

# Law Office Daniel Lauber

Daniel Lauber, AICP

Over 40 years experience in planning, law, and fair housing

**Attorney/Planning Consultant. Planning/Communications {1979+} and the Law Office of Daniel Lauber {Nov. 1985+}**

- We help cities and counties bring their zoning provisions for community residences for people with disabilities (group homes, sober homes, small halfway houses) and recovery communities into compliance with the nation's Fair Housing Act and applicable state statutes that comply with the Fair Housing Act. Before drafting zoning amendments, we conduct a thorough report that provides the planning rationale that enables the client jurisdiction to legally require a spacing distance and licensing and/or certification for community residences and recovery communities. We also write licensing ordinances for community residences for which the state does not have a licensing requirement such as sober living homes, recovery residences, and recovery communities.
- We provide consulting services to municipalities, counties, and states on planning, zoning, housing, and fair housing matters.
- We provide other planning and legal services as needed including developing land-use regulations and comprehensive plans for municipalities; site selection; developing affordable housing policy and programs; and public relations and communications. Activities include legal representation, expert testimony, report and plan preparation.
- We conduct Analyses of Impediments to Fair Housing Choice and Assessments of Fair Housing, and prepare Fair Housing Action Plans for cities, counties, consortiums, and states that receive CDBG funds as required by the U.S. Department of Housing and Urban Development. These analyses include an evaluation of the jurisdiction's zoning provisions for community residences for people with disabilities.
- We conduct studies of housing needs and provide expertise on techniques to preserve existing affordable housing and generate new affordable housing.
- We design and conduct random sample surveys of citizens and other populations using sound, scientific methods that produce accurate, representative results.
- We turn local government studies, plans, and zoning codes into clear, understandable, and visually pleasing documents that a lay person can understand.

## Prior Professional Experience

### **Lecturer. Department of Sociology and Anthropology, Loyola University of Chicago {Autumn 1989}**

Taught undergraduate course, Sociology 125 — Chicago: Growth of a Metropolis primarily to juniors and seniors. Course combined sociology, urban planning, and urban history to expand upon the usual course curriculum offered.

### **Researcher. Lawyers Committee for Better Housing, Chicago, Illinois {Summer, 1983}**

Prepared detailed study recommending reforms in the housing receivership process for Illinois municipalities. Prepared for Chicago Mayor Harold Washington's Transition Team.

### **Adjunct Professor of Environmental Science. Division of Science, College of Arts and Sciences, Governors State University, University Park, Illinois {1979–1980}**

Guest lecturer for planning courses; conducted research on effects and regulation of condominium conversions and the use of social impact analysis in municipal planning.

### **Columnist. *Chicago Sun–Times* {1979}**

Created and wrote “CondoWatch” column, first regular newspaper feature on condominium conversion in the United States.

### **Senior Planner. Planning Division, Village of Oak Park, Illinois {1977 – 1979}**

Researched and wrote award-winning Comprehensive Plan 1979 in compliance with 701 Comprehensive Planning Assistance requirements; prepared grant applications and budgets; prepared zoning ordinance revisions and reports; reviewed zoning applications and proposed ordinances; worked with code enforcement personnel; supervised assistant planners; provided staff assistance to Plan Commission and Village Board of Trustees.

### **Senior Planner/701 Program Coordinator. Office of Research and Planning, Illinois Department of Local Government Affairs (predecessor to Department of Commerce and Community Affairs) {1975 – 1977}**

Administered 701 Comprehensive Assistance Program for northeastern Illinois; prepared 701 applications and budgets; provided technical assistance by written report and oral presentation to local governments on planning, administration, risk management, home rule, downtown and economic development, annexation, incorporation, code enforcement; conducted workshops on housing; trained and supervised agency staff; prepared articles and grant applications; prepared chapters of the state land-use plan.

### **Research Associate. Planning Advisory Service, American Society of Planning Officials (predecessor organization to the American Planning Association) {1972 – 1975}**

Researched and wrote Planning Advisory Service reports, magazine articles, and ASPO's comments on federal legislation; answered over 1,500 inquiries from planning agencies and consultants on all aspects of planning and administration.

### **Principal Contributing Consultant. American Bar Association Advisory Commission on Housing and Urban Growth {Spring 1975}**

Researched and wrote zoning hearing examiner portion of “Improving the Administration of Land Use Controls,” in *Housing for All Under Law: New Directions in Housing, Land Use, and Planning Law*, (Ballinger Publishing Company), 1977.

**Consultant.** The Planning Group, Urban Investment and Development Company, Chicago, Illinois (since acquired by JMB Realty) { 1971 – 1972}

Prepared study of open space programs; prepared reports on new town planning concerning: mass transit, governmental districts, annexation and PUD provisions, economic indicators, quality of life, youth needs, buyer profiles; prepare analysis of proposed purchase of industrial park.

## Professional Memberships and Honors

### Board of Directors:

American Planning Association (APA): **President:** 1985–86; Director: 1978–79, 1981–87; 1992–94; 2003–2005

American Institute of Certified Planners: **President:** 1992–94, 2003–2005; Commissioner: 1992–1995; 2002–2005

American Society of Planning Officials: Director: 1976–78

Oak Park Regional Housing Center: 1995–2003

Metro–Help (National Runaway Switchboard): 1977–79

University of Illinois Alumni Association: 1983–85

American Association on Mental Retardation, Region VI Executive Committee, 1988–1991; Legal Advocacy Vice Chairman: 1988–91

### Additional memberships:

American Bar Association: 1983+

Committee on Regulation of Land Use: 1987–1992

Chairman, Group Home and Congregate Living Subcommittee: 1989–1992

Group Home Model Zoning Ordinance Subcommittee: 1987–1989

Committee on Condominiums, Cooperatives and Homeowner Associations, Section of Real Property, Probate, and Trust Law: 1983–85

Chicago Bar Association: 1986+

Constitutional Law and Civil Rights Committee: 2007+

Real Property Law Committee, Subcommittee on Zoning and Land Use, Vice Chair: 1989–1990; member: 1986–2001

Local Government Committee: 1986–2001

Illinois State Bar Association, 1986–2000

Local Government Committee, 1993–1994

American Planning Association, 1979+:

Ad Hoc Committee on National Housing Policy: 1987–1988

National/State Policy Coordinating Committee: 1989–1990

Planners Support Committee: 1994–1995

### Awards:

- ◆ 2009 Best Practices Award from the Illinois Chapter of the American Planning Association for the *Analysis of Impediments to Fair Housing Choice in the City of Naperville, Illinois 2007*
- ◆ 1998 Paul Davidoff Award from the American Planning Association for demonstrating a sustained social commitment to advocacy planning in support of the needs of society's less fortunate members
- ◆ 1991 Illinois American Planning Association Chapter Award of Merit for Program or Project of Unusually High Merit Performed Under Serious Budgetary, Staff, or Political Constraints
- ◆ 1983 Illinois American Planning Association Chapter Award of Merit for *Oak Park Comprehensive Plan 1979*
- ◆ 1997 Mid–America Publishers Association Award for “Best Makeover” in book design for *Professional's Job Finder* book
- ◆ 1995 Benjamin Franklin Award: “Most Improved Redesign” for *Government Job Finder* book
- ◆ 1994 National Gold Ink Competition Pewter Award for design and production of the *Non–Profits' Job Finder*, 3rd edition

## Education and Bar Admission

Admitted to the Bar of the Supreme Court of the United States (March 1, 1995)  
Admitted to Illinois Bar (Nov. 1985) and U.S. District Court for Northern District of Illinois (Dec. 1985)  
“Fair Housing Skills Training Program” conducted by The John Marshall Law School, February 1996  
**Juris Doctor, Northwestern University School of Law: June 1985**  
Dean’s List: Autumn 1984, Spring 1983, Autumn 1983  
Student Funded Public Interest Fellowship: Summer 1983  
Chairman, Course Evaluation Committee, Student Bar Association, 1984–1985  
**Masters of Urban Planning, University of Illinois (Urbana): June 1972**  
Research and Teaching Assistant: 1970–1972  
**B.A. (sociology), University of Chicago: June 1970**  
Dean’s List: 1968–69, 1969–70

## Group Homes and Other Community Residences Including Sober Homes and Recovery Communities

(Partial Listing)

### Planning:

*Governor’s Planning Council on Developmental Disabilities* — Conducted and published scientific study of impacts of group homes on property values, neighborhood stability, and safety in the surrounding neighborhoods; Sept. 1986

*Illinois Department of Mental Health and Developmental Disabilities, Division of Developmental Disabilities, Region Two (9-county Chicago region)* (1980–1981) — Managed year-long project on zoning for family and group care homes for the developmentally disabled, consisting of technical assistance, expert testimony, ordinance analysis and preparation, workshops, public education and public relations, site selection, analysis of state legislation

*Philadelphia Department of Mental Health and Mental Retardation* — Advised planning, law, building inspection, and zoning officials on zoning for group homes.

