

If You Resided at a Property Owned and/or Managed by Hispanic Housing Development Corporation (“HHDC”) or an Entity Owned or Controlled by HHDC in Chicago, IL between May 1, 2014 and February 16, 2021, You Could Get Relief from a Class Settlement.

An Illinois Court authorized this notice. This is not a solicitation from a lawyer.

- Please read this notice carefully. Your legal rights may be affected whether or not you act.
- This Settlement resolves litigation concerning alleged statutory violations and other allegedly unlawful acts with respect to the Class of individuals who resided in one of the approximately 1,900 units in Chicago, Illinois owned and/or managed by HHDC or an entity owned or controlled by HHDC in the case entitled *Hill, et al. v. Hispanic Housing Development Corporation, an Ill. Corp, et al.* Case No. 2017-CH-07774 (the “Litigation”).
- You may be eligible for payment based on the Settlement of the Litigation.
- The Class consists of three Subclasses: A, B and C. **The amount of your payment will be based on your Subclass.** See below at Question 8 to 10 for specifics. If you received this notice in the mail addressed specifically to you at an HHDC Property, **please check to see if your Subclass is printed on your mailing envelope.** If you are a Former Tenant at an HHDC Property, then you will need to submit a Claim Form in order to verify your current mailing address and, if needed, establish your eligibility for payment. See below at Question 12 for specifics.
- The Court has not expressed any opinion concerning the truth of any allegations or defenses asserted in the Litigation. This notice is solely to advise you of the Settlement of the Litigation and of your rights in connection with the Settlement.

YOUR LEGAL RIGHTS AND OPTIONS IN THE SETTLEMENT	
IF YOU RECEIVED THIS NOTICE IN THE MAIL ADDRESSED SPECIFICALLY TO YOU AT AN HHDC PROPERTY, THEN NO CLAIM IS REQUIRED	If you received this notice in the mail addressed specifically to you at an HHDC Property with your Subclass designation printed on the mailing envelope , you do <u>not</u> need to submit a Claim Form. This means that you are on the Class List and you will automatically receive a payment from this Settlement.
SUBMIT A COMPLETED CLAIM FORM BY MAY 9, 2022	Submitting a Claim Form is the only way to receive a payment if you are a Former Tenant who qualifies as a Class Member or if you moved from an HHDC Property after February 16, 2021. See Question 12 for specifics.
EXCLUDE YOURSELF BY MAY 9, 2022	The only option that allows you to exclude yourself from the settlement and retain your rights against the Defendants. See Questions 13 and 14 for specifics.

These rights and options – **and the deadlines to exercise them** – are explained in this notice. A copy of the Settlement is available online at www.HHDCsettlement.com or by calling **1-800-841-9681**.

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BASIC INFORMATION

1. What is this Notice about?

This notice is to inform you about the Settlement that has been reached which may affect your rights, including your right to exclude yourself from the Settlement. You have the right to know about the Settlement and about your legal rights and options before the Court decides whether to approve the Settlement.

The Court in charge is the Circuit Court of Cook County, Illinois (Chancery Division). The case is called *Hill, et al. v. Hispanic Housing Development Corporation, an Ill. Corp, et al.* Case No. 2017-CH-07774 (the “Litigation”). The people that sued are called the Plaintiffs, and the companies they sued are called the Defendants (see Question 6).

2. What is the lawsuit about?

Plaintiffs have asserted that the Defendants failed to provide summary copies of the Chicago Residential Landlord and Tenant Ordinance (“RLTO”) to tenants at the Properties listed below in Question 4, and that the Defendants violated certain regulations governing the treatment of security deposits during the Settlement Class Periods. Defendants have denied these allegations and any liability or wrongdoing. The Court has not expressed any opinion concerning the truth of any allegations or defenses asserted in the Litigation.

3. What is a class action?

In a class action, one or more persons or businesses called class representatives sues on behalf of a group or a “class” of others with similar claims. If the Court determines that a case should proceed as a class action, everyone’s claims can be combined into a single proceeding, creating efficiencies for the parties and the courts. In a class action, the court resolves the issues for all class members except those who exclude themselves from the Class.

4. What are the “Properties”?

The Litigation concerns the multi-unit residential buildings or apartment complexes in Chicago owned and/or managed by HHDC or an entity owned or controlled by HHDC (the “Properties”). The detailed list of Properties involved in this litigation can be found online at www.HHDCsettlement.com.

