

**BOARD OF ELECTION COMMISSIONERS FOR THE CITY OF CHICAGO
AS A DULY CONSTITUTED ELECTORAL BOARD**

Objections of: RENEE G ELMS, PETER)
RIVERA, RENEE M WOZNIAK, MARIA G)
OREGEL and EVELYN RAZO)

To the Nomination) No.: 19-EB-ALD-100
Papers of: RAFAEL "RAFA" YANEZ)
Candidate for the office of)
Alderman of the 15th Ward of the City of)
Chicago)

FINDINGS AND DECISION

The duly constituted Electoral Board, consisting of the Board of Election Commissioners for the City of Chicago, Commissioners Marisel A. Hernandez, William J. Kresse and Jonathan T. Swain, organized by law in response to a Call issued by Marisel A. Hernandez, Chair of said Electoral Board, for the purpose of hearing and passing upon objections ("Objections") of RENEE G ELMS, PETER RIVERA, RENEE M WOZNIAK, MARIA G OREGEL and EVELYN RAZO ("Objectors") to the nomination papers ("Nomination Papers") of RAFAEL "RAFA" YANEZ, candidate for the office of Alderman of the 15th Ward of the City of Chicago ("Candidate") at the General Municipal Election to be held on Tuesday, February 26, 2019, having convened on Monday, December 10, 2018, at 8:30 a.m., in Room 800, 69 West Washington Street, Chicago Illinois, and having heard and determined the Objections to the Nomination Papers in the above-entitled matter, finds that:

1. Objections to the Nomination Papers of the Candidate were duly and timely filed.
2. The Electoral Board was legally constituted under the laws of the State of Illinois.

3. A Call to the hearing on said Objections was duly issued by the Chair of the Electoral Board and served upon the members of the Electoral Board, the Objectors and the Candidate, by registered or certified mail and by Sheriff's service, as provided by statute.

4. A public hearing was held on these Objections commencing on Monday, December 10, 2018 and was continued from time to time.

5. The Electoral Board assigned this matter to Hearing Officer Yamil E. Colón for further hearings and proceedings.

6. The Objectors and the Candidate were directed by the Electoral Board to appear before the Hearing Officer on the date and at the time designated in the Call. The following persons, among others, were present at or filed appearances during such hearing; the Objectors, RENEE G ELMS, PETER RIVERA, RENEE M WOZNIAK, MARIA G OREGEL and EVELYN RAZO, and/or their Attorney, JAMES P. NALLY; and the Candidate, RAFAEL "RAFA" YANEZ, and/or his Attorney, ED MULLEN.

7. The Hearing Officer ordered that an examination of the voter registration records be conducted by clerks and agents under the Board's direction and supervision, in accordance with the laws of Illinois and the rules of the Board.

8. The Hearing Officer directed all parties to appear and be present, either personally and/or by their authorized representatives during this records examination.

9. The Candidate and/or his duly authorized representative was present during the examination of the registration records.

10. The Objectors and/or their duly authorized representative was present during the examination of the registration records.

11. The examination of the registration records was completed and the Electoral Board hereby adopts and incorporates by reference the results of the records examination conducted by its clerks and agents. The written report of the result of the registration records examination is contained in the Board's file in this case and a copy has been provided or made available to the parties.

12. The results of the records examination indicate that:

A. The minimum number of valid signatures required by law for placement on the ballot for the office in question is 473.

B. The remaining number of signatures deemed valid as a result of the records examination total 1,165.

13. The Electoral Board finds that the number of valid signatures appearing on the Candidate's nominating petition following completion of the records examination exceeds the minimum number of valid signatures required by law to be placed upon the ballot as a candidate for the office of Alderman for the 15th Ward of the City of Chicago.

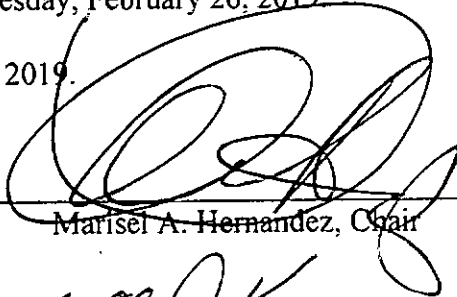
14. The Hearing Officer has tendered to the Electoral Board a report and recommended decision. Based upon the evidence presented, the Hearing Officer found that the Candidate's Nomination Papers contained 1,165 valid signatures, which exceeds the minimum number of valid signatures required by law to be placed upon the ballot as a candidate for the office of Alderman for the 15th Ward of the City of Chicago, and that the Candidate's Nomination Papers should be found valid.

15. The Electoral Board, having considered the evidence and arguments tendered by the parties and the Hearing Officer's report of recommended findings and conclusions of law, hereby adopts the Hearing Officer's recommended findings and conclusions of law.