*North Shore Association for the Retarded* (name has since been changed to *Shore Community Services, Inc.*) — Devised and coordinated successful efforts to win zoning approval for group homes for developmentally disabled adults in Evanston, IL; expert witness on effects of group homes (1982)

*Lake County, IL Dept. of Planning, Zoning, and Environmental Quality* — Consultant to the defense in unsuccessful court challenge to location of halfway house for prison pre-parolees.

**Legal** (jurisdictions for which zoning amendments were written are in bold face; also see next section entitled “Consulting: Planning and Law”):

### Government

**Amicus Brief, *City of Edmonds v. Washington State Building Code Council*, 514 U.S. 725 (1995)**: Principle author of the American Planning Association’s Amicus Curiae Brief on behalf of respondents. Decided May 15, 1995 for the respondents. Several observers of the case believe that this brief is one of several that had a significant influence on the outcome.

**Palm Beach County, Florida** (2019–2021) — Consulting attorney to the county on zoning for community residences for people with disabilities, recovery communities, and other congregate living arrangements. Produced the 83-page study *Zoning Analysis and Framework for Community Residences for People With Disabilities and for Recovery Communities in Palm Beach County, Florida* (June 2020) to guide the county’s revisions to its *Unified Land Development Code*. Also produced FAQs, conducted briefings of County Commissioners, participated in meetings with the public and public hearings. Collaborated with county staff to draft amendments to the county’s *Unified Land Development Code* that also included other congregate living arrangements.

**West Palm Beach, Florida** (2018–2021) — Consulting attorney to the city on zoning for community residences for people with disabilities and recovery communities. Conducted the 70-page study *Zoning Principles for Community Residences for People With Disabilities and for Recovery Communities in West Palm Beach* (October 2018) to guide the city’s revisions to its zoning treatment of community residences for people with disabilities and recovery communities. Collaborated with city staff to draft amendments to the city’s *Land Development Code* for community residences and recovery communities.

**Oakland Park, Florida (2020)** — Consulting attorney to the city on zoning for community residences for people with disabilities and recovery communities. Conducted the 69–page study *Zoning Principles for Community Residences for People With Disabilities and for Recovery Communities in Oakland Park* (March 2019) to guide the city’s revisions to its zoning treatment of community residences for people with disabilities and recovery communities. Collaborated with city staff to draft amendments to the city’s *Land Development Code* for community residences and recovery communities. Wrote guidelines for implementation and evaluating conditional use applications and FAQs explaining the proposed zoning in plain English.

**Cave Creek, Arizona (2020)** — Consulting attorney to the town on zoning for community residences for people with disabilities. Conducted the 51–page study *Zoning Principles for Community Residences for People With Disabilities in Cave Creek, Arizona* (Sept. 2019) to guide the town’s revisions to its zoning treatment of community residences for people with disabilities. Produced FAQs to explain the proposed zoning in plain English. Collaborated with staff to draft amendments to the town’s *Zoning Ordinance* for community residences and wrote guidelines for implementation and evaluating applications for a “Disability Accommodation Permit.” Testified as expert witness at public hearings.

**Expert Witness on Mandatory Certification of Sober Homes Before the Florida State Senate** (Feb. 11, 2019) — Provided expert testimony on Senate Bill 102 to the Children, Family, and Elderly Affairs Committee explaining the legal basis for requiring certification of sober homes and recovery communities in Florida. At the time, certification was voluntary. Addressed how mandatory licensing does not run afoul of the nation’s Fair Housing Act.

**Pompano Beach, Florida (2018)** — Consulting attorney to the city on zoning for community residences for people with disabilities. Conducted the 64–page study *Pompano Beach, Florida: Principles to Guide Zoning for Community Residences for People With Disabilities* (June 2018) to guide the city’s revisions to its zoning treatment of community residences for people with disabilities and recovery communities. Drafted amendments to the city’s *Land Usage Code* for community residences and recovery communities (possibly the first ordinance to address recovery communities) as well as guidelines for implementation and evaluating special exception applications. Produced draft zoning application form for community residences and recovery communities. Testified as expert witness at public hearings.

**Phoenix, Arizona (2017–2018)** — Consulting attorney to the city on revising its zoning provisions for community residences for people with disabilities. Conducted the 40–page study *Phoenix, Arizona: Principles to Guide Zoning for Community Residences for People With Disabilities* (Feb. 2018) to guide the city’s revisions to its zoning treatment of community residences for people with disabilities.

**Fort Lauderdale, Florida (2018)** — Consulting attorney to the city’s law firm Lewis Stroud & Deutsch on zoning for community residences for people with disabilities. Conducted the 61–page study *Fort Lauderdale, Florida: Principles to Guide Zoning for Community Residences for People With Disabilities* (Feb. 2018) to guide the city’s revisions to its zoning treatment of community residences for people with disabilities. Provided consulting services on zoning amendments drafted by the city’s attorney which were derived in part from the 2017 Delray Beach zoning amendments.

**Delray Beach, Florida (2017)** — Consulting attorney to the city attorney’s office on zoning for community residences for people with disabilities. Conducted the 55–page study *Delray Beach, Florida: Principles to Guide Zoning for Community Residences for People With Disabilities* (2017) to guide the city’s revisions to its zoning treatment of community residences for people with disabilities. Drafted amendments to the city’s zoning code adopted in July 2017. Produced zoning application form and guidelines for submitting conditional use permit applications as well as guidelines for evaluating conditional use permit applications. Testified as expert witness at public hearings.

**Prescott, Arizona (2016)** — Consulting attorney to the city attorney’s office on ordinance to establish licensing for structured sober living homes as permitted by state legislation adopted earlier in the year. Prepared licensing ordinance designed protect the residents of structured sober living homes from abusive practices, require training and oversight of staff, and require each home to establish a policy that provides a safe discharge of residents.

**Prescott, Arizona (2013–2015)** — Consulting attorney to the city attorney’s office on zoning for community residences for people with disabilities. Prepared the 2015 study *Prescott, Arizona: Principles to Guide Zoning for Community Residences for People With Disabilities* to guide the city’s revisions to its zoning treatment of community residences for people with disabilities and drafted language for amendments to the city’s zoning code that the City Council adopted. Following adoption of the zoning ordinance amendments, the U.S. Department of Housing and Urban Development terminated its investigation of Prescott’s zoning treatment of community residences for people with disabilities. The zoning and licensing ordinances, coupled with the insurance industry’s crackdown on scam artists, filtered out the scam artists and reduced the number of recovery residences or sober homes by more than 70 percent.

**Herrin, Illinois (2013)** — Drafted zoning amendments covering community residences for people with disabilities to bring Herrin zoning into compliance with the Fair Housing Act; researched and wrote the study *Principles to Guide Zoning for Community Residences for People With Disabilities in Herrin, Illinois*, June 2013; presented expert testimony to the city’s Zoning Board of Appeals.

