

Marklund sues state over denial of community-based housing proposal

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The Marklund organization is asking a Kane County judge to overturn the state's decision preventing it from building a cluster of community homes in Elgin for adults with disabilities.

It claims the decision by the Department of Human Services was arbitrary, illogical and implausible, and that a state administrative law judge erred when she agreed with DHS.

The request for review was filed Friday, Nov. 14, in Kane County Circuit Court. It asks a judge to reverse the state's decision and order the state to reconsider the matter.

[Marklund](#) has residential facilities and day schools in Bloomingdale, Geneva and Elgin. The nonprofit organization was founded in 1954. It serves children and adults with serious and profound developmental, cognitive and physical disabilities and medical conditions. It also serves people with autism.

Those facilities are licensed by the state health department.

But its proposed [community integrated living arrangement homes](#) would be licensed by the Department of Human Services.

Marklund wants to build seven ranch houses on property it owns in the 3200 block of Longcommon Parkway. Each would house four people. A nurse would serve all seven houses. People who have aged out of other Marklund programs would live in them.

According to the lawsuit, DHS told Marklund that it would have to first open one CILA house and run it for a year under a provisional license before DHS would consider a permanent license and allow it to open other CILAs.

And it would need a waiver to build them on the same site.

Marklund wants reassurance, before it begins, that it will be possible for it to build more than one home, according to Gil Fonger, the chief executive officer of Marklund.

The waiver is required because CILAs have geographic limitations to make sure they are truly integrated into a community and their residents are not isolated.

The state also wants only three people per house, according to the lawsuit.

In the lawsuit, Marklund says it is not cost-effective to build and operate just one house.

The seven would be the first CILAs for Marklund. It has been working on the plan since 2019. The homes would be part of Marklund's "Living Independently With Flexible Team Supports" concept.

"It would really serve an underserved population that has behavioral and medical needs," Fonger said. "We just want to know ultimately if (the state will) go for our small-cluster concept."

Marklund has been pursuing the project with the state since 2019, he said. It obtained a provisional license in 2021. It expires in December.



Marklund Hyde Center in Geneva. The organization is suing the state to get permission to build a cluster of community integrated living arrangement homes in Elgin. Shaw Local News Network, 2024