

COOK COUNTY COMMISSION ON HUMAN RIGHTS
69 West Washington, Suite 3040
Chicago, Illinois 60602

HOPE FAIR HOUSING, Complainant)	
)	
v.)	Case No. 2016H002
)	
MARKET PLACE HOMES, Respondent)	
)	
_____)	
Ragda ALBOSHARIF, Complainant)	Case No. 2016H003
)	
v.)	
)	Entered: September 23, 2016
MARKET PLACE HOMES, Respondent)	
)	

NOTICE OF MEDIATION CONFERENCE

On August 22, 2016, Complainant Ragda Albosharif (“Albosharif”) filed a source of income discrimination complaint against Respondent Market Place Homes (“Market Place”), alleging that Market Place failed to rent an available condominium to her because she is a Housing Choice Voucher Program participant. If this allegation is proven true, Market Place violated the protections of the Cook County Human Rights Ordinance (“Human Rights Ordinance”). *See* Cook County Code of Ordinances (“County Code”), § 42-38(b)(1) (“*Terms and conditions*”). No person shall make any distinction, discrimination, or restriction in the price, terms, conditions, or privileges of any real estate transaction, on the basis of unlawful discrimination.”). An investigation into Albosharif’s complaint by the Cook County Commission on Human Rights (“Commission”) under the Case No. 2016H003 (*Albosharif v. Market Place Homes*) is ongoing.

On the same day that Albosharif filed Case No. 2016H003 with the Commission, Complainant Hope Fair Housing (“Hope”) also filed a source of income discrimination complaint against Market Place. In its complaint to the Commission, Hope alleges that it received a report that Market Place did not accept Housing Choice Vouchers as rental payment in Cook County. Hope claims that it confirmed this report using a rental tester. Hope further alleges that its mission has been frustrated and resources have been diverted from its education and counseling programs to the investigation of this complaint. Once again, if true, a violation of the Human Rights Ordinance may have occurred. *See* County Code, §§ 42-34(b)(1)(a), 42-38(b)(1). An investigation into Hope’s complaint by the Commission under the Case No. 2016H002 (*Hope Fair Housing v. Market Place Homes*) is also ongoing.

Prior to proceeding to an evidentiary determination on either matter, the Commission

consolidates both cases and orders that the parties in both matters participate in a joint Mediation Conference pursuant to Section 440.145(B)(1) of the Commission's Procedural Rules to determine whether this dispute can be settled without further adjudication.

The parties (or their legal representatives of record) must contact the Center for Conflict Resolution on or before **Friday, October 7, 2016** to schedule the date of the Mediation Conference at:

Case Management
Center for Conflict Resolution
11 E. Adams, Suite 500
Chicago, Illinois 60603
312.922.6464 ext. 22
cm@ccrchicago.org

The Mediation Conference must be completed no later than **Friday, November 4, 2016**. Although the Commission does not require that the parties actually resolve their dispute through mediation, the parties are required to make a good faith effort to participate in the process and to abide by the Commission's Rules (summarized in the attachment to this order). Failure by any party to contact the Center for Conflict Resolution to schedule a Mediation Conference or to attend the scheduled Mediation Conference may result in fines and dismissal of, or default on, the claims pending before the Commission as appropriate. *See* CCHRC Pro. R. 440.145(B)(5).

If you are not represented by counsel, the Commission recommends that you seek counsel for the purpose of reviewing this Commission Notice and preserving and pursuing your rights under the Human Rights Ordinance.

September 23, 2016

By delegation:



Ranjit Hakim
Executive Director of the Cook County
Commission on Human Rights

SUMMARY OF COOK COUNTY COMMISSION ON HUMAN RIGHTS MEDIATION RULES

*A complete copy of the Commission's Procedural Rules can be obtained online at:
<http://www.cookcountyil.gov/ordinances-and-regulations/>*

1. **Mandatory Attendance.** Attendance at the Mediation Conference is mandatory. Unless excused in advance by the Commission, all necessary parties with full settlement authority and full authority to sign a settlement agreement are required to be present.
2. **Voluntary Process.** While scheduling and attending a Commission-ordered Mediation Conference is mandatory, the parties or the Mediator may voluntarily terminate the Mediation Conference at any time if they deem it appropriate to do so. Parties are not required to enter into a settlement agreement.
3. **Confidentiality.** The Mediation Conference is confidential. All participants in the Mediation Conference, including the Mediator, agree to keep the Mediation Conference discussions confidential. With the exception of the Mediator's report, no formal record shall be made at a Mediation Conference. The Mediator's report shall contain the following information: (i) list of participants, (ii) date, time and location of the Mediation Conference(s), (iii) name of the Mediator; and (iv) whether the parties reached an agreement and/or requested a continuation of the Mediation Conference.
4. **Privilege.** All oral statements made and any notes taken during the course of mediation or settlement are privileged information, and made without prejudice to any party's legal position, and are non-discoverable and inadmissible for any purpose in this or any other legal proceeding. The parties shall not subpoena the mediator to testify.
5. **Good Faith.** Parties who participate in the Mediation Conference are required to do so in good faith and with candor promoting the free exchange of truthful information and settlement options.
6. **Participants.** Parties must attend the Mediation Conference and there is no requirement that that they bring legal counsel or any other representatives, except as provided in Section 120.140 of the Commission's Procedural Rules. If parties are accompanied by other individuals at the Mediation Conference, no more than three will be allowed to attend.
7. **Settlement Agreement.** Except as provided in Section 440.145(C) of the Commission's Procedural Rules, if the parties agree to a settlement agreement resolving a Complaint, the agreement shall be reduced to writing and signed by the parties. If the parties enter into a signed settlement agreement that resolves the claims in the Complaint, the Commission shall enter an order dismissing the Complaint.
8. **Commission Enforcement Jurisdiction.** Parties who enter a settlement agreement in a Mediation Conference may request in the agreement that the Commission retain jurisdiction over the case to monitor or enforce the agreement. The Commission will

decide whether or not to retain jurisdiction. Parties who wish for the Commission to retain jurisdiction must submit the settlement agreement to the Commission in advance of signing for approval and each party to the settlement agreement must acknowledge in the agreement that the Commission has jurisdiction to monitor and/or enforce the settlement agreement.

9. **Failure to Attend/Participate With Full Authority.** Parties who fail to attend the Mediation Conference with full authority, and whose absence is not excused for good cause shown, may have fees and/or costs assessed against them. In addition, the Complaint pending before the Commission may be dismissed or a default judgment may be entered.