



*Drug and Gang Housing Enforcement
Section (DGHES)*

**Chicago Housing Authority
Owner Symposium**

Saturday, October 1, 2011

Drug and Gang Housing Enforcement



Who We Are:

- We are a unit that was created by the City legislature in 1996 to address the problem of drug, gang, and prostitution activity at properties located throughout the City. The unit consists of attorneys from the Department of Law, inspectors from the Department of Buildings, and police officers.
- As a unit, we get judgments worth approximately \$2 million in fines each year.

The Concept Behind DGHES:

The DGHES unit prosecutes the owners of these locations in civil court for the criminal activity that takes place at their property. The theory is that by holding the owners accountable, they will take steps to prevent and/or eliminate the criminal activity from occurring.





Why Do We Go After the Owners and Not the Offenders?

Property owners have a responsibility to monitor their property vigilantly. If they observe illegal or irresponsible activity, it is the property owner's responsibility to evict problem tenants and to contact the police for assistance.

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What is the Law:

“Any person who owns, manages, or controls any premise and encourages or permits illegal activity to occur or fails to implement reasonable and warranted abatement measures for the premise shall be subject to a fine in the amount of \$200 – \$6,000 for each day that the nuisance exists.”

Municipal Code of Chicago § 8-4-090



How Do We Prove Knowledge:

- If the property owner is involved in the activity.
- If there are multiple arrests at the property, including search warrants.
- If the activity is open and obvious.



Where Do We Get Information Regarding Criminal Activity?

- Neighbors
- Police
- Alderman
- Other City Departments



Types of Cases

- Non-target (minor) – cases where there is documented criminal activity at the property, but we cannot prove that the property owner knew or should have known.
- Target (major) – cases where there is documented criminal activity at the property and we can prove that the property owner knew or should have known about the criminal activity.



The Process

- Addresses are provided to the attorneys or police.
- Research is done concerning the address.
- The property owner is contacted by the police to determine if they have knowledge of the criminal activity and what, if anything, the property owner is prepared to do regarding the criminal activity.
- A determination is made as to whether it is appropriate to file a case, and what type of case; non-target or target.



The Process contd.

- The case is formerly referred.
- A building inspection occurs at the property.
- All information is forwarded to the attorney and a complaint is prepared.
- The complaint is served on the property owner, along with a summons for court.
- The attorney invites the property owner for a meeting to find out more information regarding the situation at the property, and also to make an offer of settlement.
- The case is either settled via agreement of the parties or trial.

Penalties



- Fines

- Each criminal charge (not arrest, but charge) carries a fine range. For example, a class X felony has a fine range from \$3000-\$6000.
- Each building code violation has a \$200-\$500 per day fine for every day that the violation exists.



Penalties contd.

- Vacate
 - If the Judge believes that the crime is completely out of control and rules that the property owner is either unable to take control or refuses to take control, he can order an **immediate** vacate of the property.
 - If the building condition poses a danger to the tenants, occupants, or the general public, the Judge can order an **immediate** vacate of the property.
- Demolition
- Receivership

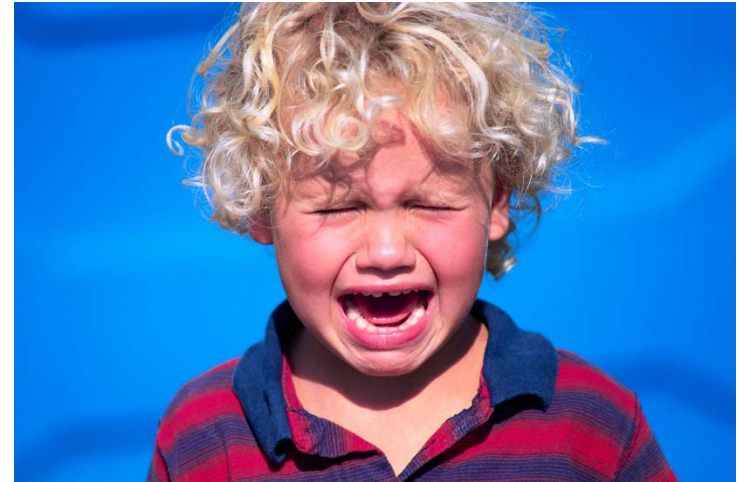


Penalties contd.

