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**DATE:** Monday, April 17, 2023  
**TIME:** 7:00 pm  
**PLACE:** 400 South Vine Street, Urbana, IL 61801

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The City Council Committee of The Whole of the City of Urbana, Illinois, met in regular session Monday, April 17, 2023, at 7:00pm.

**ELECTED OFFICIALS PRESENT:** Phyllis D. Clark, City Clerk; CM Maryalice Wu, CM Christopher Evans, CM Shirese Hursey, CM Jaya Kolisetty, CM Grace Wilken, CM James Quisenberry

**ELECTED OFFICIALS ABSENT:** Mayor Diane Wolfe Marlin; CM Chaundra Bishop,

**STAFF PRESENT:** Bourema Ouedraogo, Dave Wesner, Will Kolschowsky, John Zeman, Andrea Ruedi, Lilly Wilcock,

**OTHERS PRESENT:** Dennis Roberts;

**Chair:** *James Quisenberry, Ward 7*

**1. Call to Order and Roll Call**

With a quorum present, Chair Quisenberry called the meeting of the Committee of the Whole to order at 7 p.m.

**2. Approval of Minutes of Previous Meeting**

None.

**3. Additions to the Agenda**

None.

**4. Public Input and Presentations**

**a. *Examine Urbana* Transportation Chapter – PW**

Presented by City Engineer John Zeman, Planner Lily Wilcock, and Andrea Ruedi. This chapter of *Examine Urbana* examines the roads and infrastructure of the City and how residents utilize transportation. Zeman reviewed residents surveyed transportation needs and discussed City needs. Questions and discussion ensued.

**b. Sister City of Zomba, Malawi**

Presented by Dennis Roberts, Roberts explained that the City of Zomba has undergone a value assessment following trash collection and disposal and is exploring imposing a small tax to continue. Zomba's Director of Public Works shared a brief slideshow and explained the project scope.

**c. Public Input**

*Esther Patt* discussed the importance of addressing housing needs within the community with ARPA funds. Shared information about the source of income discrimination legislation from the State. (Patt also submitted written remarks, attached.)

**5. Staff Report**

None.

**6. New Business**

**a. RESOLUTION NO. 2023-04-029R: CDBG SENIOR REPAIR PROGRAM AGREEMENT, BETWEEN THE CITY OF URBANA AND CHAMPAIGN COUNTY REGIONAL PLANNING COMMISSION – CD**

Presented by Shiela Dodd the Grants Manager. Item authorizes contract with CCRPC to administer the City's CDBG Senior Home Repair Program. Program will serve between 12-15 people annually. Questions and discussion ensued.

Motion to approve to the cosnet agenda by CM Wu and seconded by CM Hursey.

Voice vote:

**AYE:** Wu, Evans, Hursey, Kolisetty, Wilken, Quisenberry

**NAY:** None

**b. RESOLUTION NO. 2023-04-028R: A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT CONCERNING BONEYARD CREEK PROJECT – PW**

Presented by John Zeman City Engineer. Item authorizes an intergovernmental agreement with Champaign Urbana Sanitary District to continue to protect the Boneyard Creek. A third of the area intersects with UCSD right of ways and creates a cost share agreement for maintenance of the Boneyard. Questions and discussion ensued.

Motion to approve to the regular agenda by CM Wu and seconded by CM Kolisetty.

Voice vote:

**AYE:** Wu, Evans, Hursey, Kolisetty, Wilken, Quisenberry

**NAY:** None

**c. RESOLUTION NO. 2023-04-030R: A RESOLUTION APPROVING THE TRANSFER OF VOLUME CAP IN CONNECTION WITH PRIVATE ACTIVITY BOND ISSUES, SINGLE-FAMILY MORTGAGE REVENUE BONDS, AND RELATED MATTERS (PRIVATE BOND CAP ALLOCATION - EIEDA PROGRAMS, SERIES 2023) – CD**

Presented by Sheila Dodd.

Motion to combine Resolution No. 2023-04-030R and Resolution No. 2023-04-031R in Omnibus by CM Evans and seconded by CM Wu.

