

SUBSTITUTE **ORDINANCE**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. This section shall be known as the “Centralized Listing Portal Working Group Ordinance”.

(a) *Purpose.* The purpose and legislative intent of this ordinance is to ensure accountability in affordable housing developments by convening a working group to explore the feasibility of creating a centralized listing portal for affordable housing units as defined in Section 5-30-020 of the Municipal Code of Chicago (the “Code”). The goal of the centralized listing portal is to reduce barriers for prospective tenants seeking affordable housing and provide owners with a centralized clearinghouse to list, market, and receive applications.

(b) *Centralized Listing Portal Working Group.*

(1) *Establishment of a Working Group.* The Mayor’s Office shall convene a working group no later than 45 days after the effective date of this ordinance. The working group shall include representatives from relevant state and local housing agencies and organizations, including, but not limited to, representatives from the Department of Housing; the Chicago Continuum of Care; the Chicago Housing Authority; the Illinois Housing Development Authority; the Department of Technology and Innovation; non-governmental organizations that advocate for, develop, manage, or own affordable housing; philanthropy; and community-based organizations that advocate for, organize around, and create policy proposals for affordable and accessible housing issues.

(2) *Definitions.* All terms used in this Section 1 of this ordinance shall have the meanings prescribed in Section 5-30-020 of the Code.

(3) *Working Group Guidelines.* The working group shall be tasked with developing a suggested framework and roadmap for the City to create a centralized listing portal. The roadmap recommendations should include consideration of:

(A) Budget and staffing needs;

(B) Recommendations for creating a unified system that cooperates and connects with the relevant local and state housing agencies’ systems;

(C) Recommendations for notifying applicants of their rights pursuant to 310 ILCS § 10/25.06 of the Illinois Public Housing Authorities Act and requiring owners to notify applicants of their position on the waitlist when requested;

(D) Identification of funding sources, including philanthropic and civic partnerships, to help defray the costs of creating the portal;

(E) Recommendations on the scope and frequency of Owner and Department of Housing reporting requirements;

(F) Recommendations on minimum occupancy rates and vacant unit turn-around time in accordance with industry standards;

(G) Feasibility of including and the legality of requiring all affordable housing units operated by the same owner to participate in the Centralized Listing Portal;

(H) Recommendations on owner registration functions that ensure Owners are responsible for listing affordable units and maintaining their own waitlists;

(I) Recommendations for the process for delegate agencies and other nonprofit organizations to serve as registration sites;

(J) Recommendations to ensure people with disabilities who need accessibility features are prioritized for units with those features, and that applicants are paired with units that are appropriately sized for their family;

(K) Operations of the Centralized Listing Portal, including but not limited to, an interactive and intuitive interface that indicates at each address, the number of affordable housing units, the waitlist period, the application process, accessibility features, the breakdown of units based on the number of bedrooms, the tenant paid portion of the rent and maximum eligible household income, any tenant selection provisions, property management contact information, and, if deemed appropriate and useful to tenant applicants, the affordable unit's subsidy program type;

(L) Recommendations on listing requirements and status updates for Affordable Housing Units undergoing substantial renovations, including when such units should be temporarily removed or flagged as unavailable;

(M) Feasibility of a universal application for Affordable Housing Units that complies with civil rights laws governing tenant screening practices and that promotes affirmative marketing best practices and recommendations for its design and adoption;

(N) Recommendations on a process for applicants to appeal the denial of an Affordable Housing Unit;

(O) A process to certify Owners;

(P) Identify opportunities for the Department of Housing to streamline the Affordable Requirements Ordinance vetting process for tenants to reduce vacant unit turn-around time;

(Q) Recommendations for raising awareness through the portal around users' rights under the Chicago Fair Housing Ordinance, Cook County Human Rights Ordinance, Illinois Human Rights Act, the federal Fair Housing Act, and other relevant federal, state, and local civil rights laws; and

(R) Timeline for implementation of any proposed policies or recommendations.

(c) The working group's first meeting shall occur within 30 days of its establishment and it shall meet no less than 3 times during its first 6 months and then no less than once every 6 months thereafter for the duration of the Centralized Listing Pilot Program.

(d) The working group shall consult with no fewer than 10 community members when determining its recommendations. These community members shall include among them at least one individual with personal experience with each of the following, though a single consulted community member may satisfy multiple listed perspectives provided they have the requisite personal experience: an individual currently living in affordable housing; an individual with lived homelessness experience; an individual with accessibility needs; a representative of an affordable housing provider; an owner, manager, or representative of a residential rental development subject to an Affordable Requirement Ordinance; an accessible housing advocate; an affordable

housing advocate; and another relevant community organization—all to the extent practicable and without creating legal or other liability for the City at its sole discretion.

(e) The working group shall consult with at least one academic institution that specializes in housing policy.

(f) The working group shall detail its recommendations in a written report to the Mayor's Office Chief of Policy, the Committee on Housing and Real Estate, the Department of Housing, and the Department of Technology and Innovation no later than 120 days after the 6-month period described in Section 1(c) of this ordinance.

SECTION 2. Title 5 of the Municipal Code of Chicago is hereby amended by adding a new Chapter 5-30 as follows:

CHAPTER 5-30 CENTRALIZED LISTING PORTAL PILOT PROGRAM

5-30-010 Purpose.

This chapter shall be known and may be cited as the "Centralized Listing Portal Pilot Program." The Centralized Listing Portal Pilot Program (the "Pilot Program") aims to utilize a Centralized Listing Portal to list Affordable Housing Units in the City, connecting prospective tenants to available vacant affordable rental units.

5-30-020 Definitions.