Three property groups have been organized to reflect the alleged RLTO violation(s) that occurred at these locations. These subgroups are as follows:

- A. **Properties A:** Armitage Commons Apartments (“Armitage Commons”), NSP I-Belmont-Cragin (“Belmont-Cragin”), Boulevard Court Apartments (“Boulevard Court”), Buena Vista Apartments (“Buena Vista”), Central Park Apartments (“Central Park”), Cicero & George Elder Apartments (“Cicero & George”), Continental Plaza Apartments (“Continental Plaza”), Damen Courts Apartments (“Damen Courts”), Diversey Square I Apartments (“Diversey Square I”), Diversey Square II Apartments (“Diversey Square II”), James Sneider Apartments (“James Sneider”), Jorge Hernandez Apartments (“Jorge Hernandez”), Las Moradas Apartments (“Las Moradas”), Lathrop Elderly at Water’s Edge Apartments (“Lathrop Elderly”), Logan Vistas Apartments (“Logan Vistas”), NSP II - 3550 Lyndale Apts. (“Lyndale”), North & Pulaski Apartments (“North & Pulaski”), North & Talman Elderly Apartments (“North & Talman I”), North & Talman Family Apartments (“North & Talman II”), North & Talman Phase III Apartments (“North & Talman III”), Palmer Place Apartments (“Palmer Place”), Palmer Square Apartments (“Palmer Square”), Plaza Taino Apartments (“Plaza Taino”), Rev. Daniel Alvarez Apartments (“Rev. Daniel Alvarez”), and Teresa Roldán Apartments on Paseo Boricua (“Teresa Roldán”)
- B. **Properties B:** Armitage Commons, Belmont-Cragin, Boulevard Court, Buena Vista, Central Park, Cicero & George, Continental Plaza, Damen Courts, Diversey Square I, Diversey Square II, James Sneider, Jorge Hernandez, Las Moradas, Lathrop Elderly, Logan Vistas, Lyndale, North & Pulaski, North & Talman I, North & Talman II, North & Talman III, Palmer Place, Palmer Square, Plaza Taino, Rev. Daniel Alvarez, and Teresa Roldán
- C. **Properties C:** 65th Infantry Regiment, Armitage Commons, Belmont-Cragin, Boulevard Court, Buena Vista, Central Park, Cicero & George, Continental Plaza, Damen Courts, Diversey Square I, Diversey Square II, James Sneider, Jorge Hernandez, Las Moradas, Lathrop Elderly, Logan Vistas, Lyndale, North & Pulaski, North & Talman I, North & Talman II, North & Talman III, Palmer Place, Palmer Square, Plaza Taino, Rev. Daniel Alvarez, and Teresa Roldán

WHO IS INCLUDED IN THE LAWSUIT?

5. Who are the Defendants?

The Defendants are Hispanic Housing Development Corporation, an Ill. Corp., HHDC-Damen Court LLC, a Delaware limited liability company, Damen Court Preservation LP, an Illinois Ltd. Partnership, Damen Court Preservation, NFP, an Illinois not-For-profit corporation, Hispanic Elderly Housing Corporation, Sacramento Elderly Housing Corp., Damen Court Associates LP And Damen Courts Apartments.

6. Who is the Class Representative?

The Class Representative, Dorotheine M. Hill, on June 1, 2017, filed the Complaint as the named plaintiff in this Litigation. On June 29, 2018, the Class Representative filed the Amended Complaint asserting claims on her own behalf and on behalf of the putative class under the Chicago RLTO.

7. What are the Settlement Class Periods?

The Litigation concerns tenancies that began or were renewed during the Settlement Class Periods which are defined for each of the subclasses. The Settlement Class Period for the Security Deposit Interest Claims Settlement Subclass (“Subclass A”) is the time period commencing as of May 1, 2014, and continuing through January 16, 2020, which was 13 months prior to the date of the Court’s order granting preliminary approval of the Settlement (“Subclass A Period”). The Settlement Class Periods for both Security Deposit Disclosure Claims Settlement Subclass (“Subclass B”) and RLTO Ordinance Summary Claims Settlement Subclass (“Subclass C”) is the time period commencing as of June 1, 2015, and continuing through February 16, 2021, the date the court granted Preliminary Approval (“Subclass B & C Period”). The Subclasses are defined below in Question 8.

