**Section 1450.785 Rental Finding Services**

a) Definition and Application

1) A rental finding service is any business that finds, attempts to find or offers to find, for any person who pays or is obligated to pay a fee or other valuable consideration, a unit of rental real estate or a lessee to occupy a unit of rental real estate not owned or leased by the rental finding service.

2) Any person, corporation, limited liability company, partnership, limited partnership or limited liability partnership that operates a rental finding service shall be considered a licensee, obtain the appropriate license, and comply with this Section.

3) This Section shall not apply to persons exempted by Section 5-20 of the Act.

b) Contract. A rental finding service shall, prior to accepting a fee or other valuable consideration for services, enter into a written contract with the person for whom services are to be performed and deliver to the person a physical or electronic copy of the contract. The contract shall include, in the case of a rental finding service that finds, offers or attempts to find a unit of rental real estate for a person, at a minimum, the following:

1) The term of the contract;

2) The total amount to be paid for the services to be performed and a clear designation of the amount, if any, paid in advance of the performance of the services;

3) A statement regarding whether the fee paid in advance is refundable or non-refundable, including the following in uniform type of a size larger than that used for the balance of the contract:

A) Precise conditions, if any, upon which a refund is based;

B) The conditions shall occur within 90 days from the date of the contract; and

C) The refund shall be paid no later than 10 days after demand, provided the payment of the fee has been honored;

4) The type of rental unit desired, the geographical area requested, and the rent the prospective tenant is willing to pay;

5) A detailed statement of rental finding services to be performed by the licensee, which shall include, at a minimum, the delivery to the prospective tenant of all rental information set forth in subsection (c);

6) A statement that the contract shall be null and void if information concerning possible rental units or locations furnished by the licensee is not current or accurate with respect to the type of rental unit desired and as set forth in subsection (b)(4). A listing for a rental unit that has not been available for rent for over 2 days shall be prima facie proof of not being current;

7) A statement that information furnished by the licensee concerning possible rental units may be up to 2 days old; and

8) A statement requiring the licensee to refund all fees paid in connection with the contract if the contract is null and void for any reason. The licensee shall not impose any condition for the refund, and the contract shall state when the refund will be paid.

c) Disclosure. As required by subsection (b)(5), the following information for each rental unit the rental finding service is listing shall be provided, in writing, to the person with whom the contract is entered:

1) The name, address, email address, and telephone number of the owner of each rental unit or the owner's authorized agent;

2) A description of the rental unit;

3) The amount of rent requested;

4) The amount of security deposit required;

5) A statement describing utilities that are located in the rental unit and included in the rent;

6) The occupancy date and the term of lease;

7) A statement setting forth the source of the information disclosed (i.e., owner, owner's authorized agent); and

8) All other conditions that may reasonably be expected to be of concern to the prospective tenant.

d) Permission of Owner. A rental finding service shall not list or advertise any rental unit without the express written authority of the owner or owner's authorized agent of each unit.

(Source: Amended at 45 Ill. Reg. 2851, effective February 23, 2021)