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

Objections of: Joshua Hyochul Lim	)	
	)	
	)	
To the Nomination	)	No.: 26-EB-SBD-001
Papers of: Brenda Lee Anderson	)	
	)	26-EB-SBD-019
Candidate for the office of Member of the	)	
Chicago Board of Education for the	)	
Subdistrict 6A, 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, June A. Brown and Laura Kotelman, 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 Joshua Hyochul Lim ("Objector") to the nomination papers ("Nomination Papers") of Brenda Lee Anderson, candidate for the office of Member of the Chicago Board of Education, Subdistrict 6A ("Candidate") at the General Election to be held on Tuesday, November 3, 2026, having convened on Tuesday, June 9, 2026, at 10:00 a.m. 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 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 Objector and the Candidate, by registered or certified mail and by Sheriff's service, as provided by statute, or service was waived and service by email was authorized.

4. A public hearing held on these Objections commenced on Tuesday, June 9, 2026 and was continued from time to time.

5. The Electoral Board assigned this matter to Hearing Officer Frank Tedesso for further hearings and proceedings.

6. The Objector and the Candidate were directed by the Electoral Board's Call served upon them to appear before the Hearing Officer on the date and at the time designated in the Hearing Schedule. The following persons, among others, were present at such hearing: the Objector, Joshua Hyochul Lim, and/or the Objector's Attorney ED MULLEN; the Candidate, Brenda Lee Anderson, and/or the Candidate's Attorney STEVEN FINE.

7. The Hearing Officer has tendered to the Electoral Board his report and recommended decision. The Hearing Officer recommends that the Objections to the Candidate's Nomination Papers be overruled and that the Nomination Papers be declared valid.

8. The Electoral Board, having reviewed the record of proceedings in this matter and having considered the report and recommendations of the Hearing Officer, as well as all argument and evidence submitted by the parties, hereby adopts the Hearing Officer's recommended findings and conclusions of law. A copy of the Hearing Officer Report and Recommendations is attached hereto and is incorporated herein as part of the decision of the Electoral Board.

9. The Objector filed a motion pursuant to Rule 20 of the Electoral Board's Rules of Procedure, seeking additional review by the Electoral Board, and a hearing in response to said motion was conducted.

10. As a result of the Rule 20 hearing, in accord with the Hearing Officer's report and recommendations, the Electoral Board finds The Objector argues two points:

A. Section 34-4 of the Illinois School Code requires candidates to be "a registered voter as provided in the Election Code," and that this Candidate's registration at the Old Address is legally void because she has moved to the New Address; and

B. The Statement of Candidacy form ("SOC") is legally invalid because it contains a false swearing, since the Candidate was not registered to vote at the address shown on the SOC form at the time she signed it.

11. As to the first point, the Hearing Officer found the "Objector's claim that Candidate is not a registered voter lacks merit. Board records indicate that the Candidate at all times was registered to vote and maintained a residence within the Sub-District 6A." The Electoral Board adopts this finding, for reasons stated below.

12. As to the second point, the Hearing Officer found that prior Electoral Board decisions and a 1st District Illinois Appellate Court opinion establish that candidates are not required to be registered to vote at the address shown on their nomination papers, so long as they are eligible to be registered within the district in which they seeking office, and they reside at the address shown. Therefore, the SOC form does not contain any false swearing, and it is legally valid, because the Candidate was and is a registered voter within the applicable district, and there is no dispute that she resides at the address shown on her nomination papers. The Electoral Board also adopts this finding, for the reasons stated below.

A. The Candidate was a registered voter at all relevant times.

13. The Objector argues that the Candidate's voter registration at the address of 600 N. Lake Shore Drive (the "Old Address") was somehow legally cancelled or voided when she moved to the address of 474 N. Lake Shore Drive (the "New Address") in a different precinct. In

support, Objector cited an unpublished 5th District Appellate Court decision in which some *voters* (not candidates) were found to be ineligible to cast ballots because they had moved out of their precincts. *Renshaw v. Dirnbeck*, 2017 IL App (5th) 130512-U. Objector also cited a 1944 Illinois Supreme Court decision that involved *voters* (not candidates) who no longer resided within the precincts in which they were registered. *Tuthill vs. Rendelman,* 387 Ill. 321 (1944). Finally, Objector cited a 1st District opinion in which a candidate had changed her name but had not yet updated her voter registration, in violation of an Election Code provision requiring "Any registered voter who changes his or her name ... shall be required to register anew and authorize the cancellation of the previous registration." *Ruffin v. Feller,* 2022 IL App (1st) 220692, citing 10 ILCS 5/5-23.

