



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
WASHINGTON, DC 20410-5000

OFFICE OF PUBLIC AND INDIAN HOUSING

April 14, 2026

Matthew Brewer  
Interim Chairman of the Board  
Chicago Housing Authority  
60 E. Van Buren  
Chicago, Illinois 60605

Dear Mr. Brewer:

This letter is in response to your request dated September 17, 2025, seeking waiver of conflict-of-interest provisions under 24 Code of Federal Regulations (CFR) 982.161 and Section 13 of the Housing Choice Voucher (HCV) Housing Assistance Payment (HAP) contract, as well as Sections 19(A) of the Annual Contributions Contract (ACC). These waivers would allow the Chicago Housing Authority (CHA) to appoint former City of Chicago Alderman Walter Burnett, Jr. to the role of Chief Executive Officer (CEO) for the CHA.

HUD has reviewed and considered the following information related to this request:

1. CHA's Board of Commissioners appointed an Interim CEO on October 31, 2024, and established a Selection Committee (November 2024) comprised of:
  - Three members of CHA's Board of Commissioners
  - CHA Interim CEO
  - President of the Local Advisory Council
  - Commissioner of the City of Chicago Dept. of Planning & Development
  - Commissioner of the City of Chicago Dept. of Housing
  - CHA's Resident Leader
2. The selection committee collaborated with the mayor's office to develop a job description and engage an executive search firm to fill the CEO position by July 1, 2025.
3. The search firm reported screening 107 applicants with five (5) candidates referred to the board's selection committee.
4. The selection committee interviewed and ranked five candidates with the two candidates with the highest ranking selected as finalists. The finalists served as CEOs for multiple Public Housing Agencies (PHAs) and had 20 to 30+ years of experience managing affordable housing programs, proficiency with HUD regulations developing programs, and a long track record with affordable housing financing tools.
5. The two finalists and the third-highest ranked candidate were referred to the Mayor's Office, to be interviewed. CHA was informed that interviews would not be scheduled because the mayor was recommending that Mr. Burnett, a former public official (alderman), be appointed to the position.

6. The selection committee granted Mr. Burnett a courtesy interview, even though he had not applied for the position nor participated in the screening process with the executive search firm. The Mayor's Office was informed that Mr. Burnett was not selected as a finalist because of his limited operational experience managing a PHA. The selection committee also stated his background was inequivalent to the preferred finalists, resulting in the committee not selecting Mr. Burnett as a recommended finalist.
7. The Mayor's Office requested CHA to seek a conflict-of-interest waiver to allow the board to appoint Mr. Burnett as CHA's CEO.
8. CHA submitted a "Conflict of Interest Disclosure" to HUD's Chicago Regional Office, on August 27, 2025, disclosing information discovered during the board's intent to appoint Mr. Burnett to the role of CEO. The notice reported Mr. Burnett served as Alderman for 30 years (July 1995 to August 2025) with the City of Chicago. During his tenure as a public official, Mr. Burnett did not disclose his 24 years of participation (2001 to 2025) as an owner with CHA's HCV program. It was also discovered that he failed to disclose during his public servant term that his spouse (Darlena Williams- Burnett) shared partial or full ownership interest in 11 properties receiving Housing Assistance Payments (HAP). CHA also disclosed other conflicts of interest that are beyond the purview of the waiver request.
9. On September 17, 2025, CHA submitted a request for the following two waivers:
  - A waiver of conflict of interest under 24 CFR 982.161 to allow the appointment of Mr. Burnett as CEO despite his and his wife's interests as owners of units under a HAP contract, and despite his recent tenure within the past year as a public official with responsibilities with respect to the program.
  - A waiver of the conflict of interest for Mr. Burnett under Section 19(A)(1) of the ACC, if appointed as the CEO of CHA, for entering an employment contract with CHA within one year after ending his role as Alderman for the City of Chicago with influence over the matters of CHA's public housing program.
10. CHA presented a legal opinion prepared by Franczek, P.C. on their behalf that stated "In formulating our opinion, we reviewed the Illinois Housing Authorities Act, 310 ILCS 10/1 et seq. (Act), the City of Chicago Governmental Ethics Ordinance (Ethics Ordinance) and CHA's Ethics Policy dated January 21, 2025. It is our opinion that the Act, Ethics Ordinance and CHA's Ethics Policy do not preclude HUD from issuing a waiver of the Annual Contributions Contract No. C-1014 and 24 C.F.R. § 982.161 for good cause. This opinion does not address whether good cause is present."
11. HUD's Chicago Regional Office provided a written summary and recommendation that CHA's waiver request should not be approved because of failure to provide a good cause justification(s) for HUD to approve both waivers.