8. How do I know if I am in the Settlement Class?

The Settlement Class is defined by “Tenancy” which refers to a lease of a particular residential unit at one of the Properties owned and/or managed by HHDC (“Premises”) occupied by one or more adult persons who were authorized by written lease agreement to reside in a residential unit at one of the Premises during the Settlement Class Periods and did so reside (“Tenant”). A tenant can only claim a single Tenancy regardless of how many different units within the same Property or at any Property, at which said tenant resided.

The “**Settlement Class**” consists of three Subclasses defined as follows:

Subclass A shall consist of tenants at “Properties A” who satisfy all of the following criteria:

- i. Entered into a new rental agreement or lease renewal between May 1, 2014 and January 16, 2020;
- ii. Provided a security deposit which was held for more than 6 months; and
- iii. Were not paid interest on the deposit annually, within 30 days after the end of each 12-month rental period, at least once.

Subclass B shall consist of tenants at “Properties B” who satisfy the following criteria:

- i. Entered into a new rental agreement on or after June 1, 2015 through February 16, 2021;
- ii. Provided a security deposit;
- iii. Were not provided with a disclosure in their lease of the name and address of the financial institution where their security deposit was being held.

Subclass C consists of tenants at “Properties C” who satisfy the following criteria:

- i. Entered into a new rental agreement or lease renewal on or after June 1, 2015 through February 16, 2021 and
- ii. At least once were not provided both RLTO summary documents at the beginning or at renewal of the lease.

A tenant may qualify to receive two Settlement payments if, and only if, the tenant is a member of Subclass C and is also a member of at least one other subclass. The tenant would receive one payment as a member of Subclass C and another payment as a member of Subclass A or B. Tenants may not qualify to receive more than two payments even if the tenant is a member of all three subclasses. Where more than one tenant resided in the same unit during the same rental period, they are considered “Co-tenants.” Co-tenants are treated as one Tenancy for purposes of this Settlement Agreement and will share equally in the Tenancy’s Settlement share, unless they agree to a different distribution by submitting a written, notarized request as explained in Question 13 below.

Members of the Settlement Class who were **not** tenants at any HHDC Property as of the date of preliminary approval, February 16, 2021, are referred to as “**Former Tenants**”. All other persons for whom the Defendants have no record of lawful tenancy during the Settlement Class Periods may submit a Claim Form and supporting documentation to attest to their Settlement Class eligibility (“**Unidentified Tenants**”).

THE SETTLEMENT’S BENEFITS

9. What does the Settlement provide?

The Settlement establishes: (a) “Common Fund Settlement Amount” totaling \$1,500,000.00 which includes an estimated \$942,500.00 for “Net Settlement Consideration” and (b) prospective relief.

The Common Fund Settlement Amount will be used to pay Class Members in this Litigation. The cost to administer the Settlement as well as attorneys’ fees, litigation expenses and payments to the Class Representative will also come out of the Common Fund Settlement Amount (see Question 10). The amount of the Net Settlement Consideration may be diminished by Class Counsel expenses/costs and additional settlement administrative costs.

The Settlement Agreement, including details of the prospective relief, and the papers filed in support of the Settlement are available for review and download at www.HHDCsettlement.com or you can request copies by calling 1-800-841-9681.

10. How much money can I get?

Members of the Settlement Class (a) who received this notice in the mail addressed to them at an HHDC Property with their Subclass designation printed on the mailing envelope, do not need to submit a claim form; (b) who are Former Tenants who submitted a valid and timely claim form; or (c) who did not receive this notice in the mail, but submitted a valid, substantiated, and timely claim form, are entitled to a share of the Net Settlement Consideration as a one-time cash payment per Tenancy (“Individual Settlement Payment”). Each Class Member’s Settlement payment will be calculated based on (1) the subclass(es) to which their Tenancy belongs, (2) the number of participating Tenancies in each subclass, and (3) the number of known Co-tenants sharing the individual Class Member’s Tenancy.

