cause ordinance.

Enforcement and Enhancement of Rights

Enforcement and enhancement of tenant rights are key to the Community Development Department's obligation to affirmatively further fair housing as a HUD grantee. The Committee approved several updates to the RLTO that support this obligation. According to [Enterprise Community](#) (2022), tenants are greatly underrepresented in eviction court cases, making it difficult for tenants to strike a balance with their housing providers in court. To even the balance, the Committee approved the prohibition of collection of attorney fees from tenants in eviction cases.

Additionally, according to the [White House](#) (2023), survivors of domestic violence are at increased risk of homelessness and housing discrimination. Evanston's current Residential Landlord Tenant Ordinance provides exceptions for survivors who contact emergency services related to domestic or sexual assault under the Prohibition Against Criminal Activity on Premises section, but lacks specific language that highlights the rights of survivors to make decisions to keep themselves safe. The [White House](#) (2023) pointed out the Violence Against Women Act (VAWA) was reauthorized in 2022, which strengthened protections for survivors. Furthermore, HCDC received public comment that specifically called out the need for Evanston's RLTO to call out the VAWA Act as well as enforce the provisions provided in the [Illinois Safe Homes Act](#). As a result, the committee recommended the addition of provisions against retaliation against survivors for exercising their rights under the Illinois Safe Homes Act. Rights of survivors of gendered violence as they relate to the VAWA were also bolstered in the update. These updates are also consistent with recommendations from [Enterprise Community](#) (2022) to enact and expand early termination protections for gendered violence survivors.

Furthermore, the [White House](#) (2023) called for more support for tenant organizing, citing the positive impact tenant associations have on solving building-wide issues and increasing community involvement and civic engagement. Aside from cultivating a community of support through organizing, tenant associations also bring about the opportunity for tenants to purchase their building, should it go up for sale, to preserve affordable housing, similarly to the City of Chicago's [pilot program in the Woodlawn neighborhood](#). The Committee approved the addition of greater visibility of tenant right to organize by adding protections against retaliation for tenants who share leaflets and request to use common spaces in an effort to organize tenants of the same building.

However, the Committee came to a tie vote in their discussion on Right of First Refusal, which may also be understood as Tenant Opportunity to Purchase, based on concerns that there was not enough support for tenants to exercise such a right and that without that support, this provision would be another obstacle for building owners with little benefit to tenants. In response, the Community Development Department drafted new Right of First Refusal language that shortens the length of time tenants have to organize and reduces some of the administrative moves housing providers have to make to facilitate tenants who choose to exercise this right. The Community Development Department is confident that with increased support from the department, the Tenant Opportunity to Purchase will be a successful pathway to preserving affordable housing and empowering tenants to build generational wealth through property ownership.

Just Cause for Eviction, Relocation Assistance, and City Housing Provider Mitigation Fund

One of the greatest changes made to the RLTO as a result of this year's update has been the addition of a Just Cause for Eviction ordinance. Just Cause for Eviction requires housing providers to establish specific reasons for lease non-renewal. Just cause for eviction provisions help to reduce or eliminate arbitrary, retaliatory, and discriminatory lease non-renewals. The incidence of unjust evictions is difficult to measure because non-renewals are not recorded publicly, in the way that evictions during the term of the lease period are enforced due to nonpayment or material lease violations. Just Cause eviction provisions have been enacted in numerous states and municipalities across the county, as described in earlier [memos](#) published by the Community Development Department. Just cause provisions were also discussed as paramount to reducing the incidence of eviction by the [White House](#) (2023) and [Enterprise Community](#) (2022). The Just Cause task force used the Just Cause for Eviction ordinance proposed in the City of Chicago as a model for Evanston and audited the language and list of fair reasons for non-renewal to ensure it was fair and equitable to both tenants and housing providers. The draft ordinance initially presented to the Task Force can be viewed [here](#).

While the Task Force was diligent in their work, there continue to be concerns around the legality of some of the aspects of the ordinance, as similar provisions have recently been contested in court in other jurisdictions, such as [Albany, New York](#).

Furthermore, the Just Cause Task Force also made revisions to the Relocation Assistance model drafted after the proposed Just Cause ordinance in Chicago. Relocation assistance is intended to help offset the cost of moving when tenants are faced with a no-fault eviction, and various models have been adopted across the country in conjunction with Just Cause ordinances, as described in earlier [memos](#) published by the Community Development Department. However, one of the relocation assistance triggers agreed upon by the Task

Force was rent increases over 15%. Specifically, relocation assistance is intended to be triggered when a rent increase greater than 15% is rejected by the tenant. There are concerns that this particular aspect of the relocation assistance provision conflicts with the [Illinois Rent Preemption Act](#). Task Force members provided an example of a similar relocation assistance model having been found to be in violation of the rent preemption act [here](#).

Finally, the Task Force reviewed provisions that would establish a City Housing Provider Mitigation Fund, which is intended to be an anti-displacement initiative to reduce the costs of no fault evictions, individuals impacted by no-fault evictions and reduce the costs to housing providers associated with rent nonpayment, damages to rental dwellings, and operational losses.

Consistency Edits to Align with Regional Regulations

Although the Cook County RTLO generally provides protections for landlords and tenants across the region, Evanston stands out as one of only three municipalities with its own standing landlord-tenant ordinance. This means housing providers and tenants in Evanston are not governed by the same rights and protections as landlords and renters in the greater Chicago area. To ensure predictability for tenants and landlords, proposed changes have been incorporated that are consistent with Cook County's RLTO. Additionally, regional alignment provides ease of transition when housing providers and tenants cross borders.

Overall, the proposed changes to the RLTO enable the city to align with adjacent communities, clarify legal terms and limitations, and integrate modern, systemic, low-cost, high impact solutions to the housing problems of a post-COVID-19 society. Alignment with adjacent communities helps reduce competition for resources across municipalities and makes regulations more predictable for landlords and tenants. Furthermore, alignment with adjacent communities ensures residents and landlords of the City of Evanston are sufficiently protected. Clarifying our legal terms and limitations improve enforceability while making it easier for landlords and tenants to understand their rights and responsibilities. Finally, the incorporation of provisions such as defining and limiting move-in fees, late fees, and other hidden costs; preventing eviction; bolstering tenant rights; and increasing access to housing positions the City of Evanston to be at the forefront of state, federal and evidence-based best practices and recommendations.