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Contacts:

Michelle Nicolet, Shriver Center
(P): 312.368.2675

mnicolet@povertylaw.org

Sasha Samberg-Champion, Relman, Dane & Colfax
(P): 202.728.1888

ssamberg-champion@relmanlaw.com

Anne Houghtaling, HOPE Fair Housing Center
(P): 630.690.6500 ext. 114

Anne.Houghtaling@hopefair.org

City of Peoria, IL Sued for Race and Sex Discrimination

Federal Civil Rights Lawsuit Challenges Enforcement of Local Nuisance Ordinance

Chicago, IL—HOPE Fair Housing Center filed a federal lawsuit against the City of Peoria, Illinois on Thursday, alleging that the City’s enforcement of its “chronic nuisance ordinance” unlawfully targets African-Americans and survivors of domestic violence—violating the Fair Housing Act on the basis of race and sex and resulting in unwarranted evictions.

The lawsuit comes after an extensive investigation of Peoria’s enforcement of its chronic nuisance ordinance—a local law which requires landlords to evict tenants at certain homes that the City deems to be “chronic nuisances,” simply because the properties have been the subject of multiple police contacts. The investigation, conducted by HOPE, found that Peoria does not enforce the ordinance equally at all homes that could be eligible under the ordinance’s broad terms. Rather, the City selectively enforces its ordinance against a small fraction of eligible buildings, most of which are located in predominantly African-American communities or have primarily African-American tenants. As a result, African-American residents regularly face eviction for conduct that does not result in eviction for white residents—perpetuating Peoria’s long-standing residential segregation. The starkly discriminatory nature of Peoria’s nuisance ordinance enforcement is clearly evinced in maps included in the complaint.

“It is shocking to find that a local ordinance is being used as a blunt instrument of housing discrimination,” said Anne Houghtaling, Executive Director of HOPE Fair Housing. “Peoria has been on notice for some time that its ordinance was being applied in a discriminatory manner but took no steps to stop it. It is particularly disturbing that the City is encouraging landlords to violate laws meant to protect tenants’ rights and lock tenants out without due process. Everyone can agree that safety is something all communities want, but this is not the way to achieve that.”





HOPE's investigation also found that tenants affected by the ordinance are given no opportunity to challenge nuisance allegations leveled against them, and that Peoria pressures landlords to force them out without going through a normal eviction process or otherwise complying with landlord-tenant law. Some evictions were even executed based on allegations that were demonstrably empty. Crime victims—including survivors of domestic violence, most of whom are women—were also regularly targeted for eviction under the ordinance, effectively punishing them for seeking help from the police. Fair housing advocates worry that this makes communities less safe by discouraging tenants from calling for help when its needed.

“These laws undermine public safety by forcing crime victims to suffer in silence and criminalizing renters, especially those who are people of color,” said Kate Walz, Director of Housing Justice at the Sargent Shriver National Center on Poverty Law, which has extensively studied the spread of nuisance ordinances around the country. “Local governments should consider other methods for improving public safety that do not jeopardize tenants’ housing rights, such as working directly with renters as partners to improve the quality and safety of their housing.”

Hundreds of municipalities around the country have adopted versions of such nuisance ordinances in recent years. Studies have shown that nuisance ordinances can be discriminatory in practice, as proved to be the case in Peoria.

“Peoria is not alone in enforcing a nuisance ordinance to deprive people of needed housing in such a discriminatory way,” said John P. Relman, managing partner of Relman, Dane & Colfax PLLC. Earlier this year, Relman’s firm also filed a challenge to Maplewood, Missouri’s nuisance ordinance enforcement.

The lawsuit was filed in the U.S. District Court for the Central District of Illinois. HOPE is represented by nationally recognized civil rights law firm Relman, Dane & Colfax PLLC and the Sargent Shriver National Center on Poverty Law.

A full copy of the complaint can be found here:

povertylaw.org/files/advocacy/housing/PeoriaSuit/PeoriaComplaint.pdf

Maps illustrating discriminatory enforcement can be found here:

povertylaw.org/files/advocacy/housing/PeoriaSuit/2010PeoriaMap.pdf

povertylaw.org/files/advocacy/housing/PeoriaSuit/PeoriaNuisanceMap.pdf

povertylaw.org/files/advocacy/housing/PeoriaSuit/PeoriaArmadilloMap.pdf

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Relman, Dane & Colfax is a civil rights law firm based in Washington, D.C., with additional offices in Ohio and New Mexico. We litigate civil rights cases in the areas of housing, lending, employment, public accommodations, education, and police accountability. Our national practice includes individual and class action lawsuits on behalf of plaintiffs who have suffered discrimination and harassment on the basis of race, national origin, color, religion, sex, disability, age, familial status, source of income, and sexual orientation. www.relmanlaw.com

HOPE Fair Housing Center, established in 1968, is the oldest fair housing center in Illinois. HOPE Fair Housing Center seeks to create equal housing opportunities regardless of race, color, religion, national origin, sex, disability, familial status, or any other characteristics protected under state or local laws. Located in Wheaton, HOPE serves 30 counties in northern and north central Illinois. www.hopefair.org

