

HB3001



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB3001

by Rep. Robert Rita

SYNOPSIS AS INTRODUCED:

765 ILCS 710/1

from Ch. 80, par. 101

Amends the Security Deposit Return Act. Provides that the lessor shall deliver specified receipts or the security deposit, as applicable, to the lessee in person or by postmarked mail directed to the last known address of the lessee or another address provided by the lessee. Provides that if the lessee fails to provide the lessor with a mailing address or electronic mail address, the lessor shall not be held liable for any damages or penalties as a result of the lessee's failure to provide an address. Provides that if a lessor is unable to produce specified receipts for repairs or replacements, or copies thereof, then the lessor may produce an itemized list of the costs of repair or replacements, along with any other evidence the lessor has of that cost.

LRB100 09851 HEP 20021 b

A BILL FOR

1 AN ACT concerning civil law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Security Deposit Return Act is amended by
5 changing Section 1 as follows:

6 (765 ILCS 710/1) (from Ch. 80, par. 101)

7 Sec. 1. Statement of damage.

8 (a) Except as provided in subsection (b), a ~~A~~ lessor of
9 residential real property, containing 5 or more units, who has
10 received a security deposit from a lessee to secure the payment
11 of rent or to compensate for damage to the leased property may
12 not withhold any part of that deposit as compensation for
13 property damage unless he has, within 30 days of the date that
14 the lessee vacated the premises, furnished to the lessee,
15 delivered in person, by postmarked mail directed to his or her
16 last known address, or by electronic mail to a verified
17 electronic mail address provided by the lessee, an itemized
18 statement of the damage allegedly caused to the premises and
19 the estimated or actual cost for repairing or replacing each
20 item on that statement, attaching the paid receipts, or copies
21 thereof, for the repair or replacement. If the lessor utilizes
22 his or her own labor to repair any damage caused by the lessee,
23 the lessor may include the reasonable cost of his or her labor

1 to repair such damage. If estimated cost is given, the lessor
2 shall furnish to the lessee, delivered in person or by
3 postmarked mail directed to the last known address of the
4 lessee or another address provided by the lessee, ~~the lessee~~
5 ~~with~~ paid receipts, or copies thereof, within 30 days from the
6 date the statement showing estimated cost was furnished to the
7 lessee, as required by this Section. If no such statement and
8 receipts, or copies thereof, are furnished to the lessee as
9 required by this Section, the lessor shall return the security
10 deposit in full within 45 days of the date that the lessee
11 vacated the premises, delivered in person or by postmarked mail
12 directed to the last known address of the lessee or another
13 address provided by the lessee. If the lessee fails to provide
14 the lessor with a mailing address or electronic mail address,
15 the lessor shall not be held liable for any damages or
16 penalties as a result of the lessee's failure to provide an
17 address.

18 (b) If a lessor is unable to produce as required in
19 subsection (a) receipts for repairs or replacements, or copies
20 thereof, then the lessor may produce an itemized list of the
21 costs of repair or replacements, along with any other evidence
22 the lessor has of that cost.

23 (c) Upon a finding by a circuit court that a lessor has
24 refused to supply the itemized statement required by this
25 Section, or has supplied such statement in bad faith, and has
26 failed or refused to return the amount of the security deposit

1 due within the time limits provided, the lessor shall be liable
2 for an amount equal to twice the amount of the security deposit
3 due, together with court costs and reasonable attorney's fees.
4 (Source: P.A. 97-999, eff. 1-1-13.)