Voice Vote:

**AYE:** Wu, Evans, Hursey, Kolisetty, Wilken, Quisenberry

**NAY:** None

Items authorize the acceptance of private activity bonds funds to the City from the State to provide assistance to families. Any funds not accepted will be returned to the State.

Questions and discussion ensued.

Motion to approve to the consent agenda by CM Hursey and seconded by CM Kolisetty.

Voice vote:

**AYE:** Wu, Evans, Hursey, Kolisetty, Wilken, Quisenberry

**NAY:** None

- d. **RESOLUTION NO. 2023-04-031R: A RESOLUTION APPROVING THE TRANSFER OF VOLUME CAP IN CONNECTION WITH PRIVATE ACTIVITY BOND ISSUES, SINGLE-FAMILY MORTGAGE REVENUE BONDS, AND RELATED MATTERS (PRIVATE BOND CAP ALLOCATION - IHDA, SERIES 2023) – CD**

*Combined in omnibus with Resolution No. 2023-04-030R, see above.*

- e. **RESOLUTION NO. 2023-04-032R: A RESOLUTION APPROVING THE CITY OF URBANA AND URBANA HOME CONSORTIUM (CHAMPAIGN/URBANA/CHAMPAIGN COUNTY) ANNUAL ACTION PLAN FOR FISCAL YEAR 2023-2024 – CD**

Presented by Breaden Belcher. Item adopts the annual action plan for FY 2023-2024. Plan was presented at a previous meeting and has been available for public inspection. Belcher reviewed the funding sources, funding amounts, and planned allocations. Questions and discussion ensued.

Motion to approve to the regular agenda by CM Hursey and seconded by CM Wu.

Voice vote:

**AYE:** Wu, Evans, Hursey, Kolisetty, Wilken, Quisenberry

**NAY:** None

- f. **RESOLUTION NO. 2023-04-018R. A RRESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF AN ARPA SUBRECIPIENT AGREEMENT (Urbana Free Library)**

Presented by Will Kolschowsky.

Motion to combine items f-o in omnibus, but excluding items k (Carle Hope Village) by CM Wu and seconded by CM Kolisetty.

Voice vote:

**AYE:** Wu, Evans, Hursey, Kolisetty, Wilken, Quisenberry

**NAY:** None

Items include 10 ARPA subrecipient agreements that were previously approved in March, before the Council are the individual project contracts. Kolschowsky explained the structure of the contracts and the deadlines. Questions and discussion ensued.

Motion to approve omnibus to the consent agenda by CM Wu and seconded by CM Kolisetty.

Voice vote:

**AYE:** Wu, Evans, Hursey, Kolisetty, Wilken, Quisenberry

**NAY:** None

- g. **RESOLUTION NO. 2023-04-019R:. A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF AN ARPA SUBRECIPIENT AGREEMENT (Eastern Illinois Foodbank)**

*Combined in omnibus, see above.*

- h. RESOLUTION NO. 2023-04-020R: A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF AN ARPA SUBRECIPIENT AGREEMENT (Red Herring Restaurant)**

*Combined in omnibus, see above*

- i. RESOLUTION NO. 2023-04-021R: A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF AN ARPA SUBRECIPIENT AGREEMENT (Common Ground Food Co-op)**

*Combined in omnibus, see above*

- j. RESOLUTION NO. 2023-04-022R: A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF AN ARPA SUBRECIPIENT AGREEMENT (Habitat for Humanity of Champaign County)**

*Combined in omnibus, see above*

- k. RESOLUTION NO. 2023-04-023R: A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF AN ARPA SUBRECIPIENT AGREEMENT (Carle/Hope Village)**

Presented by Will Kolschowsky. Item

Motion to approve to the consent agenda by CM Wilken and seconded by CM Kolisetty.  
Discussion ensued.