The definitions in this Section shall apply to this Chapter 5-30, unless otherwise specified:

"Affordable Requirements Ordinance" shall have the meaning provided in Section 2-44-080 or Section 2-44-085 of the Municipal Code of Chicago, as applicable.

"Affordable Housing Unit" shall mean any rental unit within the City publicly financed through a City allocation of tax credits, general obligation bonds, grants, or loans, including but not limited to, the Low Income Housing Tax Credit Program, Tax Increment Financing, Community Development Block Grant, HOME Investment Partnership Program Funds, Housing Opportunities for Persons with AIDS, City bond proceeds, or any other City grant or loan funds for the development or maintenance of affordable housing, not including temporary shelter or short-term emergency housing programs.

"Centralized Listing Portal" shall mean an online interface for listing affordable rental units from various properties throughout the City, which may be developed in partnership with or owned or managed by the City, IHDA, or any other appropriate partner chosen by and acceptable to both the Working Group and the Department.

"Centralized Listing Portal Working Group" or "Working Group" shall mean that working group as defined in ordinance, as substituted and passed by City Council, known by record number O2024-0012422 and introduced at the City Council meeting of September 18, 2024.

"Commissioner" means the Commissioner of Housing or their designee.

"Department" means the Department of Housing or successor agency unless otherwise stated.

“Owner” means any person having a legal or equitable ownership interest in the premises or structure, with or without actual possession; any person shown in the official land or tax records of Cook County as holding a legal or equitable ownership interest in the premises or structure, with or without actual possession; any person having charge, care, or control of the premises or structure as an actual or apparent agent of an owner or as trustee of a trust or as the guardian, executor, or administrator of the estate of an owner; and any person responsible for or entitled to manage, collect rents for, or control the premises or structure.

5-30-030 Centralized Listing Portal Pilot Program.

(a) The Department shall develop or partner in the development of an online interface for listing affordable rental units at various properties throughout the City. This Centralized Listing Portal may be developed in partnership with or owned or managed by the City, Illinois Housing Development Authority, or any other appropriate partner chosen by and acceptable to both the Working Group and the Department. Throughout the Pilot Program, the Department will work with alderpeople, applicants, Owners, and the Working Group to identify opportunities to improve the portal's functionality, informing final recommendations following the Pilot Program. After the Working Group's work has concluded or the portal is launched, to the extent a formal or informal partnership must be maintained to keep the portal in service in accord with this chapter, the Department shall be the sole contact point with any partner and decision maker.

(b) *Pilot Program – units required to list on the Centralized Listing Portal.*

(1) The Owners of all Affordable Housing Units who execute any financing, redevelopment, allocation, regulatory, other agreements associated with City financing with the City after the effective date of this ordinance shall be required to list said units on the Centralized Listing Portal for as long as the Pilot Program or its successor is in existence. The Owner may utilize a designee such as a property manager to meet this listing requirement.

(2) The Owners of all residential rental units subject to the Affordable Requirements Ordinance, including but not limited to those who execute a covenant or other agreement with the City after the effective date of this ordinance related to the property's requirements under the Affordable Requirements Ordinance, shall be required to list said units on the Centralized Listing Portal for as long as the Pilot Program or its successor is in existence. The Owner may utilize a designee such as a property manager to meet this listing requirement.

(3) The Department will ensure that the Centralized Listing Portal is available and accessible to list other affordable rental units that are not required to, but whose owners desire to, list on the Centralized Listing Portal.

(c) The legal duties of any Owner subject to subsections 5-30-030(b)(1) or (2) or any agreement or property covenant creating substantially similar requirements shall automatically transfer to the new owner upon any change in ownership of the property. Owners may utilize designees such as property managers to satisfy their responsibilities under this chapter, but the Owners may not transfer the ultimate responsibility for complying with Sections 5-30-030(b)(1) or (2). Owners subject to requirements under this Chapter shall report to the Department quarterly the number of vacancies in the City, the turnover time for vacant Affordable Housing Units, and the reasons for any vacancies.

(d) Owners of other affordable rental units not subject to the requirements of subsections 5-30-030(b)(1) or (2) may elect to opt to utilize the Centralized Listing Portal at the discretion of the Department.

(e) The Department shall notify all Owners required to list their properties or units on the Centralized Listing Portal once it is prepared to be opened to applicants and listing Owners. Owners shall have no duty to list on the Centralized Listing Portal until such time.

5-30-040 Centralized Listing Portal

- (a) The Centralized Listing Portal shall:
- (1) Provide an Owners' registration link to list their Affordable Housing Units;
 - (2) Provide the applicants with the opportunity to apply for all waitlists for which they are qualified;
 - (3) Provide information on the approximate number of applicants in the waitlist for all applicable Affordable Housing Units for each specific property;
 - (4) Display property manager contact information;
 - (5) Connect users to the unique application or waitlist page for each Affordable Housing Unit, to the extent such pages are available;
 - (6) Connect to the Chicago Housing Authority Waitlist Application website's section landing page and notify applicants of their rights pursuant to 310 ILCS § 10/25.06;
 - (7) Provide the number of Affordable Housing Units and each unit's number of bedrooms and their sizes, accessibility features, and affordability requirements;
 - (8) Provide applicants with notice of any tenant selection requirements, including any leasing preferences;
 - (9) Protect and keep private applicant and Owner data and information through firewalls and other appropriate data security measures; and
 - (10) Ensure that private applicant and Owner data is not shared with third parties.

5-30-050 Expiration.

This Chapter shall be repealed, and the Pilot Program shall expire and be terminated, without further action by the City Council on the second anniversary of the effective date of this ordinance.

SECTION 3. This ordinance shall take full force and effect upon its passage and publication.

Alderperson Maria E. Hadden