



## 2009 Annual Report



### Dear LCBH Supporters:

It is with great pride that we invite you to review our organization's 2009 Annual Report. The accomplishments of Lawyers' Committee for Better Housing over the year have improved the lives of thousands of low-income tenants in Chicago. This yearly snapshot of LCBH reminds us of the vital needs for our services in order to ensure safe, fair, affordable housing for all Chicagoans.

2009 was a busy and exciting year for LCBH.

- Our Tenants in Foreclosure Intervention Project continued to grow to two full time attorneys, two part time attorneys and a program assistant. It is now the largest program that we run and operates in conjunction with our Affordable Housing Preservation Project. LCBH strives to make our programs as responsive as possible. This project was developed in response to the current foreclosure crisis, and we are hopeful that as the crisis abates the project can be scaled back.
- By increasing our Pro Bono Coordinator to full time LCBH has expanded our use of volunteers throughout our legal programs and in fact, throughout the organization. LCBH currently has approximately 65 active volunteers compared to 45 one year ago. These attorneys have been extremely effective in serving LCBH clients. Several new firms are involved. We have improved the support and supervision for our volunteer attorneys. Our Pro Bono Coordinator conducts volunteer trainings in our offices and at law firms that have interested attorneys.
- Our fundraising events were highlights of 2009. Our spring fundraiser, Hearts for Housing raised more than twice as much as it had the previous year and was attended by over 120 individuals. It increased LCBH's profile among young attorneys and helped increase affinity for the organization. The fall fundraiser, our 2009 Annual Reception and Awards Ceremony was also successful. We recognized Sheriff Tom Dart for his support of tenants, notably his decision to stop evicting tenants without proper procedure having been followed. This event set a record for attendance.

This Annual Report provides a look at some of the individuals LCBH assisted in 2009. Their stories illustrate that the services LCBH provides can truly be life-changing for our clients.

These accomplishments would not be possible without the help and support of our many volunteers and donors as well as our dedicated staff and Board. They allow LCBH to fulfill our mission every day. On behalf of LCBH and the Board of Directors, thank you for your contribution to our success and your continued support of our efforts.

Tony Hopp  
Board President

# Affordable Housing Preservation Program

The **Affordable Housing Preservation Program** (AHPP) works to maintain the supply of safe, decent and affordable rental housing by providing legal assistance to tenant groups. This is accomplished by informing tenants of their rights under Chicago's Residential Landlord and Tenant Ordinance, negotiating with recalcitrant landlords, and representing tenants in court or administrative hearings. Project staff works with community and tenant groups and the Chicago Department of Buildings to identify at risk multi-unit rental buildings. In 2009, AHPP worked with tenant groups in 43 multi-family buildings impacting 1572 units. AHPP also provided training on the Residential Landlord Tenant Ordinance to 385 tenants.

AHPP was contacted by residents of a five-unit building with extremely hazardous conditions. Upon entry for help, its dilapidated conditions became apparent immediately. As I stood beside a row of burglarized mailboxes in the foyer, leakage emanated from the gaping hole in the ceiling above me and dripped on my forehead. I stood in a puddle of collecting water and listened to the building's faulty electrical wiring hum in my ears. I wondered how many children and elderly lived in this deteriorating façade of a building.

Before LCBH accepted this case, one of the tenants informed me that the building had dangerous conditions. These included perpetual leaking and exposed pipes, rampant mold throughout the building, inconsistent water, no heat, and gaping holes in the walls of many units. Such a description becomes vivid when you enter the property and smell the mold yourself.

I negotiate my descent down slippery deteriorating steps, and combat the dizziness and nausea that develop as a result of a mere two hours touring a building with mold. These are the conditions under which many Chicago tenants are forced to survive.

As I move from apartment to apartment and interview the tenants of this property, I learn that many individuals moved in just months ago. Often they paid their rent in cash after touring another building owned by Management described as a "comparable property". Despite these substandard living conditions, property management continued to accept rent from low-income individuals and move tenants into this building, demanding an average of \$500 a month.

At the time of our building tour, a young woman had just moved into the building with her infant child who suffers from sickle cell anemia. She explained that she too was shown a building that was described as a "comparable property" and paid her rent and security deposit in cash as a result of that tour.

When she moved into the unit, the manager told her that they would remove the paint strewn across the floors and fix the exposed outlets and broken windows. They explained that they would stop her ceiling from leaking and do something to plug the hole in the bathroom wall that allowed her to watch her next door neighbors bathe and brush their teeth.

In the coming weeks, despite her repeated phone calls and letters, she found that Management failed to deliver on their promises, and likely never intended to provide a safe living environment for her and her child.