**Dublin, Ohio (2014)** — As consulting attorney to the city’s law firm Frost Brown Todd LLC, we prepared a 33–page study, *Dublin, Ohio: Principles to Guide Zoning for Community Residences for People With Disabilities*, that established the basis for zoning code amendments we drafted with the city’s law firm to bring the city’s zoning

provisions for community residences for people with disabilities into compliance with the nation's Fair Housing Act.

**Willow Springs, Illinois (2013)** — Provided legal assistance on zoning for community residences for people with disabilities in compliance with the Fair Housing Act.

**Dallas, Texas (2012)** — Provided legal assistance to the City Attorney's office with a focus on compliance with the nation's Fair Housing Act on the drafting of a new ordinance to license community residences not subject to licensing by the State of Texas

**Boulder City, NV (2012)** — Conducted zoning analysis for proposed use to determine whether it was a residential use or institutional use under the city's zoning code

**Clark County, NV (2006–2008)** — Legal and planning consultant to Clark County in defense and settlement of group home fair housing and zoning federal lawsuit, *Nevada Fair Housing Center, Inc. v. Clark County*

**Boulder City, Nevada (2010)** — Prepared report and amendments to zoning code for community residences for people with disabilities. Conducted joint City Council and Planning Commission workshop.

**Mesquite, Nevada (2010)** — Prepared report and amendments to zoning code for community residences for people with disabilities. Conducted City Council workshop.

**Clark County, Nevada (2005–2006)** — Prepared study and amendments to the county's zoning code for community residences for people with disabilities. Provided expert testimony at public hearing.

**Open Door Rehabilitation Center (2004–2005)** — Wrote zoning text amendments to provide as of right for community residences for people with disabilities in **Sandwich, Illinois**. Served as expert witness for these text amendments as well as area variances and special use permit for group homes for people with developmental disabilities. Prepared request to Illinois Department of Mental Health and Developmental Disabilities for waiver of license-imposed spacing distance. Provided expert testimony at public hearing.

**City of Trotwood, Ohio (1997)**: Expert consultant in federal court case; wrote zoning ordinance amendments for community residences as part of proposed case settlement

**City of Springfield, IL (1997)**: Expert witness and consultant in federal court case

**City of Altoona, Pennsylvania (1994–1995)** — Legal consultant to draft comprehensive zoning ordinance amendments to regulate group homes, halfway houses, shelters, and other community residences in accord with the 1988 amendments to the federal Fair Housing Act.

**City of East Peoria, Illinois (1993)** — Legal consultant; wrote comprehensive zoning ordinance amendments to regulate group homes, halfway houses, shelters, and other community residences in accord with the 1988 amendments to the federal Fair Housing Act

**Illinois Planning Council on Developmental Disabilities (1990–1991)**: Project to implement Illinois' Community Residence Location Planning Act which required all 110 home rule municipalities to prepare plans showing how they intend to amend their zoning ordinances for group homes to bring them into compliance with 1988 amendments to the federal Fair Housing Act. Conducted seven workshops for municipal officials; provided technical assistance to city attorneys and planners; wrote zoning amendments for 11 cities; appeared as expert witness before local plan commissions; wrote guidebook and legal analysis; wrote model zoning ordinance provisions; wrote report for Illinois General Assembly including recommendations for state legislative action; prepared press releases; evaluated 99 ordinances for compliance with the Fair Housing Act's 1988 amendments. **This project received the 1991 award from the Illinois Chapter of the American Planning Association for a "Planning Program of Unusually High Merit Performed Under Serious Budgetary, Manpower, or Political Constraints."**

**Park District of Alsip (1990–91)**: Co-counsel in successful court defense against claim of violation of Fair Housing Act by group home operator. *Alsip Park District v. D&M Partnership*, Case No. 89 L 51342, Circuit Court of Cook County, IL. August 2, 1991.

**Oxford, Ohio (1989)** — Co-conducted with attorney/planner Brian Blaesser a critical assessment of the city's zoning ordinance regarding zoning for community residences for people with disabilities; drafted amendments to the city's zoning ordinance

**Illinois Department of Mental Health and Developmental Disabilities, Division of Developmental Disabilities (1983)** — Provided technical assistance to service providers and municipal and county officials on zoning for group homes, wrote model zoning provisions for local governments, conducted workshops on group home zoning for local officials

## Community Residence Providers

**Story Cottage (2018+)** — Provided assistance to obtain zoning approval from Indianapolis and Carmel, Indiana for group homes for the frail elderly with memory issues. Worked with municipal staffs to recognize that statewide zoning for group homes and their own local zoning provisions for group homes for specified disabilities also apply to group homes for the frail elderly.

**Camelback Ranch (2019+)** — Worked with this operator of sober living homes to obtain zoning approval from Arizona municipalities. Included instances where the proposed sober home was within the designated minimum spacing distance from another community residence, but unbeknownst to local officials, the other community

residence did not actually exist. Obtained “reasonable accommodations” to waive requirements for fire sprinkler systems for these sober homes.

*Stepping Stone Recovery (2019+)* — Helped this sober home operator obtain zoning approval from Arizona municipality and be granted a “reasonable accommodation” to waive requirements for fire sprinkler systems for these sober homes. Included an instance where the proposed sober home was within the designated minimum spacing distance from another community residence, but unbeknownst to local officials, the other community residence no longer existed.

*Centered Living Holdings’ Recovery Home (2018)* — Served as expert witness and advisor to local attorneys in successful application before Scottsdale, Arizona for a “disability accommodation” to replace an existing recovery residence with a “care home” holding a “behavioral health residential facility” license from the Arizona Department of Health Services. The site was located within the 1,200 foot spacing distance of an existing group home for the frail elderly and the city required that a “disability accommodation” be obtained to locate within that spacing distance.

*St. John Assisted Living Group Home (2017)* — As consulting attorney, obtained the first reasonable accommodation issued by Fort Collins, Colorado under its new zoning provision to enable this group home for the frail elderly to receive zoning approval. The city agreed to waive its zoning provision that required a larger lot size for group homes with more than three residents (and shelters for victims of domestic violence) than would be required for other single-family homes, thus averting a costly lawsuit.

*Forconi Group Home (2017)* — As consulting attorney, provided legal guidance to successfully receive a special use permit from Park County, Wyoming to establish a group home for four adults with developmental disabilities or traumatic brain injuries despite opposition from some neighbors in this largely rural area.

*Independent Advocacy Group (2016)* — Expert witness for a conditional use permit for a group home housing three people with developmental disabilities in Springfield, Illinois.

*Cardinal McCloskey Community Services (2014)* — As consulting attorney and planner, provided assistance to this group home operator to successfully prevent Bedford, NY from objecting under the state’s unique Padavan Law to the location of a proposed group home for four young adults with developmental disabilities. Prepared cover letter, FAQs, and annotated bibliography of property value studies for distribution to prospective neighbors inviting them to a coffee to learn about the proposed group home. Provided guidance to the operator for conducting the coffee and appearing at public hearings. Educated local town staff on the Fair Housing Act and appropriate zoning treatment of group homes.

*Astara House (2014)* — As consulting attorney, provided guidance to the Ziegler Metzger LLP attorney for this recovery community for people in recovery from drug and/or alcohol addiction to successfully receive a special use permit from Bedford, OH.

*The H Group (2012–2014)* — Represented The H Group in successful effort to secure zoning ordinance revisions to allow a community residence for people with developmental disabilities that a southern Illinois city rejected in June 2012. Parties’ agreement settling five housing discrimination complaints filed with HUD reached in March 2014. Provided consulting services on zoning for community residences in additional Illinois communities.

*Our Family Home (2013)* — Provided legal and planning assistance to operator of community residence for elderly with dementia or Alzheimer’s when Montgomery, Ohio sought to impose zoning restrictions illegal under Ohio state law and federal law. Met with neighbors of the proposed group home. Analyzed shortcomings in the zoning treatment of group homes by Montgomery, Ohio. Provided guidance to litigators who achieved successful settlement with the city to allow the community residence as a permitted use and to amend its zoning code to comply with Ohio and federal law.