Voice vote:

**AYE:** Wu, Evans, Kolisetty, Wilken, Quisenberry

**NAY:** Hursey

- l. RESOLUTION NO. 2023-04-024R: A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF AN ARPA SUBRECIPIENT AGREEMENT (FirstFollowers)**

*Combined in omnibus, see above*

- m. RESOLUTION NO. 2023-04-025R: A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF AN ARPA SUBRECIPIENT AGREEMENT (Sola Gratia Farm)**

*Combined in omnibus, see above*

- n. RESOLUTION NO. 2023-04-026R: A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF AN ARPA SUBRECIPIENT AGREEMENT (The Well Experience)**

*Combined in omnibus, see above*

- o. RESOLUTION NO. 2023-04-027R: A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF AN ARPA SUBRECIPIENT AGREEMENT (Urbana Neighborhood Connection Center Boost)**

*Combined in omnibus, see above*

## 7. Council Input and Communications

*CM Quisenberry* shared that due to medical reasons he will be participating remotely for a few weeks until he is recovered. *CM Hursey* shared that she is not against a housing project but feels another location for this development would have allowed for more amenities. Wants to see more services brought into her ward.

## 8. Discussion

None.

## 9. Adjournment

With no further business before the committee of the whole Chair Quisenberry adjourned the meeting at 8:46 p.m.

Darcy Sandefur

Recording Secretary

This meeting was video recorded and is viewable [on-demand HERE](#).

**Minutes approved: 06-20-2023**

## Sandefur, Darcy

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**From:** Esther Patt <[REDACTED]>  
**Sent:** Saturday, April 15, 2023 11:16 AM  
**To:** !City Council  
**Subject:** PUBLIC COMMENT: April 17, 2023 Meeting

**\*\*\* Email From An External Source \*\*\***

Use caution when clicking on links or opening attachments.

Please include this message in the public record of public input for the April 17, 2023 meeting.

The following is a letter from seven housing organizations and a lawyer at a University of Illinois law clinic, explaining the new Illinois fair housing law.

April 12, 2023

Re: Illinois Human Rights Act Source of Income Protections' Applicability to Voucher Holders

Dear Urbana City Council:

We write on behalf of the Illinois Coalition for Fair Housing, the Coalition of Housing Choice Voucher holders and other housing attorneys and advocates who led the charge behind passage of the [Illinois law prohibiting source of income discrimination in housing](#). This law took effect January 1, 2023. The purpose of this memorandum is to provide the Urbana City Council with guidance regarding whether these prohibitions on source of income discrimination include the protection of Housing Choice Vouchers (HCV).

In 2022, the Illinois General Assembly passed [Illinois Public Act 102-0896](#), effective as of Jan. 1, 2023, which amended the Illinois Human Rights Act (IHRA) to prohibit source of income discrimination in housing. First, the memorandum discusses why Housing Choice Vouchers (commonly referred to as "Section 8") are a protected source of income under this law. The memorandum then addresses the City of Urbana's concerns with the law being read to prohibit landlords from refusing to rent to voucher holders.

However, there can be little debate that the law prohibits landlords from refusing to lease to renters because they use Housing Choice Vouchers. Importantly, both HUD the Illinois Association of Realtors have adopted this interpretation. Further, in defining "source of income", the state legislature adopted a definition identical to the definitions of "source of income" in Cook County and Chicago's fair housing ordinances. In copying and pasting the definition from these ordinances, the state legislature made its intent clear. Cook County and Chicago's ordinances have long been interpreted not only to prohibit discrimination against voucher holders but also to prohibit landlords from refusing to rent to voucher holders by failing to enter into the Housing Assistance Payment (HAP) contract or engage in other processes part and parcel to the Housing Choice Voucher program.

Further, though the federal law does not make participation in the Housing Choice Voucher Program mandatory, the state law should still be read to broadly prohibit discrimination against voucher holders. First, the state law does not make participation in the voucher program "mandatory." Second, a state may enact its own law prohibiting landlords from refusing to rent to voucher holders even if federal law does not contain such prohibitions. Moreover, HUD has interpreted Illinois' law to prohibit discrimination against voucher holders.

