



Landlords are going through some very tough times right now. Our legislators do not understand our business and because of this they consistently try to pass laws that will make being a real estate investor even more difficult. IRPOA has dedicated itself to watching out for the small investor. The main way we do that is through our lobbyist. Legislators are starting to recognize that small landlords do have opinions on bills they propose. They are starting to ask, what do the landlords think about this bill? Our presence is being felt in Springfield mostly due to our Lobbyist efforts. Consulting 4 Biz has done a great job for us over the past four years; however their service is not free. Our Lobbyist costs \$14,400 per year, and this cost is due to go up soon. Some of the associations have generously donated to the Lobbyist fund every year, but this year we still are short. In order to keep our Lobbyist we need donations from all members of each of our associations. In order to continue to have your voice heard in Springfield we ask that you donate to the Lobbyist fund today. Below is just a small idea of the work the PAC and Lobbyist have done this year.

2010 IRPOA Legislative Session Wrap-up

Annually IRPOA Lobbyists screen over 7000 bills that are proposed in Springfield looking for bills that will impact landlords, property owners and investors. They follow these bills, and alert IRPOA's PAC Committee of the bills and any meeting, actions and discussions that will be taking place concerning them. IRPOA's PAC Committee develops a position on the bills and solicits its Members help in making our position known from the grassroots perspective.

The following is a summary of legislative issues of prime concern to IRPOA during the legislative session, Spring 2010. This is by all means not inclusive of all legislative proposals IRPOA lobbyists tracked and impacted. For those that have passed both chambers, the legislators have 30 days to send them to the Governor and then he has 60 days to either sign it into law or recommend some type of veto.

HB5224 (Rep. Dan Reitz); would have created the Tenant Radon Protection Act. This legislation stated that the landlord would provide the tenant with an Illinois Emergency Management Agency radon guide for tenants; a landlord would have had 30 days to obtain a radon test after a tenant's notification of a test revealing radon; provided that a measurement by a radon contractor would be valid for 5 years; and deleted provisions concerning the termination of a lease. As amended, this bill would have strongly recommended testing and mitigation, but did not mandate it. This bill passed out of the House and died in the Senate.

HB5421 was sponsored by Rep. Deborah Mell and opposed by IRPOA, the language provided that if a sex offender resided in a multi-unit dwelling, the owner, landlord, or management of the multi-unit dwelling shall notify residents of the multi-unit dwelling that sex offenders reside in the multi-unit dwelling. Provided that if a sex offender intends to reside in the multi-unit dwelling, notice shall be given before the sex offender moves into the multi-unit dwelling. It provided that it is the duty of the owner, landlord, or management of the multi-unit dwelling to periodically check the Statewide Sex Offender Database to determine if sex offenders reside within the multi-unit dwelling. Provided that an owner, landlord, or management of a multi-unit dwelling is immune from criminal or civil liability for an act or omission made in good

faith in reliance on the information in the Statewide Sex Offender Database. This bill died in the House.

HB5523 (Representative Karen Yarbrough) amends the Code of Civil Procedure. Provides that it is an affirmative defense to a forcible entry action if the demand for possession is based on: the status of the tenant, lessee, or household member as a victim of domestic violence, dating violence, stalking, or sexual violence; an incident of domestic violence, dating violence, stalking, or sexual violence against a tenant, lessee, or household member; or criminal activity engaged in by a member of a tenant's or lessee's household or any guest or other person under the tenant's, lessee's, or household member's control directly relating to domestic violence, dating violence, stalking, or sexual violence and against the tenant, lessee, or household member. Provides that the existence of the affirmative defense does not prevent a landlord from seeking possession solely against a tenant, household member, or lessee who perpetrated the violence. IRPOA was successful in getting some provisions of this bill amended, but we could not defeat it. This bill passed both chambers and has been signed by the Governor.

HB6257 (Representative Anthony Deluca) this piece of legislation provided that the corporate authorities of any municipality may license and regulate landlords, as defined by the corporate authorities of the municipality, within that municipality. This bill passed out of the House and died in the Senate.

HB6439 (Rep. Ken Dunkin); provides that the Illinois Bed Bug Task Force is created within the Department of Public Health. Provides that the Department shall provide staff and administrative support to the Task Force. It also provides that the Task Force shall make recommendations concerning the prevention and treatment of bed bug infestations; standards for the disposal of infested items; certification of pest management professionals; and the development of public education materials. Provides that the Task Force shall consist of 10 members appointed by the Governor. Sets forth criteria for Task Force membership. Provides that the Task Force shall report its findings to the General Assembly on or before January 1, 2011. This bill passed both chambers.

HB4766 introduced by Rep. Jim Sacia, would have amended the Elevator Safety and Regulation Act. The legislation provided that the Act, with the exception of a new provision, shall not apply to any county in the State other than the counties of Cook, DuPage, Kane, Lake, McHenry, and Will. Provides that any county other than the counties of Cook, DuPage, Kane, Lake, McHenry, and Will, and any municipality that lies within any county other than the counties of Cook, DuPage, Kane, Lake, McHenry, and Will, may set up its own inspection system for elevators and lifts by local ordinance. This bill died in the House.

