

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 Common Interest Community Association Act is  
5 amended by changing Section 1-35 as follows:

6 (765 ILCS 160/1-35)

7 Sec. 1-35. Member powers, duties, and obligations.

8 (a) The provisions of this Act, the declaration, bylaws,  
9 other community instruments, and rules and regulations that  
10 relate to the use of an individual unit or the common areas  
11 shall be applicable to any person leasing a unit and shall be  
12 deemed to be incorporated in any lease executed or renewed on  
13 or after the effective date of this Act. Unless otherwise  
14 provided in the community instruments, with regard to any lease  
15 entered into subsequent to the effective date of this Act, the  
16 unit owner leasing the unit shall deliver a copy of the signed  
17 lease to the association or if the lease is oral, a memorandum  
18 of the lease, not later than the date of occupancy or 10 days  
19 after the lease is signed, whichever occurs first.

20 (b) If there are multiple owners of a single unit, only one  
21 of the multiple owners shall be eligible to serve as a member  
22 of the board at any one time, unless the unit owner owns  
23 another unit independently.

1 (c) Two-thirds of the membership may remove a board member  
2 as a director at a duly called special meeting.

3 (d) In the event of any resale of a unit in a common  
4 interest community association by a member or unit owner other  
5 than the developer, the board shall make available for  
6 inspection to the prospective purchaser, upon demand, the  
7 following:

8 (1) A copy of the declaration, other instruments, ~~and~~  
9 any rules and regulations, and any adopted common expense  
10 collection policies.

11 (2) A statement of any liens, including a statement of  
12 the account of the unit setting forth the amounts of unpaid  
13 assessments and other charges due and owing.

14 (3) A statement of any capital expenditures  
15 anticipated by the association within the current or  
16 succeeding 2 fiscal years.

17 (4) A statement of the status and amount of any reserve  
18 or replacement fund and any other fund specifically  
19 designated for association projects.

20 (5) A copy of the statement of financial condition of  
21 the association for the last fiscal year for which such a  
22 statement is available.

23 (6) A statement of the status of any pending suits or  
24 judgments in which the association is a party.

25 (7) A statement setting forth what insurance coverage  
26 is provided for all members or unit owners by the

1 association for common properties.

2 (8) A statement setting forth the current assessment  
3 obligations, including any special assessments or other  
4 common expenses.

5 (9) A statement setting forth the current late fees or  
6 interest that may be charged on an unpaid balance, if any.

7 The principal officer of the board, ~~or~~ such other officer  
8 as is specifically designated, or agent for the association  
9 shall disclose ~~furnish~~ the above information within 30 days  
10 after receiving a written request for such information.

11 A reasonable fee covering the direct out-of-pocket cost of  
12 copying and providing such information may be charged by the  
13 association or the board to the unit seller for providing the  
14 information.

15 (Source: P.A. 97-605, eff. 8-26-11; 97-1090, eff. 8-24-12;  
16 98-842, eff. 1-1-15.)