Conflict of interest waiver requests are decided on a case-by-case basis by applying the relevant conflict provision(s) to the facts as presented. Since CHA is a combined Public Housing Agency administering Public Housing and HCV programs, Section 19(A)(1) of the 1995 ACC, regulation at 24 CFR 982.161, and Section 13 of the HCV HAP contract are applicable.

As it relates to the Public Housing program, pursuant to Section 19(A)(1), PHAs may not enter into any contract (including an employment contract), subcontract, or arrangement in connection with a project in which specific classes of people who have an interest, direct or indirect, during his or her tenure or for one year thereafter:

- (i) Any present or former member or officer of the governing body of the PHA, or any member of the officer's immediate family.
- (ii) Any employee of the PHA who formulates policy or who influences decisions with respect to the project(s), or any member of the employee's immediate family, or the employee's partner.
- (iii) Any public official, member of the local governing body, or State or local legislator, or any member of such individual's immediate family, who exercises functions or responsibilities with respect to the project(s) or HA.

Given that Mr. Burnett served as a member of a local governing body that exercises functions or responsibilities with respect to CHA for approximately 30 years and retired on or around August 2025, CHA is prohibited from entering into any contracts, subcontracts or arrangements, with him, in connection with public housing, until one year after August 2025, which should be no earlier than September 2026. HUD may grant regulatory waivers from certain requirements upon finding good cause, subject to statutory limitations and pursuant to 24 CFR 5.110.

Additionally, because the PHA also operates an HCV program, it is subject to the conflict-of-interest rules set forth in 24 CFR 982.161 (a) and Section 13 of the HCV HAP contract, prohibiting appointment of the former City of Chicago Alderman to the role of CEO as listed below:

Neither the PHA nor any of its contractors or subcontractors may enter any contract or arrangement in connection with the HCV program in which any of the following classes of people have any interest, direct or indirect, during tenure or for one year thereafter:

- (1) Any present or former member or officer of the PHA (except a participant commissioner);
- (2) Any employee of the PHA, or any contractor, subcontractor or agent of the PHA, who formulates policy or who influences decisions with respect to the programs;
- (3) Any public official, member of a governing body, or State or local legislator, who exercises functions or responsibilities with respect to the programs; or
- (4) Any member of the Congress of the United States.

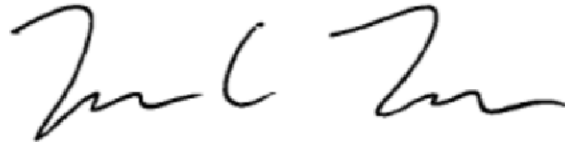
Given Mr. Burnett served as a member of a local governing body that exercised functions or responsibilities with respect to CHA's programs, and that he retired on or around August 2025, CHA is prohibited from entering into any contracts, subcontracts or arrangements with him, including employment, in connection with the HCV program until one year after thereafter, which would be no earlier than September 2026.

This appointment is also prohibited in accordance with Section 13 of the HCV HAP contract, which precludes any present or former member or officer of the PHA, or their immediate family members, from having a direct or indirect interest in a HAP contract. HUD may grant regulatory waivers from certain requirements upon finding good cause, subject to statutory limitations and pursuant to 24 CFR 5.110.

Based upon information received from CHA, HUD does not find good cause to waive provisions of Section 19(A) of the 1995 ACC, 24 CFR 982.161, nor Section 13 of the HCV HAP Contract. Therefore, CHA may not appoint Mr. Burnett to serve as the CEO within one year of his retirement from a position as a public official with the City of Chicago, or at any time while he or any immediate family member is participating as an owner in the HCV program.

If you have any questions regarding this waiver request, please contact Cheryl D. Rivers, Housing Program Specialist, at [cheryl.d.rivers@hud.gov](mailto:cheryl.d.rivers@hud.gov) or Susannah Roetlin, Senior Housing Program Specialist at [susannah.s.roetlin@hud.gov](mailto:susannah.s.roetlin@hud.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Todd C. Thomas". The signature is fluid and cursive, with the first name "Todd" being the most prominent part.

Todd C. Thomas,  
Acting Deputy Assistant Secretary  
for Public Housing and Voucher Programs