



Illinois Rental Property Owners Association

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2011 Legislative Update

The Illinois Rental Property Owners Association is a statewide coalition of investor associations, which promotes the interests of persons, firms, and corporations who develop, own, or manage residential rental housing. IRPOA informs members about current issues and interests, including legislative activities; and conducts such activities as are necessary to carry out the goals of the Association. IRPOA has a lobbyist in Springfield, an active Political Action Committee, and a Legislative Director which all monitor legislation and lobby on behalf of residential rental property owners and investors.

So far this Session in Springfield 2486 bills were introduced in the Senate, 3808 bills were introduced in the House. 615 new laws have been passed. Below you'll find a few new laws that may affect you.

New Laws Passed in 2011

SB 1766 - effective 8/2/2011. Public Act 097-0236 **Crime Free Rental Housing** Written leases are to include the following "crime free lease language": *If any lessee or occupant, on one or more occasions, uses or permits the use of the leased premises for the commission of a felony or Class A misdemeanor under the laws of this State, the lessor shall have the right to void the lease and recover the leased premises .*

HB 0141 - has been signed into law - effective 1/1/2012. Public Act 097-0021 **Radon Disclosure** - applies to leased dwellings located below the 3rd story above ground level. Synopsis: If the results of a radon test indicate that a hazard exists, the lessor shall disclose it in writing to potential tenants, unless a subsequent test indicates there is no hazard.

HB1233 - has been signed into law - effective 1/1/2012. Public Act 097-0470 **Required Lock Change** - applies to Cook County dwelling units. Synopsis - landlords shall change or rekey locks between tenants. If the landlord does not change the locks and a theft occurs that is attributable to the failure to change the lock, the landlord is liable for any damages that occur as a result. There are some exemptions for owner occupied properties. IRPOA asked for some modification to this bill to address more modern lock systems. They were incorporated in the final bill. Changing locks between tenants is important for many reasons - do it even if you are not required to by this law.

HB1209 - has been signed into law - effective 1/1/2012. Public Act 097-0247 - **Evictions** - Synopsis - A claim for rent joined in the eviction complaint may include a request for the pro rata amount of rent due for any period that a judgment is stayed.

SB1603 - has been signed into law - effective retroactively to 1/1/2011. Public Act 097-0143. **Seller Financing** - Amends the Residential Mortgage License Act of 1987 - Synopsis - Any person or entity that does not originate mortgage loans in the ordinary course of business, but makes or acquires residential mortgage loans with his or her own funds for his or her own investment without intent to make, acquire, or resell more than 3 loans in any one calendar year is exempt from the requirements to be a licensed loan originator. This provision is subject to final rule making by HUD concerning the S.A.F.E. Act. IRPOA asked that this bill be submitted to loosen restrictions that were imposed last year when the Mortgage Loan Originator legislation was passed.

Please send donations to: IRPOA - Lobbyist Fund at 811 E Rollins Road #42, Round Lake Beach, IL 60073, or visit our website at www.irpoa.org to make a donation via credit card. Your donations fund our legislative work in Springfield. Mark your calendar to join us for Lobby Day, March 9, 2012.