



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

SB1562

Introduced 2/9/2017, by Sen. Bill Cunningham

SYNOPSIS AS INTRODUCED:

310 ILCS 50/4

from Ch. 67 1/2, par. 854

Amends the Abandoned Housing Rehabilitation Act. In a provision concerning a court hearing on an organization's petition for temporary possession of property that the organization intends to rehabilitate, requires the organization to demonstrate to the court that: (i) its rehabilitation plan has been approved by the governing body of the municipality within which the property is located or, if the property is located within an unincorporated area, the county board or board of commissioners of the county within which the property is located; and (ii) any plan commission or planning department of the municipality or county within which the property is located has provided input and advice prior to the municipality's or county's approval of the rehabilitation plan.

LRB100 07935 KTG 18008 b

1 AN ACT concerning housing.

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

4 Section 5. The Abandoned Housing Rehabilitation Act is
5 amended by changing Section 4 as follows:

6 (310 ILCS 50/4) (from Ch. 67 1/2, par. 854)

7 Sec. 4. The proceeding shall be commenced by filing a
8 verified petition in the circuit court in the county in which
9 the property is located. The petition shall allege the
10 conditions specified in Section 3. All parties in interest of
11 the property shall be named as defendants in the petition and
12 summons shall be issued and service had as in other civil cases
13 pursuant to Section 2-206 of the Code of Civil Procedure.

14 Any defendant may file as part of his answer, as an
15 affirmative defense, a plan for the rehabilitation of the
16 property. The court shall grant that defendant 90 days to bring
17 the property into compliance with applicable fire, housing and
18 building codes. The court may, for good cause shown, extend the
19 90-day compliance period. If the property is brought into such
20 compliance within the 90-day period or extension of time
21 thereof, the petition shall be dismissed. If the defendant
22 fails to bring the property into such compliance within the
23 90-day period or extension of time thereof, or if the

1 defendant's plan is otherwise insufficient, the defendant's
2 affirmative defense shall be stricken.

3 At the hearing on the organization's petition, the
4 organization shall submit to the court a plan for the
5 rehabilitation of the property and present evidence that the
6 organization has adequate resources to rehabilitate and
7 thereafter manage the property. For the purpose of developing
8 such a plan, representatives of the organization may be
9 permitted entry onto the property by the court at such times
10 and on such terms as the court may deem appropriate. The
11 organization must also demonstrate to the court that:

12 (1) its rehabilitation plan has been approved by the
13 governing body of the municipality within which the
14 property is located or, if the property is located within
15 an unincorporated area, the county board or board of
16 commissioners of the county within which the property is
17 located; and

18 (2) any plan commission or planning department of the
19 municipality or county within which the property is located
20 has provided input and advice prior to the municipality's
21 or county's approval of the rehabilitation plan.

22 (Source: P.A. 85-862.)