*LifeCare Homes of America (2011–2013)* — Represented operator of proposed group home for the frail elderly before homeowners’ association regarding restrictive covenants. Persuaded the homeowners’ association to drop its opposition to the group home, stop obstructing architectural approvals, and amend its restrictive covenants to comply with the Fair Housing Act. Obtained opinion from the county verifying that the group home is a permitted use allowed as of right.

*Tranquility House (2011–2012)* — Represented operator of recovery home in application for a special use permit in Blue Island, Illinois.

*Plum Creek Senior Group Home (2011)* — Represented operator of proposed group homes for the frail elderly in negotiations with the City of Park Ridge, Illinois.

*Kings Treatment Center (2008–2009)* — Provided legal representation on zoning matters for group home proposals in Winfield, Kansas

*Habilitative Systems (2009)* — Provided legal representation on zoning matters for group home in Chicago

*Hope House (2008–2009)* — Provided legal representation on zoning and building code matters in Hillside, Illinois

*Sequoia Recovery Services (2007–2009)* — Provided planning and zoning law advice for recovery communities in Pontiac, MI

*Time to Change, Inc. (2006–2007)* — Provided legal and planning assistance to operator to win special use permit to establish a 120-bed community correctional facility in an industrial park in Commerce City, Colorado

*Recovery Resource Center (2003–2005)*: Represented the center in zoning matters in west suburban Cook County, Illinois and completely rewrote the center’s corporate by-laws

*King's Alcohol/Drug Treatment Center* (2005): Secured correct interpretation by county officials of zoning and housing code provisions for two recovery communities for young adults in Sedgwick County, KS

*Independent Lifestyles* (1996+): Represented this operator of group homes for the frail elderly and other people with severe physical disabilities on zoning and hazards reports issues before the City of Wauwatosa, WI (1996) and other Milwaukee–area cities including Franklin, WI (2006)

*Unity House* (2003–2005) — Represented recovery home for men addicted to alcohol or illegal drugs in zoning matters.

*Elgin Villa* (2003–2007) — Represented recovery homes for men addicted to alcohol or illegal drugs in zoning and housing code matters

*Poplar Place* (2004) — Secured corrected interpretation of zoning requirements to allow a group home for the frail elderly in a Milwaukee suburb

*Kevin Spilsbury* (2004) — Represented neighbors responding to zoning proposal for mini–institution with 56 recovering addicts and alcoholics in two adjacent houses in a fenced compound in Clark County, NV

*Chabad of California* (1999–2001): Provided legal guidance in a variety of zoning and building code matters in Los Angeles, CA, regarding residential rabbinical schools and colleges, drug treatment centers, and recovery communities.

*Yellow Brick Road Recovery Community* (2001+): Represented operator in response to \$1,000 ticket from Village of Maywood, IL, for violation of the zoning code. Violation was nonsuited.

*Dungarvin of Wisconsin* (2001–2002): Ended efforts by LaCrosse, WI, to prohibit Dungarvin group home for adults with developmental disabilities from locating in a residential district — without having to file a lawsuit

*Dungarvin of Illinois* (1998–1999): Represented group home for adults with developmental disabilities in its efforts to locate in residential district in Cordova, IL (population: 600). Drafted revisions to the village's zoning code which the village board adopted with some changes that made the client's group home a permitted use.

*Senior Residential Care of America* (1997–1999): Represented this community–based residential facility for 20 frail elderly before the Village of River Hills, WI, in application for special use permit

*Villa Family Live–In Centers, LLC* (1996): Represented this operator of group homes for the frail elderly before the City of Oak Creek, Wisconsin for a special use permit

*Lighthouse Academy and Residential Center* (1995): Represented operator of proposed boarding school for abused, neglected, and abandoned teenagers placed by the Illinois Department of Children and Family Services seeking to locate in the City of Joliet, Illinois

*Lifecare Homes* (1996–97): Represented this operator of group homes for the frail elderly before the City of West Allis, Wisconsin, for an exception to the state's 2,500–foot spacing distance

*Jack Clark's Family Recovering Communities* (1995–1996): Represented this halfway house for individuals recovering from drug and alcohol addictions for a special use permit from the Village of Maywood, Illinois

*Villa Family Live–In Centers LLC* (1996) — Represented operator of group homes for senior citizens with disabilities before local plan commissions and zoning boards in Wisconsin

*Shelter, Inc.* (1992–1993)— Consultant on site acquisition for shelters for abused children

*Berde et al v. Albero* — Consultant to attorneys for intervenors, Protection and Advocacy, Inc., Oakland, California — seeking to prevent use of restrictive covenant to exclude group home

*Dungarvin, Inc.* (1993) — Represented Dungarvin before Lakewood, Colorado, zoning board to obtain special use permit for group home for residents with developmental disabilities.

*Proviso Family Services*: Served as attorney and expert witness in public hearing for special use permit for group home for six women with mental illness. After winning approval of Maywood, Illinois, Plan Commission, the Village Board amended the zoning ordinance to make such group homes a permitted use.

*West Meadowview Civic Association v. Kankakee County Training Center for the Disabled*, Case No. 91–CH–80, 221st Judicial Circuit, Kankakee County, IL (1991). Served as co–counsel for defendant group home operator in challenge to group home based on restrictive covenant. Convinced plaintiff's attorney to drop the lawsuit.

*Foundation for Chemical Dependency Programs* (1990): Represented operator seeking zoning map amendment and special use permit to open halfway house for teen–agers in recovery from drug and alcohol addiction in unincorporated Will County, Illinois. Also handled press relations. Zoning issued by 25–1 vote of County Board despite neighbor filing petition requiring a 3/4 vote for approval. Also handled licensing issues.

*Dungarvin, Inc.* (1991) — Served as attorney to successfully persuade Town of Schererville, Indiana, to withdraw zoning and code objections to proposed group home.

*Martin Luther Homes* — Served as attorney for special use permit hearing for group home for persons with mental illness.

### **Expert Witness:**

*United States v. City of Chicago Heights*, 161 F. Supp. 2nd 819 (N.D. Ill. 2001 — Expert witness for the U.S. Department of Justice on zoning and planning law issues. Deposed in 2000. Identified legal issues that led to district court's summary judgment decision in favor of the United States.



*Tracey P., et al v. Sarasota County*, C.A. No. 8:05–CV–927–JDW–EAJ, U.S. District Court, Middle District of Florida — Expert witness for defendant Sarasota County in federal lawsuit; deposited Dec. 20, 2006; case settled Dec. 2007.

*Rimrock Foundation v. City of Billings, et al*, Cause Number CV 06–162–BLG–CSO— Expert witness for Billings, Montana in federal lawsuit. Produced expert witness report that helped lead to settlement of the case (2008).

*T.W. and Southern Living Centers v. City of Belleville, IL* (1997) — Testified as expert witness on zoning and group home impacts in federal court case in Belleville, IL. Case No. 97–790–WDS (U.S. District Court, Southern District)

*City of Mattoon v. Heritage Enterprises of Charleston, Inc., The Graywood Foundation, Inc., and Mile Stones Midwest, Inc.* (1997–1998): Deposed as expert witness on group home exclusion case in state court in Mattoon, IL (Coles County Circuit Court Cause No. 97–MR–36)

*Ancheta v. Westborough Homeowners Improvement Association* (1997): Expert witness in California state court case involving application of restrictive covenants to group home.

*Staley, Staley and Huggins v. LB Properties* (1992) — Testified as expert witness in successful defense of neighbor effort to overturn ruling by East Peoria Zoning Administrator that group home (RFMS) was a permitted use. Illinois Circuit Court, Case No. 91–CH–64 (May 19, 1992).

*USA v. City of Chicago Heights and RFMS, Inc. v. City of Chicago Heights*, Civil Action No. 89 C 4981, U.S. District Court, N.D. of Illinois. Settled in favor of RFMS, 1990. Served as expert witness to Rosenthal and Schanfield law firm handling Fair Housing Act lawsuit against Chicago Heights for denying special use permit for group home. Resulted in settlement issuing special use permit for group home and \$45,000+ in fines and costs.