16. For the reasons stated above, the Electoral Board finds that the Candidate has a sufficient number of valid signatures on his nominating petitions and that the Nomination Papers of RAFAEL "RAFA" YANEZ are, therefore, valid.

IT IS THEREFORE ORDERED that the Objections of RENEE G ELMS, PETER RIVERA, RENEE M WOZNIAK, MARIA G OREGEL and EVELYN RAZO to the Nomination Papers of RAFAEL "RAFA" YANEZ, candidate for the office of Alderman for the 15th Ward of the City of Chicago, are hereby OVERRULED and said Nomination Papers are hereby declared VALID and the name of RAFAEL "RAFA" YANEZ, candidate for the office of Alderman for the 15th Ward of the City of Chicago, SHALL be printed on the official ballot for the General Municipal Election to be held on Tuesday, February 26, 2019

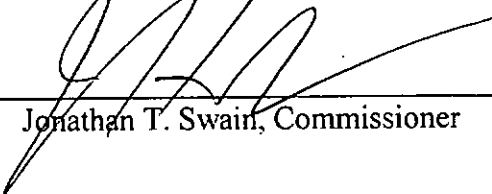
Dated: Chicago, Illinois, on Friday, January 18, 2019.



Marisel A. Hernandez, Chair



William J. Kresse, Commissioner



Jonathan T. Swain, Commissioner

NOTICE: Pursuant to Section 10-10.1 of the Election Code (10 ILCS 5/10-10.1) a party aggrieved of this decision and seeking judicial review of this decision must file a petition for judicial review with the Clerk of the Circuit Court of Cook County within 5 days after service of the decision of the Electoral Board.

**BOARD OF ELECTION COMMISSIONER OF THE CITY OF CHICAGO AS THE
DULY CONSITUTED ELECTORAL BOARD FOR THE HEARING AND PASSING
UPON OF OBJECTIONS TO THE NOMINATNG PAPERS OF CANDIDATES
FOR THE FEBRUARY 26, 2019 MUNICIPAL ELECTION FOR ALDERMAN OF
THE 15th WARD, CITY OF CHICAGO, ILLINOIS**

RENÉE G. ELMS, PETER RIVERA,)	
RENÉE M. WOZNIAK, MARIA G. 29EGEL,)	
AND EVELYN RAZO.)	
)	
Petitioner-Objector,)	
)	
v.)	NO. 19 EB-ALD-100
)	
RAFAEL "RAFA" YANEZ,)	
)	
Respondent- Candidate.)	

HEARING OFFICER'S FINAL REPORT AND RECOMMENDATION

This matter came to be heard initially on December 10, 2018. The Objectors, Renée G. Elms, Peter Rivera, Renée M. Wozniak, Maria G. Oregel, and Evelyn Razo all appeared by counsel, Mr. James P. Nally. The Candidate appeared by counsel, Mr. Ed Mullen. He filed a Rule 5 Motion attacking portions of paragraph 8 of Objector's petition. On December 18, 2018 this motion to strike was granted, to the extent that the objections to Candidate's petition sheets 22, 42, 140, 150, 183, and 185 were stricken. The remaining objections to Candidates nomination sheets 52, 187, 114, 154, 158, 167 and 187 remained as viable objections.

REMAINING ISSUES RAISED AND FINDINGS

The remaining issues were: voters not registered at address shown; signatures not genuine; signatures with addresses outside of the 15th Ward; voters addresses missing or incomplete; signer repeat signatures; signers for other candidates; and signatures totaling less than the required 473. On December 14, 2018 the Hearing Officer issued a directive for a record examination at a dated to be determined.

On January 11, 2019, Electoral Board personnel completed and issued the Final Petition Summary Report. Notice was sent to all parties concerned. The Record Examination Summary findings were as follows:

Signature Required	473
Total Pages:	262
Total Signatures:	2157
Total Objections:	2623
Total Ruled On:	2623
Total Remaining:	0
Total Sustained Lines:	992
Total Overruled Lines:	742
For Review (Candidate)	610
For Review (Objector):	533
Total Valid Signatures:	1165
Total Unchallenged Sigs:	423

692 Signatures greater than the required minimum.

ARGUMENTS PRESENTED BY COUNSEL FOR THE PARTIES

The case was subsequently set for a status date. However, counsel for the Objector notified the Hearing Officer that the Objector had no intention of filing a Rule 8 Motion, and that he would stand on the above Summary Report results.

CONCLUSIONS AND RECOMMENDATION

The Candidate has survived the Objector's Petition and, has been found to have an additional 692 valid signatures beyond the minimum 473. Therefore, the Candidate's

name may be placed on the ballot of February 26, 2019 election as Alderman of the 15 Ward, Chicago, Illinois, subject to other pending Objections, if any.

Respectfully Submitted,

S/ Yamil E. Colón

Hearing Officer
January 11, 2019