14. However, the above cases involve voter eligibility (not candidate eligibility), which is, the courts analyzed those voters' rights to cast ballots, which is irrelevant to a voter's right to become a candidate in a future election, Also, since the third case involves a name-change statute for which there is no equivalent regarding address changes, these court decisions are neither binding upon nor persuasive over the facts and legal issue involved in the case at hand.

15. In addition to voters having different rights than candidates, the Electoral Board finds that the Illinois Supreme Court has ruled that petition circulators also have different rights and standards than voters, as a petition circulator does not have to be registered to vote at the residence address that the circulator includes in his or her sworn affidavit on the petition sheets. *Lucas v. Lakin*, 175 Ill.2d 166 (1977).

16. The Electoral Board finds that the Objector has not cited any Election Code provision that would automatically cancel or void a voter registration, merely because the voter moved to another address. This is because there is no such provision in the Election Code.

17. To the contrary, section 6-100 of the Code shows that people who are duly registered to vote remain registered even after they have moved to a different address and are therefore required to update their registration. 10 ILCS 5/6-100. The Code treats voter registrations as something distinct and different than change-of-address updates to existing registrations. To wit, "an unregistered qualified elector may register to vote, and *a registered voter may submit a change of address form*." *Id.* (emphasis added). There are other state and federal statutes that could eventually result in a registration cancelation, but those cancelations do not happen automatically by operation of law.

18. Section 6-27 of the Election Code establishes a person's eligibility to become a registered voter, and that includes, among other things, the need to have resided in the precinct for at least 30 days. 10 ILCS 5/6-27. However, after a person has gained eligibility and has registered to vote, that person remains registered until various statutory affirmative actions have been performed by the voter and/or the applicable election authority so as to qualify for and cause a bona fide registration cancelation. The record in this case shows that none of those actions had occurred in relation to this Candidate's voter registration, which registration therefore has remained active throughout her candidacy.

19. Furthermore, although this issue does not appear to have been raised before the Hearing Officer, the Electoral Board finds that the Objector's argument that registrations are automatically voided or canceled when a voter moves to a different precinct would, if taken as true, violate state and federal laws.

20. For example, the Illinois Administrative Code states that "No voter registration may be canceled without following the procedures and providing the notice of suspension or cancellation required by Section 8(a) through (d) of the National Voter Registration Act of 1993." Ill. Admin. Code, Title 26 § 216.50(b).

21. In turn, federal law requires that "A State shall not remove the name of a registrant from the official list of eligible voters in elections for Federal office on the ground that the registrant has changed residence unless the registrant (A) confirms in writing that the registrant has changed residence to a place outside the registrar's jurisdiction in which the registrant is registered; or (B) (i) has failed to respond to a notice described in paragraph (2); and (ii) has not voted or appeared to vote (and, if necessary, correct the registrar's record of the registrant's address) in an election during the period beginning on the date of the notice and ending on the day after the date of the second general election for Federal office that occurs after the date of the notice." 52 U.S. Code § 20507(d)(1)

22. Since the Objector's argument for automatic cancelation of a voter registration under these circumstances would violate state and federal law, and since the Objector has cited no binding or persuasive case law on the subject, the Electoral Board finds that it is proper to overrule the Objector's Petition on this issue.