Details of the distribution of the Settlement Funds are set forth in the Settlement Agreement, which is available online at www.HHDCsettlement.com. In summary, the Settlement Agreement provides for distribution of the Settlement Funds as follows:

- A. 81% of the Net Settlement Consideration will be divided per Tenancy among all participating Subclass A and all participating Subclass B Settlement Class Members;
- B. 19% of the Net Settlement Consideration will be divided per Tenancy among all participating Subclass C Settlement Class Members;
- C. The \$7,500 Service Award will be paid to the Class Representative, Dorotheine M. Hill, in addition to her Class claims;

- D. The estimated expenses of the Claims Administrator are in the amount of \$50,000. In the event that costs and expenses for notice and administration of this Settlement exceed \$50,000, additional sums as needed may be deducted from the consideration described in Question 10.A (81% of the Net Settlement Consideration), up to \$20,000. In the event that the costs of administration of the Settlement exceed \$70,000, additional sums may be deducted from the attorney fee award to Class Counsel;
- E. Not more than one-third of the Common Settlement Fund, or \$500,000, plus reasonable expenses and costs will be requested by Class Counsel as a one-time cash payout in full and final satisfaction of any and all claims by Class Counsel for attorney fees, expenses, and court costs pertaining to the Litigation. In the event the Court awards Class Counsel fees of less than \$500,000 of the Common Fund Settlement Amount, upon such an order becoming final, the difference will be used to increase the Net Settlement Consideration and shall be distributed by the Claims Administrator in equal amounts to each Participating Class Member. Should the Court approve less than the requested amount, Class Representative and Class Counsel retain the right to appeal that.
- F. Any undistributed Net Settlement Consideration will be paid to a non-profit entity established by Defendant for the benefit of tenants of the Defendant's Chicago-based apartment properties or, if directed by the Court, paid to the Chicago Bar Foundation.

The amount to be paid to each participating member of the Settlement Class will be determined per Tenancy, not per person. In the event multiple persons shared a given Tenancy, the Individual Settlement Payment will be distributed equally amongst all known named adults listed on the qualifying new lease agreement or a renewal agreement.

It is currently estimated that each Tenancy will receive a cash payment of between \$300 and \$400 or more; this is only an estimate and those figures may change depending upon the final number of valid Tenancies and Claims.

If you relocate and you fail to promptly notify the Claims Administrator of your new address, this may delay distribution of your Individual Settlement Payment or may result in you not receiving your Individual Settlement Payment.

11. When will I get a payment?

Payments will be distributed after the claims submission deadline has expired.

HOW TO GET A PAYMENT CHECK

12. How can I get a payment check?

Settlement Class Members who received this notice addressed specifically to them at an HHDC Property with their Subclass designation printed on the mailing envelope will receive a payment, unless you exclude yourself. See Questions 15 and 16 below about exclusions.

All Former Tenants must complete a timely Claim Form and provide their contact information to the Claims Administrator in order to receive payment. All Unidentified Tenants who believe that they are Settlement Class Members will need to complete and return to the Claims Administrator a valid Claim Form with documentation showing their HHDC Tenancy (i.e. a signed lease, recertification documents for HHDC housing, or receipt for your security deposit).

If you are a Former Tenant or Unidentified Tenant and you do not complete a valid and timely Claim Form, you will not receive any money from the Settlement and you will give up any rights you currently have to separately sue Defendants for the conduct that is the subject of the lawsuit. Claim Forms are available online at

www.HHDCsettlement.com, upon request by calling, toll free, 1-800-841-9681, or by writing to The Notice Company, Inc. at the address below. **To be valid, Claim Forms must be submitted no later than MAY 9, 2022.**

Addressed to:

HHDC Claims Administrator
c/o The Notice Company
P.O. Box 455
Hingham, MA 02043

Scanned and emailed to:

Or

claims@HHDCsettlement.com

13. How to submit a request for unequal Co-tenant distributions of the Individual Settlement Payment?

Under the terms of this Settlement, if the Defendants' records identify multiple persons named as Co-tenants of your single tenancy, then each person of such co-tenancy shall be issued a separate check, sharing equally among themselves the amount to which such tenancy is entitled. If all of the Co-tenants for a given tenancy agree to an unequal distribution of that tenancy's Individual Settlement Payment, then the notarized request must be in writing, mailed and postmarked on or before MAY 9, 2022 to the HHDC Claims Administrator (address above). The notarized letter must contain: (1) the full name of each Co-tenant, (2) the address and residency dates of the tenancy as it appears on the lease, (3) the percentage share that each Co-tenant is requesting (these shares must add up to 100%), (4) signature of each Co-tenant or their representative's signature, (5) dated, and (6) notarized.