- Bans
 - The Judge can ban any and all persons that have been arrested at the property.
- Repair all building code violations
- Provide security, special lighting, cameras
 - Based on the criminal activity, the property owner can be required/ordered to implement changes at the property designed to aid in the reduction of criminal activity at the property.
- Closure
 - If there is a business at the property, the Judge can order the business to close immediately

How to Avoid Meeting One of Us:

- Be vigilant
- Get to know the neighbors
- Find out what your rights are as a property owner
- Conduct background checks





How to Avoid Meeting One of Us contd:

- Create a solid lease
- Know who is at your property
- Form a relationship with your local police officers
- Take action

Remember – you as the owner are responsible for ALL activity that occurs your the property

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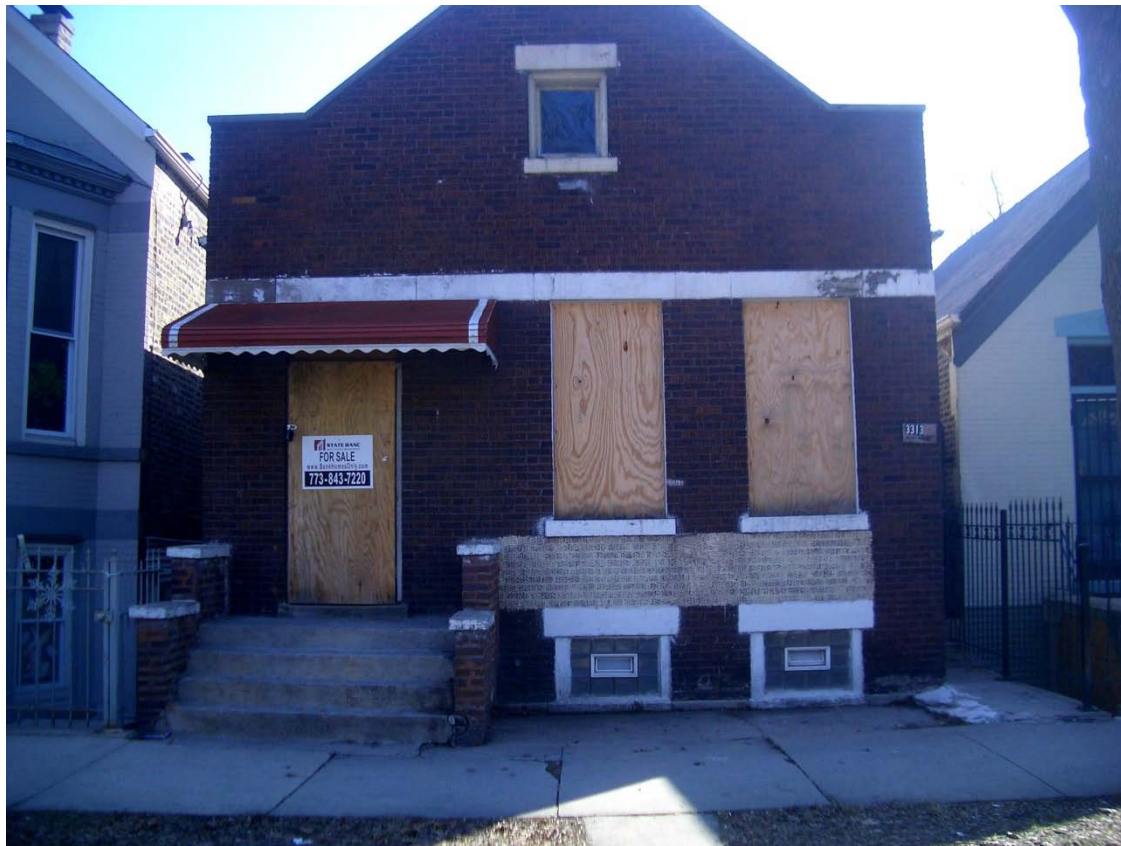
3313 S. Carpenter - Before



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3313 S. Carpenter - After





Attorney Contact Information

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Thank You!