### ***I. Housing Choice Vouchers are protected from housing discrimination under the Illinois Human Rights Act.***

The Illinois Human Rights Act (IHRA) prohibits discrimination in housing based on source of income; these prohibitions include refusal to accept HCVs or rent to HCV holders. The Illinois General Assembly intended

to prohibit landlords from discriminating against HCV holders when it enacted the law. This intent is evident from the plain language of the law which employs a broad, inclusive definition of “source of income”: “The lawful manner by which an individual supports himself or herself and his or her dependents.” In choosing this definition, the Illinois legislature adopted the definition of “source of income” from the Cook County and Chicago fair housing ordinances, which have each long-been interpreted to prohibit discrimination against voucher holders. Importantly, “in Illinois, the legislature is presumed to know the law construing a statutory provision which it adopts.”

Given that the state law only recently took effect, there are no published opinions directly interpreting its scope. However, in *Godinez*, a case interpreting Chicago’s Fair Housing Ordinance, the Illinois Appellate Courts holds that nearly identical protections extend to HCV holders.

In *Godinez*, an HCV holder filed a Complaint with the Chicago Commission on Human Relations (Commission) alleging a prospective landlord violated the Chicago Fair Housing Ordinance by refusing to rent to her because she utilizes a Housing Choice Voucher. The Chicago Ordinance defines ‘source of income’ as the “lawful manner by which an individual supports himself and his or her dependents.” The landlord argued that if the ordinance were read to protect voucher holders “every landlord would be forced to involuntarily subject himself to the requirements of the Section 8 program whenever a prospective tenant wished to use Section 8 vouchers.” However, “In rejecting this argument, the Commission cited to its prior holdings ‘that a complainant can prove source of income discrimination by showing that they were denied a rental opportunity because they intended to make use of Section 8 funding.’” The Commission thus sided with the voucher holder.

The landlord appealed the decision to the state circuit court. In June 2002, the circuit court reversed the Commission’s findings and held that HCVs are not a protected source of income under the Chicago Fair Housing Ordinance, reasoning that the ordinance did not contain explicit language prohibiting discrimination against HCV holders. In reaching this conclusion, the circuit court relied on the 7th Circuit holding in *Knapp v. Eagle Property Management*, which held that, under Wisconsin’s fair housing law, HCVs are not a protected source of income.

The HCV participant appealed the Illinois Circuit Court decision to the Illinois appellate court. The appellate court reversed the circuit court and reinstated the finding of the Commission, supporting the established view of the Commission that “a complainant can prove source of income discrimination by showing that they were denied a rental opportunity because they intended to make use of Section 8 funding.”

The appellate court reasoned that Chicago’s Fair Housing Ordinance defines source of income broadly and does not specify or limit the types of lawful income covered. Thus, the ordinance should be read to include HCVs.

In reversing the Commission, the *Godinez* appellate court distinguished the 7th Circuit’s holding in *Knapp v. Eagle Property Management*, which held that HCVs are not a protected source of income under the Wisconsin fair housing law. Distinguishing *Knapp*, the appellate court reasoned that the Wisconsin statute is not as broad in its definition of source of income as Chicago’s Fair Housing Ordinance. Moreover, the appellate court noted that *Knapp* had been distinguished by state courts in Connecticut and New Jersey as non-persuasive. In conclusion, the Illinois appellate court declined to adopt the reasoning in *Knapp* that HCVs are not included as a lawful source of income and held that, under the Chicago ordinance, HCV holders are protected from housing discrimination.

The Illinois appellate court thus ruled for the voucher holder, holding that, under the Chicago ordinance, HCVs are a protected source of income. Again, the Chicago ordinance’s definition of source of income is nearly identical to the IHRA’s, clearly demonstrating that HCV holders are protected under the IHRA.

The appellate court’s opinion in *Godinez* reflects the overwhelming consensus that Cook County and Chicago source of income protections protect voucher holders.

