



Rep. La Shawn K. Ford

Filed: 3/7/2017

10000HB0471ham002

LRB100 06006 HEP 22551 a

1 AMENDMENT TO HOUSE BILL 471

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 471 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Code of Civil Procedure is amended by  
5 adding Sections 15-1406 and 15-1504.7 as follows:

6 (735 ILCS 5/15-1406 new)

7 Sec. 15-1406. Refiling of Foreclosure Proceedings. A  
8 default for failing to make a scheduled payment each month as  
9 required under any applicable note and mortgage shall  
10 constitute a basis for a new, separate, and distinct cause of  
11 action. The new, separate, and distinct cause of action shall  
12 exist notwithstanding: (i) any prior acceleration of the same  
13 debt due to one or more previous defaults that resulted in  
14 dismissal of the foreclosure proceedings; or (ii) anything to  
15 the contrary in Section 13-217 of this Code.

1 (735 ILCS 5/15-1504.7 new)

2 Sec. 15-1504.7. Homeowner notice to tenants or other lawful  
3 occupants.

4 (a) No later than 14 days after receiving the Homeowner  
5 Notice of foreclosure pursuant to Section 15-1504.5, a  
6 homeowner must provide all existing tenants and other known  
7 lawful occupants of the property with a written notice that a  
8 foreclosure action has been commenced by either: (1) delivering  
9 a copy of the notice to the tenant or other known lawful  
10 occupant; (2) leaving the same with some person of the age of  
11 13 years or upwards who is residing on or in possession of the  
12 premises; or (3) sending a copy of the notice to the tenant or  
13 other known lawful occupant by first-class mail.

14 (b) After receiving the Homeowner Notice of foreclosure  
15 pursuant to Section 15-1504.5, a homeowner must provide all  
16 prospective tenants with a written notice that the property is  
17 subject to a foreclosure action. A copy of the notice may be  
18 contained in the lease agreement or as an additional and  
19 separate disclosure document and it shall be delivered to the  
20 prospective tenant or sent to the prospective tenant by  
21 first-class mail.

22 (c) The notice to current or prospective tenants and other  
23 known lawful occupants may be in substantially the following  
24 form:

25 NOTICE OF FORECLOSURE TO ANY  
26 TENANT OR OTHER LAWFUL OCCUPANT

1           A LAWSUIT HAS BEEN FILED TO FORECLOSE ON THIS PROPERTY. AS  
2           TENANTS OR LAWFUL OCCUPANTS, YOU HAVE THE RIGHT TO LIVE IN THE  
3           HOME IN ACCORDANCE WITH YOUR LEASE AGREEMENT OR OCCUPANCY  
4           ARRANGEMENT UNTIL A JUDGE ENTERS AN ORDER FOR POSSESSION. THIS  
5           IS NOT A NOTICE TO VACATE THE PREMISES. YOU MAY WISH TO CONTACT  
6           A LAWYER OR YOUR LOCAL LEGAL AID OR HOUSING COUNSELING AGENCY  
7           TO DISCUSS ANY RIGHTS THAT YOU MAY HAVE."