*Center for New Horizons* — Served as expert witness before Chicago Plan Commission seeking special use permit to establish a group home for displaced abused boys from the neighborhood; prepared argument portion of brief appealing denial of special use permit. Scheduled to appear as expert witness in court case which was eventually dropped.

*Cook County Legal Assistance (Chicago)* — Expert witness in successful zoning lawsuit to overturn denial of special use permit for day care center.

### Expert witness on proper zoning treatment and impacts of group homes or halfway houses on property values:

- *Helping Hand Center* (2010) — Expert witness before Cook County (Illinois) Zoning Board of Appeals for special use permit
- *Safehaven Group Home* (1995) — Expert witness before Cheltenham, PA, Township Zoning Board
- *Northwest Suburban Aid for the Retarded* (1994) — Expert witness in request for special use permit for group home located within 1,320–foot spacing distance
- *Oxford House–C. et al. vs. City of St. Louis* federal district court (1993) — Testified as an expert witness on behalf of Oxford House, a recovery community for people with alcohol and drug addictions.
- “K” Care, Inc. (1992) — Testified at court–ordered special use permit hearing in Lac du Flambeau, Wisconsin
- *Marshall v. L.B. Properties*, No. 91–CH–64, 10th Judicial Circuit, Tazewell County, Illinois (1992) — Testified in court as expert witness for group home operator in lawsuit that overturned the city’s effort to bar two group homes for adults with developmental disabilities.
- *Martin v. Constance* (1990) — Testified as expert witness in St. Louis federal court suit under Fair Housing Act
- *ARC Community Support Systems* (1990) — Effingham, Illinois, Fair Housing Act lawsuit, settled before trial
- *Grace House* — Deposed as expert witness on behalf of halfway house for alcoholic women in Louisville, Kentucky
- Martin Luther Homes, group home for persons with mental illness, Pontiac, IL
- Group homes for persons with developmental disabilities:
  - Grace–Harding Homes, Lawton, OK; Expert witness at trial on restrictive covenant to exclude group home; case decided
  - *Knisley v. Morgan County Housing*, No. 85–CH–12, 7th judicial circuit, Morgan County, Sept. 6, 1985. Expert witness for plaintiff Morrissey Construction in Jacksonville, Illinois, lawsuit. Case settled just before trial.
  - Residential Management Services, DuPont, IN (around 1990) — Testified as expert witness in state court on behalf of group home operator charged with violating zoning ordinance.
  - Corporation for Independent Living, Hartford, CT (around 1990) — Testified as expert witness in state court in successful challenge to attempt by condominium to treat group homes as businesses prohibited by condominium by–laws.
  - Clearbrook Center, Rolling Meadows, IL.

- North Shore Association for the Retarded, Evanston, IL.
- Macon County Community Mental Health Board, Decatur, IL (1979).

## Consulting: Planning and Law

(Partial listing; most community residence and fair housing experience is listed in the previous section entitled “Group Homes and Other Community Residences”)

### Planning:

#### Analyses of Impediments to Fair Housing Choice (AI)

Each analysis of impediments analyzed and reported on the client jurisdiction’s housing; land use regulations including zoning for community residences for people with disabilities; demographics; income; actual extent of integration; real estate practices; mortgage lending; housing affordability; relationship between public transportation, employment, and housing; and other factors that affect fair housing choice. The extent of integration is estimated fairly through a “Free Market Analysis” that takes into account actual household income and the actual cost of housing to approximate the proportions of each race and Hispanics of any race that would be expected to live in the jurisdiction and each census tract in a free housing market *not* distorted by housing discrimination.

District of Columbia — Researched and wrote ***Analysis Of Impediments To Fair Housing Choice Washington, D.C.*** with Lawyers’ Committee for Civil Rights Under Law and the Poverty and Race Research Action Council (PRRAC) (2019)

Fairfax County, Virginia — Researched and produced the ***Fairfax County, Virginia Analysis of Impediments to Fair Housing Choice 2016–2020***, 299 pages, 2017.

Houston, Texas — Researched and produced most of the ***2015 Analysis of Impediments to Fair Housing Choice, City of Houston***, Appendix 2: *Analysis of Houston’s Development Controls for Exclusionary Impacts* (pp. 177–199), Appendix 3: *Impacts of Development Regulations and Practices on Housing for People with Disabilities* (pp. 200–223), Appendix 4: *Free Market Analysis* (pp. 224–509), August 2015.

Billings, Montana — Researched and produced the ***Billings, Montana Analysis of Impediments to Fair Housing Choice 2012***, 141 pages, 2012.

District of Columbia — Researched and wrote the ***District of Columbia Analysis of Impediments to Fair Housing Choice 2006–2011***, 195 pages, 2012.

Lakewood, Ohio — Researched and produced the ***Lakewood, Ohio Analysis of Impediments to Fair Housing Choice 2011***, 94 pages, 2011.

Clark County, Nevada — Conducted and published the ***Clark County, Nevada Analysis of Impediments to Fair Housing Choice 2011***, included unincorporated Clark County, Boulder City, North Las Vegas, and Mesquite. 140 pages, 2011.

Murfreesboro, TN — Researched and produced the ***Murfreesboro, Tennessee Analysis of Impediments to Fair Housing Choice 2010***, 92 pages, 2010.

Naperville, Illinois — Conducted and published the ***Analysis of Impediments to Fair Housing Choice in the City of Naperville, Illinois, 2007***, 78 pages, 2007. Received a **2009 Best Practices Award** from the Illinois Chapter of the American Planning Association.

Naperville, Illinois — Researched and produced the 78–page ***Naperville Housing Needs and Market Analysis 2009***. In addition to unearthing demographic and housing market data, research included a random sample survey of residents (65.7% response rate) and one of employees (45% response rate) to identify housing preferences, location of work and home, income, current housing, future housing intentions, commuting issues, and more.

Hillsborough County, Florida — Researched and produced paper on the use of accessory apartments as a tool to produce affordable housing; conducted research on the use of housing density bonuses and inclusionary zoning (2008)

Park Forest, IL — Housing programs and policy

Highland Park, IL — Prepared new subdivision ordinance

Montgomery County (MD) Condominium Conversion Task Force — Conducted presentation on preserving affordable rental housing and provided consulting advice

Philadelphia, PA — Planning Department — Consulted on preserving affordable housing; conducted educational sessions for city officials on zoning for group homes

Plenary and Session Speaker, Community Living Arrangements Conference

Oak Park, IL — Designed and published award-winning *Comprehensive Plan 1979*; designed and prepared 1991 revision

American City Corporation — Conducted workshop on group housing for four city officials from Baltimore, Philadelphia, Cincinnati, and Columbus — Robert Wood Johnson program

Impacts of Landfills — Conducted research for an application for landfill in Texas

American Invsco (Chicago) — Prepared national analysis and summary of local and state laws regulating conversion of rental housing to condominium for property acquisitions division

American Association of Retired Persons/National Retired Teachers Association — Conducted workshops on fighting inflation in housing at NRTA–AARP National Issue Forums, Milwaukee, Wisconsin and Portland, Oregon, 1981

Metropolitan Planning Council (Chicago) — Conducted research and presentation on use of low-equity cooperatives in District of Columbia and Montgomery County (Maryland)

Lincolnshire, IL — Drafted community opinion survey on planning and growth issues

## Legal:

Cardinal Vision Homes (2020+) — Providing legal guidance in Illinois and Florida to obtain zoning approval of small community residence type assisted living homes for elderly people with physical disabilities. Awarded special use permit for 14-person assisted living home in Crest Hill, IL (Feb 2021).

River Forest, IL (2020) — Represented homeowner seeking variations to reduce rear yard setback and lot coverage to enable construction of addition with hydrotherapy pool for family members with disabilities. Village Board unanimously granted the variations as a reasonable accommodation under the Fair Housing Act.