Fierce with determination to make this awful situation workable for her and her daughter, she elected to purchase the tools and

equipment required to make her apartment safe. She went to a neighborhood hardware store and spent over a hundred dollars on these items. When she returned from work the next afternoon to commence this massive renovation project on her own, she found that due to the lack of security in the building, someone had entered her unit and not only stole her tools, but all of her clothing and items for her baby. This is but one story of many shared with us by tenants as we advocate for affordable housing in the city of Chicago. These tenants expect only safety and fairness in exchange for their hard-earned rent payment.

In the weeks that followed this building visit, AHPP appeared on behalf of the tenants in the building and advocated for the vacating of the property as we felt strongly that this property was sadly beyond rehabilitation.

Consequently, we successfully secured over \$8,000 of relocation assistance for the tenants with whom AHPP worked. AHPP worked with the City to coordinate the relocation of the tenants in the building. All the tenants with whom AHPP worked directly in this building have successfully relocated.

*Keri Lindsay, Staff Attorney*

## Attorney of the Day Eviction Defense Program

The **Attorney of the Day Eviction Defense Program** (AOD) is the only in-court volunteer project operating daily and exclusively in the Daley Center eviction court. In 2009, we represented 313 tenant families with a total savings for tenants of \$560,943 in rent waived and \$21,629 in damages awarded. AOD concentrates on serving clients in the private market, including housing choice voucher holders, as legal assistance corporation-funded organizations serve those in public housing. Our pro bono recruits, trains, and supervises volunteers, working closely with our eviction defense staff attorney. Several large law firms have become very involved in our program, encouraging their young associates to take cases and gain court experience. Over the year, our eviction court education video was viewed over 3,300 times by *pro se* litigants in the Daley Center.

Volunteers from Seyfarth & Shaw handled an eviction case for a paraplegic a paraplegic senior living in an independent living facility. Robert moved into his unit in 2005 with the understanding that he would be given a handicapped accessible room. Despite repeated requests for an accessible room, he was never given one. Repairs and services which were included in the rental rate were not performed. An eviction action was then entered against Robert on trumped-up charges of improper behavior. After nine months of litigation, AOD resolved the outstanding issues with management, which dropped the eviction case, and agreed to negotiate a new lease, reinstating his tenancy.

## Fair Housing

LCBH's **Fair Housing** (FH) work includes representing clients in housing discrimination cases and heading up the Fair Housing Education Consortium (FHEC), funded by the Chicago Department of Planning and Community Development, to provide fair housing training to housing providers, tenants, community organizations, and the general public. In 2009 FHEC provided fair housing training to 389 individuals.

## Supportive Services

LCBH **Supportive Services** are available to our neediest legal client families. Staff works with tenants to provide them with the tools they need to gain stability in their housing and in their life. They may be given assistance locating housing, referrals to jobs and training programs and screening for public benefits. Our aim is for these families to avoid homelessness and achieve stable, long-term housing. In 2009 our case manager assisted 88 legal client families in locating housing and/or finding jobs.

## Tenant Advocacy Project

The **Tenant Advocacy Project** (TAP) provides pre-eviction assistance to tenants who are experiencing difficulties with their landlords, either because of poor conditions, lock-outs, utility shutoffs, or other serious issues. In 2009 TAP served 76 tenant families. Of that number, approximately 90% of the non-security deposit situations were resolved without proceeding to litigation. LCBH has begun taking security deposit cases that are handled by contracted attorneys, as one way to generate additional revenue streams to support programs for low-income tenants.

A Gulf War veteran approached LCBH for assistance after his landlord illegally changed the locks of his apartment. LCBH attorneys quickly filed a temporary restraining order, and the court ordered that the landlord restore the tenant to possession of the unit. A subsequent settlement agreement resolved all claims to back rent with a move-out date that was agreeable to our client.

## Tenants in Foreclosure Intervention Project

In 2008 LCBH launched the **Tenants in Foreclosure Intervention Project** (TFIP) to assist tenants affected by foreclosure in Chicago. In 18 months' time LCBH has built TFIP to the point where it typically carries a caseload of over 500 rental units and works with many more through its public education efforts and community advocate training and support.

TFIP was started with a grant from the John D. and Catherine T. MacArthur Foundation expanded the program with additional funding from The Chicago Community Trust and stimulus funding from the Chicago Department of Planning and Community Development. The foreclosure crisis is displacing more tenants than homeowners, with an average of 125 rental buildings going into foreclosure every week in 2009.