B. Candidates are not required to be registered to vote at the residence address listed on their nomination papers.

23. Additionally, the Objector argues that the Candidate's Statement of Candidacy ("SOC") form is invalid because the Candidate was not registered to vote at the address shown on the form. The Objector has cited no court decision or statute that requires a candidate to be registered to vote at the candidate's residence address shown on the SOC form. The Electoral Board finds that there is no dispute in this case that the Candidate is a lawful resident at her New

Address, which is the address shown on her SOC. The only dispute is a legal question: Is the Candidate also required to be registered at her current residence address? This Electoral Board, and the 1st District Appellate Court, have previously answered that question in the negative

24. In her defense, the Candidate cited the published 1st District Appellate Court decision in *Henderson v. Miller,* 228 Ill.App.3d 260 (1st Dist. 1992), in which the court affirmed a this Electoral Board's ruling that a candidate was entitled to appear on the ballot as a candidate for 24th Ward Alderman, even though he was not registered to vote at the address shown on his nomination papers. What matters is that the candidate resided at the address shown on the SOC form, and that the address was within the proper election district – two issues that are *not* in dispute in the case at hand.

25. The *Henderson* court found that "The Municipal Code requires only that a candidate for alderman 'reside within the ward for which he is elected' and be 'a qualified elector of the municipality.' The act does not require that a candidate be a voter at his place of residence." *Henderson,* 592 N.E.2d at 573. As compared to the relevant statute in the case at hand, the School Code requires only that a candidate for Chicago school board "be a registered voter" and "a resident of the city, district, and subdistrict that the member represents." 105 ILCS 5/34-4. The School Code does not require the Candidate to be registered to vote at the residence address on the SOC form. This Candidate has been a registered voter at all relevant times – albeit not at the address shown on her SOC form – and there is no dispute that both her Old Address and New Address are within the applicable school board subdistrict.

26. In regard to the Election Code provision that governs SOC forms (which is the same statute all nonpartisan candidates), the *Henderson* court affirmed the Electoral Board's finding that candidates are not required to be registered at their residence address. "If the

plaintiff's argument is correct, the [SOC] form provided by the Board requires a candidate to swear to something which the statute itself does not require." *Henderson,* 592 N.E.2d at 573. As in the *Henderson* case, the Candidate in this case swore in her SOC form that she was "a qualified voter" in the City of Chicago, County of Cook, and State of Illinois. She did *not* falsely swear that she was a registered voter *at her New Address*, nor was she required to do so.

27. The Electoral Board finds that, despite the Objector's arguments to the contrary, it is well established under Illinois law that one is not required to be registered to vote in order to be a candidate for an elected office, so long as the candidate is *eligible* to *become* a registered voter. The appellate court affirmed this at least as long ago as 1992 in the *Henderson* case, yet the legislature has not amended the Election Code in this regard in the 34 years since that court issued its opinion.

28. For the reasons stated above, the Electoral Board adopts the Hearing Officer's recommended findings and conclusions of law, it denies the Objector's Rule 20 motion, it overrules the Objections to the Candidate's Nomination Papers, and it finds that the Candidate's Nomination Papers are valid.

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IT IS THEREFORE ORDERED that the Objections of Joshua Hyochul Lim to the Nomination Papers of Brenda Lee Anderson, candidate for the office of Member of the Chicago Board of Education, Subdistrict 6A, are hereby OVERRULED, said Nomination Papers are hereby declared VALID, and the name of Brenda Lee Anderson SHALL be printed on the official ballot for the General Election to be held on Tuesday, November 3, 2026.

Dated: Chicago, Illinois, Tuesday, July 28, 2026.

Marisel A. Hernandez, Chair

June A. Brown, Commissioner

Laura Kotelman, 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.

BEFORE THE DULY CONSTITUTED ELECTORAL BOARD FOR THE HEARING AND PASSING UPON OF OBJECTIONS TO THE NOMINATION PAPERS OF CANDIDATES FOR ELECTION To THE OFFICE OF MEMBER OF THE CHICAGO BOARD OF EDUCATION TO BE VOTED UPON AT THE NOVEMBER 3, 2026, GENERAL ELECTION.