River Forest, IL (2019) — Represented homeowner for a zoning variation before the River Forest Zoning Board of Appeals. The ZBA unanimously recommended granting the variation (April 11, 2019)

Midwest Bank Corporation of Delaware — Represented bank before Hinsdale Plan Commission. Won zoning approval for a drive-in bank facility adjacent to residential neighborhood

Golden Age Retirement Home — Served as attorney and consultant for zoning text and map amendments, special use permit

Maywood, Illinois, Plan Commission — Retained by village to interpret zoning ordinance provisions related to appeal of zoning administrators' decision

Deer Valley Homeowners Association — Represented neighborhood association in zoning case in Will County, Illinois

Brenner Development Group — Represented residential and commercial developer to receive zoning permits from Hinsdale, Illinois, to build townhouse development

## Expert Witness:

- ◆ *Hanna v. City of Chicago*, Case No. 03 CH 5933, Circuit Court of Cook County, Illinois, Chancery Division; Deposed expert witness for the plaintiff in August 2005. Lawsuit rendered moot when the city rezoned the subject property to its previous designation as sought by plaintiff Al Hanna.
- ◆ *Shirley Berry, et. al. v. Town of Tarboro, et. al.* (Eastern District of North Carolina, U.S. District Court 4:01–CV–140–H(3) (2002–2003)— Expert witness for the plaintiffs on acceptable zoning and planning practices in exclusionary zoning case. Retained by Land Loss Prevention Project. Settled favorably for the plaintiffs in 2003.
- ◆ Perkins Clay Partnership — Testified as an expert witness on appropriate zoning for townhouse development before Hinsdale, Illinois, Plan Commission; advised attorney
- ◆ Lutheran Home Services of Arlington Heights (Illinois) — Testified as expert witness on cost–revenue analysis before Arlington Heights Plan Commission

## Research

*Forbes* magazine, Chicago bureau — Conducted research on real estate and banking practices

Levy and Erens, law firm — Prepared report on laws that restricted use of property  
Daniel Edelman, Inc. (Chicago), public relations — Prepared municipal political analyses  
Citizens Schools Committee — Prepared successful application for foundation funding

## Professional Publications

(Partial listing in reverse chronological order)

### Law and Zoning (Includes Fair Housing):

“A Real LULU: Zoning for Group Homes and Halfway Houses Under the Fair Housing Amendments Act of 1988,” in *The John Marshall Law Review*, Winter 1996, pp. 369–407.

“Three Decades On, Group Home Zoning Still at Issue,” “Legal Lessons” column in *Planning* magazine, November 2015, p. 11.

*Community Residence Location Planning Act Compliance Guidebook*, May 1990, 47 pp. Explains how group homes operate, whom they house, the 1988 amendments to national Fair Housing Act, and court decisions under the 1988 amendments. Suggests four zoning approaches that comply, to varying degrees of certainty, with the Fair Housing Act. Identifies zoning approaches that certainly violate the act. Appendix includes executive summary and bibliography from Lauber’s 1986 study on the impacts of group homes on the surrounding neighborhood.

*Community Residence Location Planning Act News*, June 1990, 4 pp. and Aug. 1990, 14 pp. The June issue answers questions about the Illinois Community Residence Location Planning Act. The August issue contains model zoning provisions for each of the legal zoning approaches suggested in the compliance guidebook described above. The August issues also includes zoning recommendations for halfway house and hospices and a sample application form for administrative occupancy permits. Detailed commentary explains the why and wherefores of each zoning provision.

*Recommendations to the Illinois General Assembly on Zoning for Community Residences*, Jan., 1991, 44 pp. Prepared for the Illinois Planning Council on Developmental Disabilities, this report identifies proper zoning techniques and reviews the results of a state project to bring the zoning ordinances of 110 home rule municipalities into compliance with the 1988 amendments to the Fair Housing Act.

“Avoid Zoning Pitfalls for Community Residences,” in *The Suburban Housing Newsletter*, Summer 1993, pages 1–3.

“Group Think,” in *Planning* magazine, October 1995, pp. 11–13.

“Nation’s Hottest Zoning Issue: Fair Housing Act Allows Zoning for Group Homes,” in *Housing & Human Services Quarterly*, American Planning Association, Fall/Winter 1990–91, pp. 1–3.

“Fair Housing Act Allows Zoning for Group Homes,” in *Planning & Zoning News*, March 1990, Vol. 8, No. 5, pp. 18–19. This article offers a preliminary evaluation of how the 1988 amendments to the Fair Housing Act affect zoning for group homes.

*Impacts of Group Homes on the Surrounding Neighborhood: An Evaluation of Research*, IDMH/DD, August 1981, 22 pp.

“Mainstreaming Group Homes” in *Planning*, Dec. 1985, pp. 14–18.

*Toward a Sound Zoning Treatment of Group Homes for the Developmentally Disabled*, May 1985, 103 pp.

*Guide to Chicago Zoning*, Illinois Department of Mental Health and Developmental Disabilities (Illinois Department of Mental Health/Developmental Disabilities), April 1981, variable pagination.

“Zoning Hearing Examiners Rescue Cities, Counties from Administrative Tangles, Rising Court Appeals,” in *Innovations*, Illinois Department of Local Government Affairs, Jan. 1977, pp. 10–11.

“Socially-Informed Planning and Decision Making: Some Preliminary Ideas,” in *Intergovernmental Planning, Approaches to the “No Growth” vs. “Growth is Good” Dilemma*. Proceedings of the Annual Summer Institute on Zoning and Planning, 1976, Bureau of Urban and Regional Planning Research, University of Illinois, 1976, pp. 29–51.

“The Housing Act & Discrimination,” in *Planning*, Feb. 1975, pp. 24–25.

*The Hearing Examiner in Zoning Administration*, PAS Report No. 312, ASPO, 1975, 26 pp.

“Some Tips on the New Housing Act,” in *Planning*, Nov. 1974, pp. 21–23.

*Zoning for Family & Group Care Facilities*, PAS Report No. 300, ASPO, March 1974, 30 pp. Frequently reprinted and entered as evidence in court cases. Established first model zoning guidelines for community living arrangements.

*Recent Cases in Exclusionary Zoning*, PAS Report No. 292, ASPO, June 1973, 33 pp. Reprinted as chapters on exclusionary zoning in *Management & Control of Growth: Issues–Techniques–Problems–Trends* (Urban Land Institute, 1975, Vol. I), and in *Land Use Controls: Present Problems and Future Reforms* (Center for Urban Policy Research, Rutgers University, 1974).

## Planning:

*Ending American Apartheid: How Cities Achieve and Maintain Racial Diversity*, 58–page monograph, a condensed version of which was published as “Racially Diverse Communities: A National Necessity,” as a chapter in *Challenging Uneven Development: An Urban Agenda for the 1990s*, Phillip Nyden and Wim Wiewel, eds., Rutgers University Press, 1991, pp. 49–84 and republished later as a chapter in *African Americans in Urban America: Contemporary Experiences*, Wendy Kellogg, ed., Kendall/Hunt Publishing Company, 1996, pages 180–200.

*Government Job Finder*, 1997–2000, 3rd edition, Planning/Communications, 325 pages, 1997.

Book review of “Breaking New Ground: Developing Innovative AIDS Care Residences,” in *Journal of the American Planning Association*, Winter 1994, pp. 124–125.

“The More Things Change,” commentary in *Journal of the American Planning Association*, Autumn 1993, page 486.

*The Compleat Guide to Finding Jobs in Government*, Planning/Communications, 1989, 183 pages, ISBN: 0–9622019–0–1. Second printing, 1989.

*Impacts on the Surrounding Neighborhood of Group Homes for Persons With Developmental Disabilities*, Governors’ Planning Council on Developmental Disabilities, Sept. 1986, 36 pp. Two printings.

“Condominium Conversions: A Reform in Need of Reform,” Chapter 16 of *Land Reform, American Style*, Frank J. Popper and Charles Geisler, eds., Rowman and Allanheld, 1984, pp. 273–301.

“Viewpoint,” (revive low–equity cooperative housing programs) in *Planning*, April 1984, p. 18.

*Achieving the Promise of Housing Receiverships*, Lawyers Committee for Better Housing, August 1983, 27 pp.