TFIP is a unique and nimble program that began with a focus on direct representation of tenants both in eviction and building court, and upon seeing a need for earlier intervention, developed strong relationships with community-based organizations and created an early warning system to alert these community partners about recent foreclosure filings and units impacted. TFIP works with tenants on an individual and building-wide basis, but also focuses on pre-emptive efforts to mitigate the impact of foreclosure on tenants by providing training and legal support to community partners, providing public education forums in neighborhoods where tenants have been hardest hit by foreclosure, producing educational materials for tenants and advocates, and, increasingly, developing a web-presence, in order to assist as many tenants as possible, as early as possible.

In 2009, LCBH received 508 telephone inquiries from tenants needing help and numerous calls from advocates and organizers looking for assistance. TFIP accepted 88 individual tenants for legal representation and 154 for non-litigation services. 132 of these tenants also worked with our housing counselor. TFIP won 10 cases outright for tenants, had 26 cases dismissed, negotiated more time or monetary assistance in 61 cases, sealed 44 tenants' records, maintained or resumed utility service in 161 units, and preserved 130 units.

The Pickett family came to LCBH after learning that their apartment building was in foreclosure. They had received a notice of foreclosure, not from their landlord as required, but from the bank. They wanted to do the right thing but were confused about how to pay rent since multiple people were claiming to be the owner. The situation was further complicated because the original property owner was fighting the foreclosure. Legal staff from TFIP worked with the family to determine to whom they should be paying rent. At one point the original owner turned off the water heater and locked the basement preventing the family from accessing hot water. LCBH reported this illegal lockout and convinced the property owner to restore hot water to the unit. Staff helped the family keep their utilities on after the building had gone through foreclosure and obtained \$2,000 in relocation expenses for the family. LCBH's Supportive Service team also worked with the family, referring them to Casa Norte which helped them find a newly-rehabbed two-bedroom apartment.

# Events

## Hearts for Housing

On March 6, 2009, LCBH hosted its fourth annual Hearts for Housing at the law offices of Katten Muchin Rosenman LLP. The attracted over 120 LCBH supporters enjoying an evening of cards, drinks and great raffle prizes. Hearts for Housing 2009 brought in over \$22,000 for LCBH in sponsorships and event and raffle ticket sales. Fundraising Committee Chair Todd Maynes helped drive sponsorships and raffle ticket sales by offering to match any sponsorships and raffle ticket sales by the Board and donating two tickets on American Airlines.



## Annual Reception

LCBH's 2009 Annual Reception was held at Wildman Harrold on October 8th. The attendees enjoyed music by Scales of Justice and a moving speech by former client Ceasar Hill. The keynote speaker, Cook County Sheriff Thomas Dart, was recognized with our Barbara Grau Housing Advocacy Award for his courageous decision to cease evicting tenants and insist the court system follow proper procedures

before removing tenants. Sheriff Dart states, "There's great irony to all of the attention I received after stopping foreclosure evictions last year. Anyone who looked at the set-up at the time could see all the problems and could see something had to be done. Stopping evictions until the system could be fixed was just the right thing to do. We now have a system in Cook County which, while not perfect, is held up as a model example of what can be done to protect families."

## PILI Luncheon

In June, LCBH hosted a luncheon to honor Public Interest Law Initiative (PILI) interns and fellows. LCBH hosted its first PILI intern in 1987 and has since hosted 44 interns and fellows, several of whom remain involved with LCBH as volunteers. The luncheon included program updates from Executive Director Kathleen Clark and Staff Attorney Gerard O'Toole, introduction of 2009 PILI Intern Shāna Caldwell and Fellows Anthony Borich and Robert Clagg, and a tour of LCBH offices. The event ended with an unveiling of permanent plaques naming all past PILI interns and fellows with room to add future PILIs.



# Eviction Averted, Utilities Restored

A family in Rogers Park with four children renting in a three-flat found out in September 2009 via a notice posted on their building that their landlord had lost the building in foreclosure and was now owned by the bank.

The notice demanded that the tenants contact the named real estate agent immediately, otherwise an eviction action would be filed, and the Sheriff would "remove all of their personal items and place them on the curb, the locks will be changed and they would not have access to their home."

The family contacted LCBH, and an attorney with the Tenants in Foreclosure Intervention Project (TFIP) advised the tenants that pursuant to the federal law, the bank that now owned the building was required to honor their lease, which did not end until May 30, 2010. Tenants contacted the real estate agent with this information.

In the second week of November, the real estate agent offered the tenants an agreement" requiring the tenants to move out on in a month. The tenants, armed with the knowledge that they were allowed more notice and could live out their lease if they wanted to, demanded additional time so that they could find new housing. That evening, the family returned home to discover that the lock to the building's front door was cemented shut. The tenants were frightened, but were able to access their apartment through the back door.

