



Office of the City Clerk

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Legislation Details (With Text)

File #: O2019-6975

Type: Ordinance **Status:** Failed to Pass

File created: 9/18/2019 **In control:** City Council

Final action: 5/24/2023

Title: Amendment of Municipal Code Title 5 by adding new Chapter 5-25 entitled "Senior Housing Ordinance"

Sponsors: Osterman, Harry, Hadden, Maria E., Gardiner, James M., Tunney, Thomas, Nugent, Samantha, Napolitano, Anthony V., Sposato, Nicholas, Burnett, Jr., Walter, Ervin, Jason C., Taliaferro, Chris, Reboyras, Ariel, Cardona, Jr., Felix, Rodriguez Sanchez, Rossana, Martin, Matthew J., Vasquez, Jr., Andre, Cappleman, James

Indexes: Ch. 25 Senior Housing Ordinance

Attachments: 1. O2019-6975.pdf

| Date | Ver. | Action By | Action | Result |
|-----------|------|--------------|----------------|--------|
| 5/24/2023 | 1 | City Council | Failed to Pass | |
| 9/18/2019 | 1 | City Council | Referred | |

ORDINANCE

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

SECTION 1. Title 5 of the Municipal Code is hereby amended by adding new Section 5-25: Chicago Senior Housing Ordinance, as follows:

5-25-010 Title, Purpose and Scope.

This chapter shall be known and may be cited as the "Senior Housing Ordinance," and shall be liberally construed and applied to promote its purposes and policies.

It is the purpose of this chapter and the policy of the city to protect and promote the public health, safety and welfare of its senior citizens. The legislative intent of this chapter is to advance the City's vital interest in ensuring dignity, safety, and respect for senior tenants. Senior tenants are entitled to know their rights; to be protected against preventable accidents, which can have devastating consequences; to be protected from heat stroke and heat waves; to collectively organize and assert their rights; and to resolve grievances without suffering harassment. This ordinance protects the safety and security of Chicago's senior citizens, while protecting the fiscal interests of the city by enabling more senior residents to age in place and live independently.

5-25-020 Definitions.

"Owner" means any person who alone, jointly or severally with others: (A) has legal title to any premises or

dwelling units, with or without accompanying actual possession thereof; or (B) has charge, care or control of any premises, dwelling or dwelling unit as owner or agent of the owner. "Owner" includes the owner, his agent for the purpose of managing, controlling or collecting rents, any other person managing or controlling a building or premises or any part thereof and any person entitled to the control or direction of the management or disposition of a building or of any part thereof.

"Property Manager" means an individual or company, authorized as an employee of or through an agreement with a property owner to act on the owner's behalf in the management of rental real estate.

"Senior Housing" means any publicly or privately-operated free-standing residence for 16 or more persons to which occupancy is limited to those 55 years of age or older.

"Tenant" means a person entitled by written or oral agreement, subtenancy approved by the owner or by sufferance, to occupy a covered housing unit to the exclusion of others.

"Tenant association" means an organization of tenants of the covered property that represents the interests of all tenants and is completely independent of owners and their agents.

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5-25-030 Senior Housing Ordinance - Posting - Required.

A copy of the Senior Housing Ordinance, shall be posted conspicuously in a common area of all Senior Housing buildings in the three languages most spoken by persons living in the building. Such posting shall be downloadable on a City-hosted webpage. In addition, Senior Housing building owners shall provide a paper copy to all persons living in Senior Housing in the primary language of each resident.

5-25-040 Property Management Training.

On-site property managers, security personnel, and all other staff with contact to residents of Senior Housing must attend a bi-annual training on the Senior Housing Ordinance, to be conducted by the Department of Family & Support Services Senior Services Division. The training shall be developed by the Commissioner of the Department of Housing in consultation with community-based organizations or institutions with expertise in supporting senior citizens.

5-25-050 Senior Housing Inspections.

Senior Housing buildings must undergo bi-annual inspections by the Department of Buildings to ensure compliance with all required ordinances, elevator safety regulations, and building safety codes. The inspection report shall be made available to the persons living in the building through posting or otherwise.

5-25-060 Senior Housing Temperatures.

From June 1 through September 14, the temperature inside a unit within a Senior Housing building shall not exceed 80 degrees Fahrenheit.

5-25-070 Required Mobility Solutions.

Grab bars that comply with ICC/ANSI A1 17.1 must be installed at toilets, baths, and showers in all bathrooms in units within Senior Housing.