That the Illinois legislature did not explicitly state that Housing Choice Vouchers are a protected source of income does not imply their exclusion. Just the opposite; as stated by the Illinois appellate court in *Godinez*, “The term ‘source of income’ under the [Chicago] Fair Housing Ordinance refers only to the lawful manner in which one supports oneself and does not elaborate on what means are included within the lawful manner of support. Therefore, it is logical and reasonable to consider Section 8 vouchers part of the lawful manner for one’s support.” Indeed, the state law definition, like the Chicago and Cook County definitions, do not enumerate or exclude any specific sources of income. By employing this broad definition without enumeration, the General Assembly does not indicate its intent to exclude HCVs. Rather, by using broad inclusive language, copied and

pasted from jurisdictions who source of income ordinances have long been read to prohibit HCV discrimination, the General Assembly indicates its intent to protect HCVs under state law.

II. ***Illinois landlords violate the Illinois Human Rights Act by refusing to engage in processes part and parcel to the Housing Choice Voucher program, such as entering into a HAP contract or allowing inspection.***

Generally, source of income protections protect voucher holders and landlords may not evade protections for Housing Choice Voucher holders by citing to the responsibilities that come with the Housing Choice Voucher Program. Similarly, the Illinois legislature did not intend to allow landlords to circumvent the law's protections for voucher holders by citing administrative burdens part and parcel to the HCV program. As stated, in pasting the Cook County and Chicago definitions of source of income into the state law, the state legislature made its intent clear to adopt existing interpretations of those definitions.

Every landlord across the country who receives a Housing Choice Voucher must first sign a HAP contract and subject their property to inspection. Allowing landlords to refuse to engage in these processes is synonymous with allowing landlords to categorically refuse to rent to housing choice voucher holders. As stated by the Cook County Commission on Human Rights' 2013 source of income guidance:

Another landlord who, for example, refuses to rent to any applicant who would require him to subject his property to a HCV suitability inspection has also-effectively refused to rent to any HCV holders because of their source of income and will be treated as such . . . As noted above, the refusal to take steps required by the HCV program to be able to accept a program voucher is, often in effect, the same thing as refusing to rent to a HCV tenant because of his source of income.

In fact, by citing processes part and parcel to the HCV program as a basis for excluding Housing Choice Voucher holders, property owners corroborate their intent to discriminate against Housing Choice Voucher holders. As stated by the Chicago Commission on Human Relations in ruling in favor of a complainant alleging HCV discrimination:

Although Respondent [landlord] has had several Section 8 tenants over the years, the evidence also shows that [he] believed he had experienced difficulties navigating through the Section 8 program, including repeatedly failing to receive requested rent increases, delays in the inspection process, which caused him to lose a potential renter, failing a Chicago Housing Authority (CHA) inspection and enduring complaints from his Section 8 tenants. Although it is understandable that the Respondent would be frustrated with the CHA/Section 8 program given these experiences . . . this frustration cannot be allowed to fuel discrimination against potential Section 8 renters.

By adopting the language of the Chicago and Cook County ordinances, the Illinois legislature made its intent clear to protect HCV holders and that landlords may not cite the burdens of the HCV programs to circumvent these protections or incorporate policies that largely exclude HCV participants.

III. ***By prohibiting discrimination against voucher holders, the Illinois law does not illegally make the HCV program "mandatory."***

First, using the state law to protect voucher holders does not make landlord participation in the program "mandatory." Similar to the D.C Human Rights Act (DCHRA), the IHRA prohibits landlords from refusing to rent to someone on the basis of his or her source of income, which includes HCVs. In *Bourbeau*, a federal district court rejected a landlord's characterization that the DCHRA mandated landlord participation in the federal HCV program. The court noted that "landlords remain free not to rent to HCV holders provided they do so on other legitimate, non-discriminatory grounds, such as an applicant's rental history or criminal history," or the need to charge rents higher than allowed under the program.



Second, that the federal government does not mandate landlord participation in the program does not mean the state law cannot be read to prohibit landlords from refusing to rent to voucher holders. Courts across the country have resoundingly rejected the argument that federal law preempts state and local law prohibiting landlord refusal to rent to HCV holders. As stated by one state appellate court, “Despite the voluntary nature of the section 8 program at the federal level, state and local law may properly provide additional protections for recipients of section 8 rent subsidies even if those protections could limit an owner's ability to refuse to participate in the otherwise voluntary program.”