JOSHUA HYOCHUL LIM,	)	
	)	
Petitioner-Objector.	)	
	)	**Case No. 26-EB-SBD-001**
BRENDA LEE ANDERSON,	)	
	)	
Respondent-Candidate.	)	

HEARING OFFICER'S RECOMMENDED DECISION

1. Respondent -Candidate, **BRENDA LEE ANDERSON**, filed Nomination Papers for nomination to the Office of Member of the Chicago Board of Education, Subdistrict 6A, City of Chicago, State of Illinois, to be voted upon at the November 3, 2026, General Election.

2. Petitioners-Objector, **JOSHUA HYOCHUL LIM**, filed a timely Objector's Petition objecting to the Nomination Papers of the Candidate.

3. On June 10, 2026, this matter appeared on the Board's Initial Trial Call. Petitioner-Objector appeared through his attorney, Ed Mullen, and Respondent-Candidate appeared through her attorney, Steven Fine. Both parties waived any issues regarding service and provided emails where they could be served. The following Board Documents were entered into evidence by the Hearing Officer: "Board Group Exhibit A" consisting of the Candidate's Nomination Papers; "Board Group Exhibit B" consisting of the Objector's Petition and attachments; "Board Group Exhibit C" consisting of a copy of the call and proof of service of the call; and "Board Group Exhibit D" consisting of the parties' appearances and

non-disclosure agreements. The Hearing Officer granted the Candidate leave to file a Motion to Strike and Dismiss the Objector's Petition and set a briefing schedule. The Hearing Officer continued the matter for hearing on the Candidate's Motion to Dismiss on June 22, 2026.

4. On June 22, 2026, the matter appeared for hearing on Candidate's Motion to Dismiss. The Hearing Officer heard arguments of the parties and took the matter under advisement.

MOTION TO DISMISS

5. The Objector's Petition seeks to remove the Candidate from the ballot claiming that her Nomination Papers are invalid because they state she resides at 474 N. Lake Shore Drive, Unit 3906, Chicago, Illinois, but she was registered to vote at 600 N. Lake Shore Drive, Unit 2003, Chicago, Illinois. Objector claims a failure to update her voter registration makes her ineligible to run due to 474 N. Lakeshore Drive and 600 N. Lakeshore Drive are in different precincts within the sub-district. Objector claims that the failure to register to vote at her new address disqualifies her and invalidates the nomination petitions and statement of candidacy.

6. The Respondent-Candidate argues that the Objector's petition is without merit and should be dismissed as Candidate was and remains a qualified register voter in Sub-District 6A.

7. *105 ILCS 5/34-4* provides that "To be eligible for election or appointment to the Board, a person shall be a citizen of the United States, shall be a registered voter

as provided in the Election Code,[1] shall have been, for a period of one year immediately before election or appointment, a resident of the city, district, and subdistrict that the member represents, and shall not be a child sex offender as defined in Section 11-9.3 of the Criminal Code of 2012. *105 ILCS 5/34-4.*

8. In this case, Objector's claim that Candidate is not a registered voter lacks merit. Board records indicate that the Candidate at all times was registered to vote and maintained a residence within the Sub-District 6A.

9. Objector's alternative argument that the Statement of Candidacy and Petition Sheets are false also fail. "The form of the Statement of Candidacy prescribed by Section 7-10 of the Election Code does not require that a candidate be registered to vote at the residence address stated in the Statement of Candidacy so long as the candidate is registered to vote at some address within the district in which he seeks to be nominated or elected." *Sutor v. Acevedo, 06-EB-RGA-04 (Chicago Electoral Board 2006), citing Henderson v. Miller, 228 Ill.App.3d 260, 592 N.E.2d 570 (1992); see also Brown v. Ward, 15-EB-ALD018 (Chicago Electoral Board 2015) (holding that candidate's Statement of Candidacy substantially complied with the rules where candidate was a resident in the 9th Ward and registered to vote at all times relevant in the 9th Ward.).*

10. The Motion to Dismiss the Objector's Petition is granted.

11. The Hearing Officer recommends the Objector's Petition be dismissed and the Candidate, **BRENDA LEE ANDERSON,** appear on the November 3, 2026,

ballot as a candidate for the Office of Member of the Chicago Board of Education, Ditrict Subdistrict 6A, City of Chicago, State of Illinois.

HO Frank A. Tedesso