Next the family found a new notice on their door stating that the building was managed by another agent and providing an out of state number to contact. At about the same time, the heat and hot water were shut off in their unit. When they contacted this agent to have their utilities restored, they were told that the bank was not responsible for maintaining utilities, even though they did not pay for heat under their lease. TFIP wrote a cease-and-desist letter regarding the cemented lock and utility shutoff. The letter advised the management company that their conduct constituted an illegal lockout according to city ordinance and state foreclosure law and demanded that the utilities be restored by November 23, 2009. The real estate agent then informed the tenants that utilities would be restored, but not until November 30, 2009. The tenants were unable to celebrate Thanksgiving in their home.

After a second letter was not effective, TFIP contacted the attorney for the bank threatening litigation. TFIP had drafted a complaint and motion for injunctive relief and was prepared to file against the bank and the real estate agent.

After reviewing the draft complaint, the bank's attorneys promised that their client would restore utilities. Unfortunately, by this time, one of the tenants' children who suffers from asthma had to be taken to the hospital due to the lack of heat. The bank did not restore utilities until the end of the year, but agreed to pay for a hotel until the utilities were restored. Even though this experience was disruptive to their family and the holiday, the tenants were glad to be warm and have hot water until they could return to their home.

# 2009 Contributors

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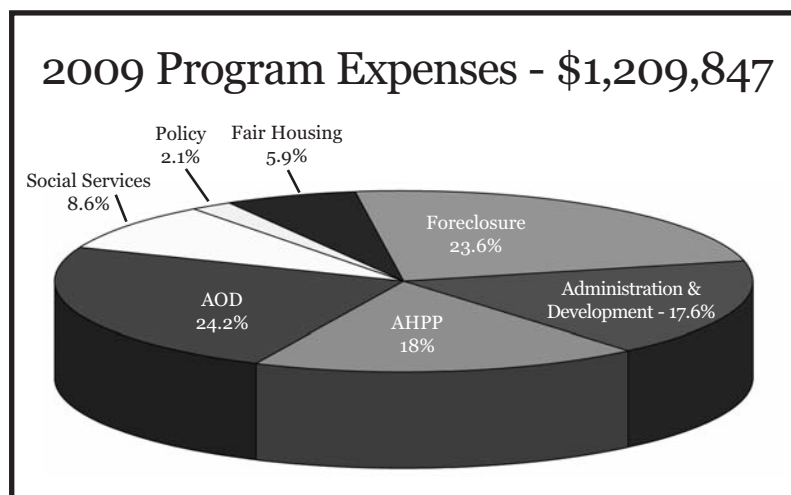
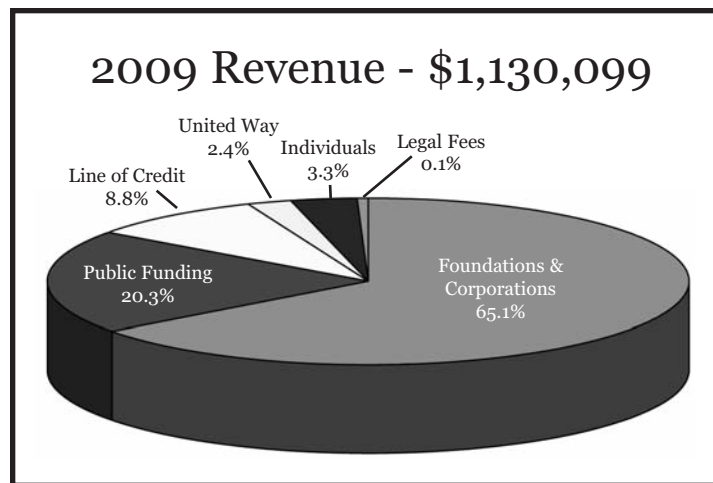
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Over 75% of those responding to a Chicago Tribune online question think it should be a crime to neglect foreclosed homes.

- Chicago Tribune, March 4, 2009



**Total Net Assets - \$470,075**

**2009 Attorney of the Day Eviction Defense Program**

Program	Rent Waived	\$\$ Awarded	TOTAL
AOD Eviction Defense	\$538,483	\$10,189	\$548,672

**2009 LCBH Value of Volunteers**

Volunteers	Hours	Price	Estimated Value
Volunteer Attorneys	2,772.49 hours	\$250/hour	\$693,123
Law Students	2,132.5 hours	\$50/hour	\$106,625
Other Professionals	1,428 hours	\$25/hour	\$35,700
<b>TOTAL</b>	<b>6,332.99 hours</b>		<b>\$835,448</b>