In *Bourbeau*, the landlord argued that imposing “mandatory” participation in the HVC program by prohibiting discrimination against HCV holders conflicts with federal law that allows landlords to accept as many or as few HCV holders as they choose. The essence of the landlord’s conflict preemption argument is that, if the DCHRA imposes a non-discrimination requirement, then it is preempted by the federal statute establishing the HCV program as voluntary for landlords. However, the court held that the DCHRA’s anti-discrimination requirement is not preempted by federal law. Rather, pursuant to the Supremacy Clause of the United States Constitution, a state law must give way to a federal law under the theory of conflict preemption only when:

[C]ompliance with both is a physical impossibility, or when the state law stands as an obstacle to the accomplishment and execution of the full purpose and objectives of the United States Congress. However, a state law that imposes additional requirements over and above those imposed by a federal law does not necessarily ‘conflict’ with federal law in either manner. And federal preemption is not to be lightly presumed, particularly if it would have an impact on a state’s power to regulate matters of local concern, such as discrimination in housing. Because preemption in this case would affect the district’s power to regulate a matter of local concern, the court will not presume that Congress intended to circumscribe local authority in the manner suggested by Woodner.

Similarly, HUD has actually interpreted Illinois’s source of income law to prohibit discrimination against voucher holders. Though Illinois’ law does not enumerate any specifically protected sources of income, in discussing the Illinois law, HUD states, “It is against the law in Illinois to discriminate in all aspects of real estate transactions, including renting or leasing, based on your source of income. This includes non-employment income *such as Housing Choice Vouchers (Section 8)* or disability payments.” HUD then explains how to file a complaint if one experiences this discrimination.

In conclusion, it is imperative that landlords and landlord representatives ensure ongoing compliance with the amended IHRA that prohibits source of income discrimination in housing; which is partly accomplished by an understanding that HCVs are a protected source of income.

Sincerely,

**The Shriver Center on Poverty Law**

Eric Sirota	Joerika Stitt
Director of Housing Justice	Housing Justice Staff Attorney

**HOPE Fair Housing**

Michael Chavarria	Josefina Navar
Executive Director	Deputy Director

**Champaign-Urbana Tenant Union**

Esther Patt  
Director

**Housing Action Illinois**

Bob Palmer	Foluke Akanni
Policy Director	Housing Policy Organizer

## Open Communities

Dominic Voz

Fair Housing Associate

## Chicago Area Fair Housing Alliance

Patricia Fron

Co-Executive Director

## Housing Choice Partners

Catherine Johnson

Interim Executive Director

## Allison K. Bethel, Esq.

Attorney at Law

Director, Fair Housing Legal Clinic

University of Illinois Chicago School of Law

## END NOTES

1 Public Act 102-0896 (signed into law May 24, 2022; took effect Jan. 1, 2023)

2 *Id.*; see 775 ILCS 5/3-102

3 Department of Housing and Urban Development, “Rental Help: Illinois,” fn. 3, at *supra*; Illinois Realtors, “Source of Income,” <https://www.illinoisrealtors.org/legal/sourceofincome/>: “In May 2022, Gov. J.B. Pritzker signed a bill which amends the Illinois Human Rights Act to ban discrimination in housing based on source of income, including income such as housing choice vouchers (HCVs), sometimes referred to as Section 8 vouchers.” (last checked Apr. 6, 2023)

4 With the exception that the state definition adds a single possessive pronoun to Chicago’s definition. See *infra*

5 See Section I, at *infra*.

6 See Section II, at *infra*.

7 See Section III, at *infra*.

8 Department of Housing and Urban Development, “Rental Help: Illinois,” <https://www.hud.gov/states/illinois/renting> (last visited Apr. 6, 2023): “It is against the law in Illinois to discriminate in all aspects of real estate transactions, including renting or leasing, based on your source of income. This includes non-employment income, such Housing Choice Vouchers (Section 8) or disability payments.” HUD then goes on to explain to those facing such discrimination how to file a complaint with the state or their housing authority

9 See 75 ILCS 5/3-102

10 775 ILCS 5/1-1-3(O-5) (“‘Source of income’ means the lawful manner by which an individual supports himself or herself and his or her dependents.”)

