



Sen. M. Maggie Crotty

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09300SB2791sam003

LRB093 14121 LCB 49130 a

1 AMENDMENT TO SENATE BILL 2791

2 AMENDMENT NO. _____. Amend Senate Bill 2791, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Mobile Home Landlord and Tenant Rights Act
6 is amended by changing Section 9 and by adding Sections 6.5 and
7 20.5 as follows:

8 (765 ILCS 745/6.5 new)

9 Sec. 6.5. Disclosure. A park owner must disclose in writing
10 the following with every lease or sale and upon renewal of a
11 lease of a mobile home or lot in a mobile home park:

12 (1) the rent charged for the mobile home or lot in the
13 past 5 years;

14 (2) the park owner's responsibilities with respect to
15 the mobile home or lot;

16 (3) information regarding any fees imposed in addition
17 to the base rent;

18 (4) information regarding late payments;

19 (5) information regarding any privilege tax that is
20 applicable; and

21 (6) information regarding security deposits, including
22 the right to the return of security deposits and interest
23 as provided in Section 18 of this Act.

24 The park owner must update the written disclosure at least

1 once per year. The park owner must advise tenants who are
2 renewing a lease of any changes in the disclosure from any
3 prior disclosure.

4 (765 ILCS 745/9) (from Ch. 80, par. 209)

5 Sec. 9. The Terms of Fees and Rents. The terms for payment
6 of rent shall be clearly set forth and all charges for
7 services, ground or lot rent, unit rent, or any other charges
8 shall be specifically itemized in the lease and in all billings
9 of the tenant by the park owner.

10 The owner shall not change the rental terms nor increase
11 the cost of fees, except as provided herein.

12 The park owner shall not charge a transfer or selling fee
13 as a condition of sale of a mobile home that is going to remain
14 within the park unless a service is rendered.

15 Rents charged to a tenant by a park owner may be increased
16 upon the renewal of a lease. Notification of an increase shall
17 be delivered 60 days prior to expiration of the lease.

18 If the park owner increases the rent more than 15% of the
19 previous lease amount and the tenant is over the age of 65 or
20 disabled, then the landlord must give the tenant a written
21 explanation justifying the rent increase.

22 (Source: P.A. 86-851.)

23 (765 ILCS 745/20.5 new)

24 Sec. 20.5. Publication of false or misleading information;
25 remedies. Any person who pays anything of value toward the
26 purchase of a mobile home or placement of a mobile home in a
27 mobile home park located in this State in reasonable reliance
28 upon any material statement or information that is false or
29 misleading and published by or under authority from the park
30 owner or developer in advertising and promotional materials,
31 including, but not limited to, a prospectus, the items required
32 as exhibits to a prospectus, brochures, and newspaper

1 advertising, shall have a cause of action to rescind the
2 contract or collect damages from the developer, park owner, or
3 mobile home dealer for her or his loss.".