14. How can I dispute my Subclass designation?

On the envelope in which this notice was mailed is printed the recipient's Subclass designation. A Settlement Class Member is entitled to dispute the Subclass designation by contacting the Claims Administrator at **1-800-841-9681**, or by emailing The Notice Company at **admin@HHDCsettlement.com**. Alternatively, you may submit a claim form, along with supporting documentation (if required), **postmarked on or before MAY 9, 2022**.

RIGHT TO EXCLUDE YOURSELF

15. Who has the right to be excluded?

If you are a member of the Settlement Class and you wish to keep your right to sue any of the Defendants about the claims alleged and settled in this case (*see* Questions 2 and 8), you must exclude yourself ("Opt-out" of the Settlement). **If you exclude yourself, you will not get any money from the Settlement.** You may not submit a Claim Form if you exclude yourself from the Settlement.

16. How do I Opt-out of the Settlement Class?

In order to opt out of the Settlement Class and keep your individual rights, if any, to sue the Defendants, you must send a written request that includes the following:

1. Your full name, current mailing address and telephone number;
2. A statement saying that you "request exclusion from the HHDC Settlement Class in the case entitled *Dorothiene Hill v. Hispanic Housing Development 17-CH-07774* (Cir. Ct. Cook Cty.);"
3. State the dates during which you were a resident at one or more of the Properties and the unit number in which you were a resident (if you recall this information); and
4. Be signed and dated by you or your representative.

To be valid, exclusion requests must be **postmarked on or before MAY 9, 2022**, and mailed to:

HHDC Settlement Exclusions
c/o The Notice Company
P.O. Box 455
Hingham, MA 02043

Because Settlement Class Members who co-leased their units hold their claim jointly, the opt-out by any Settlement Class Member who co-leased their unit with another Settlement Class Member will operate as an opt-out by all Settlement Class Members for that unit.

No request for exclusion will be considered valid unless all of the information described above is included. No further opportunity to request exclusion will be given in this Litigation unless ordered by the Court. If you choose to be excluded from the Settlement Class, you are not: (a) entitled to an Individual Settlement Payment as described above; (b) bound by any judgment entered in the Litigation; and (c) precluded by the Settlement from otherwise prosecuting an individual claim against Defendants, if timely, based on the matters complained of in the Litigation.

REMAINING IN THE SETTLEMENT CLASS

17. What am I giving up if I stay in the Settlement Class?

If you do not exclude yourself from the Settlement Class, you will have given up your right to sue the Defendants on your own for the claims alleged and settled in this case (*see* Questions 4 and 8) and you will be bound by the Settlement and all subsequent proceedings, orders and judgments in the lawsuit.

The Settlement Agreement describes the released claims in detail, so read it carefully. If you have any questions, you may call the Claims Administrator toll-free number. You may also consult your own lawyer at your own expense. The Settlement Agreement is available upon request.

THE LAWYERS REPRESENTING YOU

18. Do I have a lawyer representing me?

The Court has appointed Alexander S. Michalakos, Esq., Law Offices of Alexander S. Michalakos, P.C., 1410 W. Higgins Ave., Ste. 204, Park Ridge, Illinois 60068, to represent you as “Class Counsel” for the Settlement Class.

19. How will the lawyers be paid?

Class Counsel will ask the Court for \$500,000 plus reasonable expenses and costs in full settlement of all claims in the Litigation for an award of attorney’s fees, costs, expenses, and any other sum to which Class Counsel may claim entitlement in the Litigation. If you want to be represented by your own lawyer, and have that lawyer appear in court for you in this case, you may hire one at your own expense. Any requests for attorneys’ fees or litigation expenses, plus the costs to administer the Settlement, are subject to Court approval.

GET MORE INFORMATION

20. Where can I get more information?

This notice summarizes the Settlement. Additional information is available online at www.HHDCsettlement.com and via a toll-free telephone number 1-800-841-9681. Copies of certain pleadings are available upon request.

**ALL INQUIRIES CONCERNING THIS NOTICE SHOULD BE MADE TO
THE CLAIMS ADMINISTRATOR OR TO CLASS COUNSEL.
PLEASE DO NOT TELEPHONE THE COURT OR THE COURT CLERK’S OFFICE.**