11 Per the Cook County Human Rights Ordinance: “Source of income means the lawful manner by which an individual supports himself or herself and his or her dependents,” Cook County Code of Ordinances § 42-31, 42-38. Per Chicago’s Fair Housing Ordinance: “‘Source of income’ means the lawful manner by which an individual supports himself and his or her dependents,” Municipal Code of Chicago § 5-08-030 A-C; § 2-160-020(n)

12 *People ex rel. Hartigan v. Moore*, 143 Ill.App.3d 410, 415 (1st Dist. 1986)

13 See generally *Godinez v. Sullivan-Lackey*, 815 N.E.2d 822, 352 Ill. App. 3d 87 (2004)

14 See *Godinez*, 352 Ill.App.3d, at 88-89

15 *Id.*, at 91

16 *Id.* (quoting *Sullivan-Lackey v. Godinez*, CCHR No. 99-H-89, at 5 (July 18, 2001), citing *Smith v. Wilmette Real Estate & Management Co.*, CCHR Nos. 95-H-159 & 98-H-44/63 (April 13, 1999); *Smith v. Goodchild*, CCHR No. 98-H-177 (April 13, 1999); *Huff v. American Management & Rental Service*, CCHR No. 97-H-187 (January 20, 1999); *McGee v. Sims*, CCHR No. 94-H-131 (October 18, 1995)).

17 *Id.*

18 *Id.*

19 *Id.*

20 *Id.*, at 90 (citing *Knapp v. Eagle Property Management Corp.*, 54 F.3d 1272 (7th Cir.1995))

21 *Id.*, at 90

22 *Id.*, at 91 (citing *Sullivan-Lackey v. Godinez*, CCHR No. 99-H-89, at 5 (July 18, 2001); *Smith v. Wilmette Real Estate & Management Co.*, CCHR Nos. 95-H-159 & 98-H-44/63 (April 13, 1999); *Smith v. Goodchild*, CCHR No. 98-H-177 (April 13, 1999);

*Huff v. American Management & Rental Service*, CCHR No. 97-H-187 (January 20, 1999); *McGee v. Sims*, CCHR No. 94-H-131 (October 18, 1995)).

23 *Id.*

24 *Id.*

25 at 92 (referring to *Knapp v. Eagle Property Management Corp.*, 54 F.3d 1272)

26 *Id.*

27 *Id.*

28 *Id.*

29 See, e.g., Sisavanh Baker, Commissioner, Cook County Commission on Human Rights, Feb. 3, 2022, [https://www.cookcountyil.gov/sites/g/files/ymwepo161/files/documents/2022-02/SourceofIncomeProtections\\_UpdatedMemo2022.pdf](https://www.cookcountyil.gov/sites/g/files/ymwepo161/files/documents/2022-02/SourceofIncomeProtections_UpdatedMemo2022.pdf); Ranjit Hakim, [former] Executive Director, Cook County of Illinois, Dept. of Ethics and Human Rights, page 3, Oct. 13, 2013 [guidance/letter to Illinois Realtors' Association]; City of Chicago, Commission on Human Relations, "Section 8 Vouchers and Source of Income Discrimination," available at <https://www.chicago.gov/content/dam/city/depts/cchr/AdjSupportingInfo/AdjFORMS/Section8VouchersSourceofIncomeDisc.pdf>; City of Chicago, Commission on Human Relations, "Frequently Asked Questions about Fair Housing," [https://www.chicago.gov/city/en/depts/cchr/supp\\_info/FairHousingFAQ.html](https://www.chicago.gov/city/en/depts/cchr/supp_info/FairHousingFAQ.html); *Hawkins v. Chicago Commission on Human Relations*, 2020 IL App (1st) 191301 (2020); *Godinez v. Sullivan-Lackey*, 352 Ill. App. 3d 87 (1st Dist. 2004).

30. *Godinez*, 352 Ill.App.3d, at 91.