SB3614 was introduced by Senator Duffy, and Representative Ron Wait introduced companion bill **HB6207**. This legislation would have amended the Code of Civil Procedure and provided that possession of land or a building may be restored under several identified circumstances, including: when a forcible entry is made, entry and restoration of possession may be made under the supervision of a law enforcement officer or an employee of a private security agency certified under the Private Detective, Private Alarm, Private Security, Fingerprint Vendor and Locksmith Act of 2004 (instead of when a forcible entry is made). At the request of IRPOA, Senator Duffy and Representative Wait both held the bill in order for IRPOA to meet with the opponents; meetings are still taking place and we are hopeful that we seek resolution to some of these issues without legislative action.

HB5290 was introduced by Representative Franco Coladipietro and supported by IRPOA. Some counties in Illinois restrict the use of private process servers. This bill will limit that restriction and it establishes a system for service to individuals detained in a correctional facility. This bill is currently in the House on the order of concurrence for Senate Amendments 1 and 2.

SB3564 was introduced on behalf of IRPOA by Senator Bill Haine and would amended the Illinois Municipal Code. In provisions concerning sanitation code violations, it provided that a violation notice and report form shall state that if compliance cannot be completed prior to the hearing date, then the respondent shall provide to the sanitation inspector a proposed date by which the violations will be corrected. Provided that, if a municipality gives notice of a sanitation violation by mail, then the municipality shall send a copy of the violation notice and report form to the address appearing on the property tax records. Provided that it is an affirmative defense to a sanitation code violation if the property or portion of the property where the violation occurred is under the control of a lessee or contract buyer responsible for maintaining the property and the leasehold interest or agreement for deed is being terminated. In provisions concerning nuisance liens for (i) cutting and removing neglected weeds, grass, trees, and bushes, (ii) controlling pests, (iii) removing infected trees, and (iv) removing garbage and refuse, it defined "reasonable notice" of a nuisance violation. Included refuse in the provisions concerning the removal of garbage from private property located within the municipality. In provisions authorizing municipalities to provide pest-control activities on private property located within the municipality, removes undesirable arthropods and mice from the definition of "pests". Due to opposition the bill was held in the Senate; IRPOA will continue to work on this issue and plans to reintroduce this again next spring.

SB3075, introduced by Senator Maggie Crotty, and opposed by IRPOA, provided that the corporate authorities of a non-home rule municipality may adopt a crime-free rental housing ordinance for the purpose of deterring crime in residential areas. It provided that a crime-free rental housing ordinance may require a property owner to obtain a valid residential rental license from the municipality and to attend a training program or seminar concerning crime prevention before he or she may obtain a residential rental license. The language provided that an ordinance may require that any lease entered into for residential property located in the municipality include a provision or an addendum that prohibits a tenant, a tenant's family member, or a guest of the tenant from engaging in, facilitating, or permitting any quasi-criminal or criminal activity as defined by federal, State, or local law. This bill died in the Senate.

Veto Session: is the week before and the week after Thanksgiving. It is a time the legislators can vote to over-ride a Governor's veto or Amendatory Veto. Other issues can be called for a vote during this time frame, but 6 days is often not long enough to overcome major opposition.

Legislative information by Debbie Broadfield, Lobbyist, IRPOA Consulting4Biz, Inc.

IRPOA needs your help! We need you!

We need people who are interested in getting involved in the legislative process. Now that we have hired a lobbyist, we need folks that can help with the grassroots support to back up these efforts. We also need donations to the Lobbyist Fund, and IRPOA-PAC to help support our industry.

HELP STOP ANTI-LANDLORDING LAWS

With a Voluntary Contribution to IRPOA-PAC (Political Action Committee)

In the last few years laws have been proposed in Springfield that would have made it a crime to:

- Charge a late fee over \$10.00/Mo
- Not pay interest on security deposits
- Forbid subletting
- Not give tenants the owners' home address and phone number
- Charge an application fee
- Fail to install guardrails on all windows over 3.5 feet high
- Not accept Section 8 Tenants
- Fail to have every unit inspected for Lead paint every other year
- Fail to register with the State of Illinois as a landlord

Legislation has passed that makes it a crime to:

- Fail to install carbon monoxide detectors (see www.irpoa.org for details).
- Fail to pay 82% for distressed properties (see www.irpoa.org for details).

And, a good law:

Legislation has also passed that makes it a crime for tenants to write bad checks for their rent.

How much would it cost you to be a rental-housing provider if these proposed bad laws had been passed? Would your investments in rental housing change? Every year there are about 40-50 laws proposed that affect your business. We sift these out of the 6000-7000 bills that are proposed at the state level. Then we go to work fighting to stop the bad ones, and offering our support on the good ones. You can help!

Make a Contribution to IRPOA for the Lobbyist Fund today!

Yes, I'd like to do my part to stop anti-landlord bills, and encourage good legislation...

Enclosed is my contribution:

\$ 5.00 per unit X _____ Units = \$ _____
 \$10.00 per unit X _____ Units = \$ _____
 \$15.00 per unit X _____ Units = \$ _____
 \$_____per unit X _____ Units = \$ _____

I can't contribute today, but I pledge to give \$ _____ by _____.

Signed _____ Phone Number (____)_____

Make checks payable to: **IRPOA – Lobbyist Fund**

Send To: IRPOA • 811 E Rollins Road #42 • Round Lake Beach, IL 60073