*The Compleat Guide to Jobs in Planning and Public Administration*, Planning/Communications, May 1982; second edition, 1984, 44 pp.

“Towards a Rational Housing Policy: The Role of Condominium Conversions,” in *Condominium and Cooperative Conversion: The Federal Response*, U.S. Government Printing Office, 1981, pp. 284–316.

“Condo conversion laws: the next generation,” in *Planning*, Feb. 1981, pp. 19–23.

“Condominium conversions — the number prompts controls to protect the poor and elderly,” in *Journal of Housing*, April 1980, pp. 201–209.

*Condominium Conversion Regulations: Protecting Tenants*, PAS Report No. 343, APA, September 1979, 22 pp. (co–author)

“Social Planning, Vancouver,” in *Planning*, March/April 1975, pp. 19–21.

*Job Descriptions for Planning Agencies*, PAS Report No. 302, ASPO, May 1974, 22 pp.

“Oak Park: Integration Takes More Than a Racial Quota,” in *Planning*, April/May 1974, pp. 14–17.

## Other Professional Activities: Webinars, Workshops, Speeches, etc.

(Partial listing)

## Housing and Fair Housing:

“Fair Housing Law Under the Biden Administration,” webinar presenter along with Zachary Best, and Anika Singh Lemar, Planning & Law Division, American Planning Association (Feb. 25, 2021)

“The Color Tax: Origins of the Modern Day Wealth Gap,” webinar presenter along with Bruce Orenstein and Angela Brooks, Housing & Community Development Division, American Planning Association (Feb. 12, 2021)

“The Elusive, Penultimate Social Equity: Stable, Racially Integrated Communities” webinar with Richard Rothstein and Athena Williams, Illinois Chapter of the American Planning Association Virtual State Conference (Sept 18, 2020)

“What an AI Can Do to Integrate Fair Housing into Planning Practices” presentation part of the session “The Role of States and Local Government – The Consolidated Plan and the Analysis of Impediments and Compliance With the Fair Housing Act,” 20–minute presentation at *Implementing the Duty to Affirmatively Further Fair Housing*, sponsored by the Fair Housing Legal Support Center and Clinic, The John Marshall Law School (Chicago, IL Sept. 20–21, 2013)

Speaker with Richard Rothstein, author of *The Color of Law: A Forgotten History of How Our Government Segregated America*. Explained what communities have done and can do to achieve stable, racial integration. (Oak Park, Dec. 7, 2017)

“Achieving and Maintaining Racial Diversity,” a 90–minute presentation at the Tenth Annual Fair Housing Conference of the Fair Housing Center of Southwest Michigan, theme: “Affirmatively Furthering Fair Housing – Moving Forward” (Kalamazoo, MI April 12, 2013)

“The Essential AI: What Belongs in a Competent Analysis of Impediments to Fair Housing Choice,” fair housing training conducted with Michael Allen and Caroline Peattie at *Analysis of Impediments to Fair Housing and Affirmative Marketing*, a day–long training seminar for recipients of Community Development Block Grants sponsored by the U.S. Department of Housing and Urban Development (San Francisco, CA August 18, 2011)

"The Effective Analysis of Impediments," panel presentation at the *City of Raleigh Fair Housing Board 9th Annual Fair Housing Conference* (Raleigh, NC April 29, 2011)

"Key Elements and Best Practices: Creating a Competent Analysis of Impediments to Fair Housing Choice," three-hour presentation with Caroline Peattie at *Analysis of Impediments to Fair Housing and Affirmative Marketing*, a day-long training seminar for recipients of Community Development Block Grants sponsored by the U.S. Department of Housing and Urban Development, Western Center on Law and Poverty, and Legal Aid Foundation of Los Angeles (Los Angeles, CA March 16, 2011)

"Creating an Effective Analysis of Impediments to Fair Housing," a one-hour presentation at *Race Place and Fair Housing in Texas*, A Statewide Conference at the University of Texas School of Law (Austin, TX October 15, 2010)

"Fair Housing & Economic Opportunity: Updating the AI, Ensuring Compliance & Making Progress Toward Change," a three-hour panel presentation at *Annual Community and Economic Development Conference and Training* conducted by the National Association for County Community & Economic Development (Ann Arbor, MI Oct. 2, 2010)

"Integrating Fair Housing into Municipal Law: Group Homes, AIs, and the Fair Housing Act," Teleconference speaker, International Municipal Lawyers Association (IMLA), July 13, 2010.

Speaker and panelist in session "Strategies for Change," at "A Dream Deferred: Residential Segregation in Oregon," sponsored by HUD, Fannie Mae Foundation, Fair Housing Council of Oregon, et al. (Portland, OR May 3, 2005)

Plenary Speaker, "Causes of Segregation and How to Overcome," Forum of the South Orange-Maplewood Community Coalition on Race (New Jersey), Oct. 30, 2001)

Speaker and panelist at the conference "The Struggle for Fair Housing: Weighing Our Progress," conducted by the Fair Housing Center of West Michigan (Grand Rapids, MI April 29, 2004)

Speaker on preserving racial diversity at the two-day Fair Housing 1968–1998: Promises Kept, Promises Broken," University of Miami School of Law (Feb. 6–7, 1998)

Plenary session speaker, Annual Town and Community Planning Conference, Iowa State University: evaluated Housing & Community Development Act (Nov. 1977)

"Funding for Limited-Equity Cooperatives: An Approach for Chicago," American Planning Association Illinois/Wisconsin Conference (1979)

*(Also see "Preservation of Affordable Housing — Policy and Programs" below)*

### **Fair Housing: Community Residences (group homes, small halfway houses, recovery communities):**

*After 30 Years, It's Time to Comply With the Fair Housing Act, 2019*, American Planning Association–Illinois Chapter Annual Conference (with Greg Jones) (September 27, 2019)

*Innovations in Municipal Regulation of Group Homes, Sober Homes, and Recovery Communities*, webinar presented by Lorman Education (February 21, 2019)

"Planning and the Opioid Epidemic: Session Three," American Planning Association webinar (March 20, 2018)

"Municipal Regulation of Group Homes and Sober Living Arrangements," Strafford Publishing webinar (April 18, 2017)

"Healthy and Legal – Zoning for Group Homes in Tennessee," keynote address at "Farmhouse to Penthouse" the 2013 Fall Conference of the Tennessee Chapter of the American Planning Association (Kingsport, TN Sept. 26, 2013)

"Coming Soon to Your Community: Housing for People With Disabilities," a 90-minute session at the American Planning Association–Chicago Metro Section Fall Conference (Chicago, October 4, 2013)

"Group Home Zoning: How to Comply With the Fair Housing Act," a 90-minute presentation at the 2013 Fall Conference of the Illinois State Section of the American Planning Association (Columbia, IL, Sept. 27, 2013)

"Focus on Community Residences/Group Homes," part of the session "LULUs: Locally Unwanted Land Uses," American Bar Association Annual Conference, (Chicago, July 31, 2009)

"The Fair Housing Act: Group Homes and Zoning: Fair or Foul?" American Bar Association Annual Conference (Atlanta, August 13, 1991).