31. See, e.g., *Montgomery County v. Glenmont Hills Assocs.*, 402 Md.250, 275-7 (2007); *Commission on Human Rights and Opportunities v. Sullivan Associates*, 250 Conn. 763, 775 (1999).

32. See Commissioner Hakim letter, *supra* footnote 3, pp. 1, 3; Commissioner Baker, at *id.*; *Hutchinson*, 08-H-21, at p. 7.

33. *Godinez*, at 824 ("Under the program, the United States Department of Housing and Urban Development (HUD) enters into an annual contributions contract with a public housing agency, which agrees to administer the program while HUD provides the necessary funds. The central requirements of the program are that: (1) the housing units meet set quality standards, as determined by the local housing authority based on an inspection of the unit prior to the lease and each year after that time; and (2) the amount of rent for unit must be reasonable in comparisons with rents charged for comparable dwelling units in the private, unassisted local market")

34. Sisavanh Baker, Commissioner, Cook County Commission on Human Rights, Feb. 3, 2022, [https://www.cookcountyil.gov/sites/g/files/ymwepo161/files/documents/2022-02/SourceofIncomeProtections\\_UpdatedMemo2022.pdf](https://www.cookcountyil.gov/sites/g/files/ymwepo161/files/documents/2022-02/SourceofIncomeProtections_UpdatedMemo2022.pdf); Ranjit Hakim, [former] Executive Director, Cook County of Illinois, Dept. of Ethics and Human Rights, page 3, Oct. 13, 2013 [guidance/letter to Illinois Realtors' Association]; City of Chicago, Commission on Human Relations, "Section 8 Vouchers and Source of Income Discrimination," available at <https://www.chicago.gov/content/dam/city/depts/cchr/AdjSupportingInfo/AdjFORMS/Section8VouchersSourceofIncomeDisc.pdf>; City of Chicago, Commission on Human Relations, "Frequently Asked Questions about Fair Housing," [https://www.chicago.gov/city/en/depts/cchr/supp\\_info/FairHousingFAQ.html](https://www.chicago.gov/city/en/depts/cchr/supp_info/FairHousingFAQ.html); *Hawkins v. Chicago Commission on Human Relations*, 2020 IL App (1st) 191301 (2020); *Godinez v. Sullivan-Lackey*, 352 Ill. App. 3d 87 (1<sup>st</sup> Dist. 2004).

35. See *Hutchinson*, 08-H-21, at p. 7.

36. *Bourbeau v. Jonathan Woodner Co.*, 549 F.Supp.2d 78 (D.D.C. 2008)

37. *Id.*, at 87

38. *Id.*

39. See, e.g., *Commission on Human Rights and Opportunities v. Sullivan Associates*, 250 Conn. 763, 775 (1999); *Montgomery Cnty. v. Glenmont Hills Assocs. Priv. World at Glenmont Metro Ctr.*, 402 Md. 250, 936 A.2d 325 (2007); *Bourbeau v. Jonathan Woodner Co.*, 549 F. Supp. 2d 78 (D.D.C. 2008); *Franklin Tower One v. N.M.*, 157 N.J. 602, 619 (1999) ("Concerning the question of federal preemption, we find nothing in the federal statute explicitly preempting state legislation requiring landlords to honor Section 8 vouchers. HUD has explicitly preempted state law elsewhere, and could have done so here."); *People v. Ivybrooker Equity Enters., LLC*, 175 A.D.3d 1000, 1003 (N.Y.App.Div. 2019).

40. *Ivybrooker Equity*, at *id.*

41. *Bourbeau v. Jonathan Woodner Co.*, 549 F. Supp. 2d 78

42. *Id.*, at 281.

43. *Id.*

44. *Id.*, at 290-92 (internal quotation marks and citations omitted).

45. See *Medtronic v. Lohr*, 518 U.S. 470, 485 (1996)

46. *Id.*

47. Department of Housing and Urban Development, "Rental Help: Illinois," <https://www.hud.gov/states/illinois/renting> (last visited Apr. 6, 2023) (emphasis added).

48. *Id.*