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Community Service Requirements Force Tough Decisions on Some Chicago Public Housing Tenants

By Andrew Dougherty

The Chicago Housing Authority's Economic Independence Policy requires some public housing tenants to perform community service each month in addition to their required rent, but the policy does not sit well with some housing advocates.

The Economic Independence Policy is a requirement on all tenants of the CHA to perform 30 hours per month of community service. Exemptions are made for those tenants who are over 62 years old, who work at least 30 hours per week, or for those tenants who are disabled or serve as the full-time caretaker for a disabled person.

Christine Farrell, the housing attorney at the Cabrini Green Legal Aid Clinic, views the minimum rent and community service requirements as an example of CHA "crossing the line of paternalism." Of particular concern to housing advocates like Farrell is CHA's failure to exempt single parents from the new requirements. "If you have to raise several children all on your own," Ms. Farrell said, "then being a parent is your job. These new requirements fail to recognize that reality."

Under the policy, community service is defined as "unpaid work that benefits the property or the local neighborhood." Tenants who cannot make their monthly minimum rental payment are required to perform an additional eight hours of community service per month. While a tenant cannot be evicted for failure to pay the minimum monthly rent, a tenant can be evicted for failing to perform their community service requirement.

The current housing regulations promulgated by the Dept. of Housing and Urban Development and administered through local public housing authorities afford public housing tenants a choice in their rental calculation between a flat rental amount and one that is based on the household's income. The flat rent is derived from the market value of the unit. An income-based rental amount is calculated at 30 percent of the tenant's adjusted income, or 10 percent of the tenant's gross income, whichever is greater.

Under the income-based calculation, it is

likely that an extremely impoverished tenant would owe little or no monthly rent. In response to this situation, local public housing authorities such as the Chicago Housing Authority are given the option by HUD to charge a minimum rental amount of up to \$50 per month.

The CHA initially chose not to impose minimum rents on their tenants. This policy changed, however, in the spring of 2004. Under the CHA's current Admissions and Continued Occupancy Policy, a tenant's rent shall never be less than \$25 per month. The burden imposed by this minimum rent requirement is, at first blush, lessened by CHA's hardship exemption, which allows the tenant to avoid paying the monthly minimum. The primary "exemption" is that CHA will not evict a tenant who is unable to pay the \$25 minimum.

However, a tenant qualifying for a hardship exemption is not necessarily excused from paying rent. If the tenant has an income, however meager, she is still subject an income-based determination of her rental obligation. In other words, even though she is unable to pay the \$25 minimum, she still must pay either 30 percent of her adjusted monthly income or 10 percent of her gross income, whichever is greater. For example, if a tenant's income is \$200 per month, she would still be required to pay \$20 rent, even though she qualifies for the hardship exemption. Further, the tenant must also perform additional community service under the Economic Independence Policy.

For Farrell, the implications of the new policies are clear. For single parents, "time is their most precious commodity, and their time is already stretched to the limit by their obligations to raising their children." Instead of seeking ways to reduce this burden, such as forming tenant-run daycare programs, the new requirements of the Admissions and Continued Occupancy Policy "have simply added to the burden of the most impoverished public housing tenants without providing any form of relief," she said.

The CHA did not respond to inquiries regard-

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"If you have to raise several children all on your own, then being a parent is your job. These new requirements fail to recognize that reality."

-Christine Farrell, attorney

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ing the policies behind the new minimum rent and community service requirements.

The unmitigated burdens imposed by these new provisions "simply set single parents up to fail," Farrell said. "And the price of this failure is steep. It's either less time with their children, or eviction from public housing."

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Bridging the Generation Gap: Grandparents Raising Grandchildren

By Felisha L. Thomas

For centuries, grandparents have been involved in the raising of their grandchildren, however this trend has exploded with more than a 76 percent increase since 1970.

Between 1990 and 2000, the number of children in such households increased by 30 percent. According to U.S. 2000 census data, nearly 2.5 million grandparents in the United States are heads of households, with primary caregiving responsibilities for more 4.5 million children under the age of 18. Further, it is suggested that there are likely many more children in informal care arrangements than data reflects.

The occurrence of grandparents raising grandchildren happens for many reasons. The circumstances may involve death of a parent, financial hardship, illness, immaturity, child abuse, neglect, or even substance abuse. Whatever the reason, grandparents often must step in to give their grandchildren what they need, and what they cannot receive, from their parents. However, challenges emerge as grandparents become second-time parents.

According to Barb Schwartz, coordinator of the Grandparents Raising Grandchildren Program of Illinois, "there are so many obstacles they face; it's like peeling onion, layer after layer."

One such challenge is the increased financial pressure on many grandparents already on tight budgets. Some grandparents stop working because they cannot afford child care. Other grandparents begin new jobs after retirement, or take on a second job to bear the extra financial burden. These households are twice more likely to live in poverty than other American families. Another challenge for grandparents raising grandchildren involves dealing with the emotional and psychological issues that occur in these new living situations.

Raising grandchildren can also pose legal challenges. A biological relationship to the grandchildren does not automatically create a legal relationship. Usually grandparents assume responsibility for their grandchildren through informal agree-

"I love my grandkids and my kids. I feel like if I do not take care of them, no one else will."

-Lillie Cotton, grandmother

ments. The state is not involved in creating these relationships, and is usually unaware of grandparent's role in caring for the children. Without legal authority, a grandparent may have significant difficulties enrolling the children in school, obtaining medical services, and qualifying for public benefits.

"It is so difficult to get legal standing to get services," said Schwartz. "I have known many grandparents [who] have spent \$10- to \$60,000 on legal fees to become guardians. What grandparent really wants to go into court and say their child is an unfit parent?"

Many grandparents are reluctant to begin legal action against an adult child who is the parent of the grandchildren in their care. They may legitimately fear that applying for public benefits on behalf of the child will lead the parent to retaliate by removing the child. Seeking public benefits may also cause the state to go after the parents for child support. Despite a parent's dysfunction, most grandparents are hopeful that the parent will rehabilitate, and are usually not interested in estranging the parent from the child.

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