To: Harpreet Khera and Beth Morris
Special Litigation, Office of the Attorney General
From: Impact for Equity
Date: April 8, 2026
Re: Affordable Housing Planning & Appeal Act and non-compliant municipalities

MEMORANDUM

On January 30, 2026, the Illinois Housing Development Authority (IHDA) sent a notice to the Office of the Attorney General with a list of local governments that are not in compliance with the Affordable Housing Planning and Appeal Act (AHPAA). This notice was sent pursuant to Section 25(f) of AHPAA, which allows IHDA to notify the AG of any non-exempt local governments (NELG) that are in violation of the law.[1] This includes both NELGs that failed to submit an Affordable Housing Plan to IHDA as required by AHPAA and that submitted a Plan that is not in substantial compliance with the law.

Under AHPAA, NELGs have 18 months from being notified of their "non-exempt" status to approve a Plan. Plans cannot be adopted without "notice and opportunity for public hearing."[2] NELGs must submit the adopted plan to IHDA within 60 days of adoption.[3] IHDA notified the current batch of NELGs of their status on December 15, 2023, which means Plans should have been adopted on or before June 15, 2025. For NELGs that adopted Plans at the deadline, their submission should have happened on or before August 14, 2025.[4]

This memo provides additional information regarding the NELGs listed in IHDA's letter. As noted during our meeting on April 1, Impact for Equity's position is that NELGs that ignored the law completely, either by failing to submit a plan or submitting in bad faith, should be prioritized for follow up communication and potential action.

No plan submitted

1. **Barrington Hills** has been an NELG in every AHPAA cycle but, to our knowledge, has never submitted a plan.

[1] Through rulemaking that went into effect on January 8, 2026, IHDA effectively changed this "may" to a "shall" with the addition of 47 Ill. Adm. Code § 395.401(b).
[2] 310 ILCS § 67/25(a).
[3] 310 ILCS § 67/25(c).
[4] Note: IHDA seemingly conflates the two deadlines on the AHPAA landing page, stating "The due date for NELGs determined under this cycle to submit plans to IHDA was June 14, 2025." https://www.ihda.org/about-ihda/ahpaa/

2. **Campton Hills** has been an NELG since 2013 and submitted a plan in 2015. It has not submitted a new or updated plan since then. In December, the Village Board approved preliminary plans for a 900-unit residential development. While some trustees raised questions about affordable set-asides in the development, Campton Hills does not have an inclusionary zoning ordinance and the approved plans do not contemplate any affordable units.[5]

3. **Elmhurst** has been an NELG since 2013 but, to our knowledge, has never submitted a plan. The Village participated in the Homes for a Changing Regions project, which is administered by the Metropolitan Mayors Caucus and includes a grant to assist up to four NELGs with a regional housing landscape analysis that can (but is not required to) be used to develop an affordable housing plan pursuant to AHPAA. Impact for Equity has heard from reliable sources that Elmhurst is asserting home rule status as its reason for not submitting an affordable housing plan to IHDA.

4. **Geneva** has been an NELG since 2013. It submitted a plan after the deadline during the 2018 cycle and has previously been a case study as an AHPAA success story. From communications we accessed via FOIA, Geneva requested an extension on the deadline to submit its affordable housing plan, citing that the City is updating its comprehensive plan and that it would include a section in compliance with AHPAA. IHDA responded that AHPAA does not allow for extensions but that the relevant comprehensive plan section could be submitted as a revision after the initial plan submission period. To date, Geneva has not submitted a new plan.

5. **Inverness** has been an NELG in every AHPAA cycle but, to our knowledge, has never submitted a plan.

6. **Lake Forest** has been an NELG in every AHPAA cycle but last updated an affordable housing plan in 2010. In response to an email inquiry from Impact for Equity, the City provided some progress updates and indicated an intention to further update its plan. To date, Lake Forest has not submitted a new plan.

7. **Lily Lake** has been an NELG since 2018 and submitted an affordable housing plan in 2020. It has not submitted a new or updated plan since then. The Village is very small (just over 1,000 residents) with limited staff.

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[5] Molly Morrow, *Preliminary plans for 900-unit residential development get approval from Campton Hills Village Board*, AURORA BEACON-NEWS (December 4, 2025), https://www.chicagotribune.com/2025/12/04/campton-hills-residential-development-moving-forward/.

8. **Oak Brook** has been an NELG in every AHPAA cycle but, to our knowledge, has never submitted a plan.

9. **Prairie Grove** has been an NELG since 2013 but, to our knowledge, has never submitted a plan. The Village is small (just under 2,000 residents) with only a single full-time employee.

10. **River Forest** has been an NELG since 2013. It submitted a plan in 2018 but has not submitted a new or updated plan since then.

11. **South Barrington** has been an NELG in every AHPAA cycle but, to our knowledge, has never submitted a plan.

12. **Third Lake** has been an NELG in every AHPAA cycle except the 2018 cycle but, to our knowledge, has never submitted a plan. The Village is very small (just over 1,000 residents) with limited staff.

13. **Timberlane** has been an NELG since 2013. To our knowledge, it has never submitted a proper affordable housing plan. Its submission for the 2023 cycle was simply a copy of its Fair Housing Policy Ordinance. The Village is very small (just over 1,000 residents) with limited staff.

The remaining NELGs listed in IHDA's letter submitted affordable housing plans that IHDA determined were non-compliant. There is a genuine question about how IHDA determines plan compliance, which Impact for Equity detailed in a recent report. Therefore, it is Impact for Equity's position that these NELGs should receive a different follow-up than the above NELGs that are flagrantly ignoring the law. It is also worth noting that of the NELGs that submitted non-compliant plans, **Deer Park** has resubmitted a plan that is listed on IHDA's web site as currently under review.

Please let us know if you have further questions about any of the NELGs that we can help answer or if we can otherwise assist with this matter. We look forward to hearing about next steps to enforce NELG compliance with AHPAA.