5-25-080 On-Site Maintenance Staff.

Within a Senior Housing building, owners must have 24-hour a day on-call maintenance staff who shall be subject to. criminal background and other pre-employment background checks.

5-25-090 Social Work Support Services.

Owners shall arrange for licensed social workers, community health workers, or community nurses to support residents with necessary service referrals and individual mental health services. Licensed social workers, community health workers, and community nurses working with senior buildings shall be

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supervised by a licensed clinic social worker. No resident may be required to accept such supportive services. Licensed social workers, community health workers, or community nurses shall coordinate with on-site resident service coordinators to administer programming including, but not limited to, sexual health programming, drug counseling services, and education around the Senior Housing Ordinance for all persons living in the building.

5-25-100 Security Plans.

Each Senior Housing building shall develop and maintain a security and emergency preparedness plan that addresses the age and condition of the building, the number and hours of security and maintenance staff needed for the building, building evacuation, and available data about police activity in the neighborhood. Tenants must be provided an opportunity with reasonable notice to give feedback to a security plan before it is implemented. Security plans must be reviewed and updated every 3 years. The security plan shall be made available to tenants in the building.

5-25-110 Additional Fees Prohibited.

Building owners of Senior Housing are prohibited from charging "lock-out fees" in the case of a lost unit key. Lockouts must be resolved within a two-hour period. Owners of senior housing are prohibited from charging fees for usage of community rooms or communal spaces beyond a reasonable security deposit.

5-25-120 Limited English-Proficient Tenants.

All notices to residents concerning the Senior Housing Ordinance must be translated into all languages

spoken in the building. Owners must notify limited English-proficient tenants in their primary language that they can request oral interpretation provided by the owner, property manager, or their designee.

5-25-130 Right to Organize.

To promote resident engagement in Senior Housing buildings, residents have the right to organize and elect an independent tenant association to represent their interests. Senior building owners, property managers, and other staff shall not prohibit, interfere with, or restrain the activities of a tenant association or its members, such as canvassing in the building, door-knocking, and posting signs in common areas, about association meetings and information.

5-25-140 Grievance Procedures.

Each Senior Housing building shall have a grievance procedure for addressing resident or prospective resident concerns regarding an action or inaction by an owner of a Senior Housing building, including the owner's employees, agents or designees. No resident may be required to exercise rights under any grievance procedure nor shall failure to exercise any rights under a grievance procedure constitute a waiver by the resident, or prospective resident, of the right to pursue other available remedies. If a

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grievance procedure repeatedly fails to achieve the prompt and reliable determination of grievances, it shall be deemed deficient and shall be amended or replaced.

5-25-150 Alternative Dispute Resolution.

Each Senior Housing building shall have an alternative dispute resolution process for any tenant lease violation or other action which could result in a notice-to-quit, eviction action, or non-renewal of lease. The alternative dispute resolution process must include as its first step intervention by the licensed social worker, community health worker, or community rturse working with the building to assess the situation, and work toward an alternative resolution to eviction of the tenant that is acceptable to all parties. The alternative dispute resolution shall not apply to any lease violation or other action resulting from criminal activity by a tenant.

5-25-160 Freedom from Harassment.

Within Senior Housing buildings, tenants hall be free from illegal harassment prohibited under federal, state, and local law. Owners of Senior Housing buildings shall provide a plain language notice to all persons living in Senior Housing in the primary language of each resident of their right to be free from harassment under federal, state, and local law.

5-25-170 Complaints.

Complaints for violations of the section may be made by any resident of the City to the Department of

Housing. The telephone number for the Department of Housing and the manner in which a complaint is made must be given to each resident upon signing their lease, and posted in the building in the three languages most spoken by persons living in the building.

5-25-180 Violations.

Upon the determination that there is a violation of any provision of this Section or any rule or regulation promulgated under this section, the owner shall be fined up to \$1,000.00 for each offense. Each day an offense continues is a separate and distinct violation.

SECTION 2. This ordinance shall be effective after passage and publication.

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**Chicago City Council Co- Sponsor Form for the Senior Housing Bill
of Rights**

Subject: Senior Housing Ordinance Presented to: City

Council Members

Alderman

Ward)

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Please add an asterisk^*) to your name if you would like to sign on as a lead sponsor

(2 ft^ Ward)

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Council Members

'Please add an asterisk^') to your name if you would like to sign on as a lead sponsor

Alderman

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Alderman

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Council Members

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Alderman

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