"Federal Statutory and Regulatory Changes in Fair Housing Amendment," Association of State Mental Health Attorney Annual Conference (Kansas City, MO, Oct. 1, 1990)

"Must Zoning Accommodate Group Homes?," Fair Housing Enforcement: A Focus on Special Issues Affecting the Disabled, Families with Children, and the First Amendment, Fair Housing Legal Support Center, John Marshall Law School (Chicago, April 28, 1995)

"Impact of Zoning on Free Housing Choices," Third Annual Fair Housing Summit of the Indiana Fair Housing Task Force, April 10, 2000, Muncie, IN

Plenary Session Speaker, "Myths of Fair Housing," at "Fair Housing Conference," sponsored by U.S. Department of Housing & Urban Development, Municipality of Anchorage, and Alaska Chapter of the American Planning Association, Anchorage, AK. Conducted plenary session as a two-hour workshop. (April 1998)

Plenary Speech, National Conference on Technology and Politics of Planning (Illinois Planning Council on Developmental Disabilities, Chicago, April 1986)

Featured speaker, "Communities That Care: Housing for Special Populations" Conference, Wright State University Center for Urban and Public Affairs, Miami Valley Regional Planning Commission (Oct. 23, 1987)

"Handicap and Zoning Ordinances," Annual Meeting of the Indiana Consortium of State and Local Human Rights Agencies (Hammond, IN, June 13, 1996)

Speaker on zoning for group homes under the Fair Housing Act at the "Fair Housing 1968–1998: Promises Kept, Promises Broken," University of Miami School of Law (Feb., 6–7, 1998)

Faculty, Illinois Institute for Continuing Legal Education, "Municipal Law: 1987 Update," (May 20 and 28, 1987)

"Overcrowding and the Definition of Family," Illinois Chapter American Planning Association Annual Conference, June 11, 1998

"Enforcement Panel," *Opening Doors*, 14th Annual Fair Housing Seminar, co-sponsored by Cook County Commission on Human Rights, HUD, Chicago Association of Realtors, and 15 other organizations (June 3, 1994)

"Zoning Issues," 28th Annual Meeting, Wisconsin Association of Residential Facilities (June 2, 1997)

Zoning Institute (American Institute of Certified Planners): Conducted three-hour workshop on zoning for group homes (Oct. 1985)

Annual Zoning and Planning Conference, Governors State University, course on:

Zoning for Group Homes and Halfway Houses (1985)

Speaker, workshops on "Dealing with Community Fears" and "Zoning Issues," Housing Symposium on Creating Housing for People with Special Needs (Evanston Regionalized Housing Plan Committee, May 1986)

Plenary and Session Speaker, Community Living Arrangements Conference (City of Philadelphia, Sept. 1986)

"Zoning for Group Homes and Halfway Houses Workshop," Annual Zoning Institute, San Francisco (American Institute of Certified Planners, Oct. 1985)

Conducted half-day workshops for municipal planners in six-county Chicago area, Illinois Department of Mental Health and Developmental Disabilities (Feb., March, May, 1981)

"Group Homes and Halfway Houses Workshop," Zoning and Planning Workshop at Governors State University (University Park, IL, Oct. 1981)

Speeches or workshops on zoning for group homes and/or impacts of group homes:

- "Group Homes: Impacts and Zoning," Young Adults Institute National Conference (New York, April 29, 1987)
- "Winning Zoning Approval for Group Homes," American Association on Mental Retardation, Great Lakes Region Annual Conference (Sept. 1988)
- "Strategies to Win Community Support and Zoning Approval for Group Homes," workshop at 1988 Community Program Innovations National Conference (Boston, June 1988)
- "Symposium on Housing for the Mentally Ill," Alliance for the Mentally Ill of DuPage County, Illinois (1987)
- "Mentally Ill in Our Communities: Where Do We Go From Here?" Illinois League of Women Voters (1987)
- "More Than a Place to Stay: Housing the Mentally Ill in Our Communities," Panel Speaker, Roosevelt University Public Administration Program, League of Women Voters of Cook County (Nov. 19, 1988)
- "Group Homes: Impacts, Winning Neighborhood Support, and Zoning," 1987 TASH Annual Conference
- Panel Speaker, North Shore Interfaith Housing Council Annual Meeting (Nov. 20, 1988)
- Alliance for Mentally Ill of the South Suburbs (August 17, 1987)
- American Planning Association Upper Midwest Conference (Sept. 18, 1987)
- American Planning Association Mid-Atlantic Regional Conference (Virginia Beach, Virginia, Sept. 1986)
- "Legal Zoning for Group Homes," Chicago Bar Association, Zoning and Land Use Subcommittee (Oct. 20, 1988)

#### **American Planning Association Annual National Conference — Session speaker and/or moderator:**

- Low- and moderate-income housing (1974)
- Social impact analysis (1977)
- Impact and regulation of condominium conversion (1978, 1979, 1980)
- Preserving affordable housing (1981)
- How to write well (1982)
- Low-equity cooperatives (1985)
- Zoning for group homes and halfway houses (1986)
- "Opening the City to Persons with Disabilities: Transportation Accessibility and Group Homes" (1988)
- Workshop on zoning for group homes under the Fair Housing Act (1990)
- "Achieving and Preserving Racial Diversity," workshop (1992)
- "Planning for Residential Integration" (1995)
- "Zoning for Community Residences" (1996)

- “NIMBYs and Commissioners” (1996)
- “Preserving Racially Diverse Communities” with Professor Gary Orfield (1998)
- “Real Solutions for Affordable Housing” (2004, 2005)

### **Other Planning and Zoning:**

Faculty, *Doing Your Job: A One-Day Workshop on Local Planning and Zoning*, full-day workshops for planning commissioners, elected officials, and planners, sponsored by the Institute for Public Policy and Administration, Governors State University (University Park, Illinois):

Part I: Rockford, Matteson, Moline, Champaign (1988)

Part II: Rockford, Matteson, Oak Brook Terrace (1989)

Annual Zoning and Planning Conference, Governors State University, course on:

Recent Developments in Zoning Law, and the Zoning Hearing Examiner (1986)

“Socially Informed Planning” — Institute on Zoning and Planning, University of Illinois (Urbana), 1975, 1976

### **Guest Lecturer:**

Guest Lecturer, “Fair Housing and Group Homes,” Fair Housing Legal Clinic, John Marshall Law School, April 1, 2013

Faculty, “Ethics in Urban Planning,” a mini-course in “Community Planning & Development,” sponsored by the Municipal Art Society Planning Center and Hunter College, New York, NY, October 14, 2003

University of Illinois (Urbana)— social planning (1975); planning in the real world (1981)

Governors State University— socially-informed planning (1976–77, 1979)

## **Preservation of Affordable Housing: Policy and Programs**

*(Partial listing)*

“Bringing Sense to American Housing Policy,” Keynote Address, 2005 annual conference of the National Association of Housing Cooperatives, Kansas City, KS, Sept. 15, 2005; published in *Cooperative Housing Bulletin*, Nov./Dec. 2005, Vol. XXI, No. 6, pp. 1, 4, 15

“Sensible and Effective Approaches to Affordable Housing,” three-hour workshop presented at *Planning at the Crossroads Regional Planning Conference*, a nine-state conference of the American Planning Association (Oct. 13, 2004)

Faculty, “Making Real Efforts Toward Affordable Housing in Your Community,” a 90-minute course for the University of Wisconsin’s 32nd Annual *Planning and Zoning for Community Land-Use Management* conducted in Charlotte, NC; Madison, WI; and Albuquerque, NM (Spring, 2002)

American Association of Retired Persons/National Retired Teachers Association — workshops on fighting inflation in housing at NRTA–AARP National Issue Forums, Milwaukee, Wisconsin and Portland, Oregon, 1981

Metropolitan Planning Council (Chicago) — Research and presentation on use of low-equity cooperatives in District of Columbia and Montgomery County (Maryland)

### **Expert Witness**

- U.S. Senate Subcommittee on Housing and Urban Affairs, Committee on Banking, Housing, and Urban Affairs, June 28, 1979
- U.S. House of Representatives Subcommittee on Commerce, Consumer, and Monetary Affairs, Committee on Government Operations, March 31, 1981
- New Jersey Governor Brendan Byrne, Jan. 31, 1981
- Milwaukee City Council, Dec. 1980
- Montgomery County (Maryland), Condominium Conversion Task Force, Oct. 1979
- Chicago City Council, March and Oct. 1979
- Illinois Joint Legislative Study Committee, April 21, 1980, Feb. 8, 1982
- Illinois House of Representatives, Subcommittee on Real Estate, Feb. 8, 1978
- Skokie (Illinois) Village Board and Plan Commission, 1978
- Oak Park (Illinois) Village Board and Plan Commission, 1978
- Evanston (Illinois) Housing Commission, Plan Commission, City Council, 1978–1981