

HB2765



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB2765

Introduced 2/19/2021, by Rep. Delia C. Ramirez

SYNOPSIS AS INTRODUCED:

765 ILCS 735/1.2

from Ch. 80, par. 62.2

Amends the Rental Property Utility Service Act. Makes a technical change in a Section concerning certain tenant-paid utility payment arrangements that are prohibited and notice of change in a payment arrangement.

LRB102 14263 LNS 19615 b

A BILL FOR

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 Rental Property Utility Service Act is
5 amended by changing Section 1.2 as follows:

6 (765 ILCS 735/1.2) (from Ch. 80, par. 62.2)

7 Sec. 1.2. Certain tenant-paid utility payment arrangements
8 prohibited; Notice of change in payment arrangement.

9 (a) No landlord shall rent or cause to be rented any unit
10 in which the ~~the~~ tenant is responsible by agreement,
11 implication, or otherwise for direct payment for utility
12 service to the utility company and in which the utility
13 company billing for that service includes any service to
14 common areas of the building or other units or areas used or
15 occupied by persons other than the individual tenant and those
16 occupying the unit with the tenant on the utility account,
17 unless, before offering an initial lease or a renewal lease,
18 accepting a security deposit, or otherwise entering into an
19 agreement with the prospective tenant to let the premises:

20 (1) The landlord provides the prospective tenant with
21 a written statement setting forth the specific areas of
22 the building and any appurtenances that are served by the
23 meter that will be in the tenant's name and the nature of

1 the utility uses of those areas, including any that have
2 not been reflected in past utility company billings but
3 that may arise (such as the rental of a neighboring unit
4 that has been vacant, the installation of washers and
5 driers in the basement, or the use of the garage for
6 mechanics);

7 (2) The landlord provides the prospective tenant with
8 copies of the utility bills for the unit for the previous
9 12 months, unless waived by the tenant in writing;

10 (3) The landlord neither suggests nor requires the
11 tenant to collect any money for utility bills from
12 neighboring tenants whose utility usage will be reflected
13 in the prospective tenant's utility company billings; and

14 (4) The landlord sets forth in writing the amount of
15 the proposed rent reduction, if any, that is offered to
16 compensate for the tenant's payments for utility usage
17 outside of the tenant's unit.

18 (b) No landlord shall request or cause to be effected a
19 change (i) from landlord-paid master metered utilities to
20 tenant-paid individually metered utilities or (ii) from
21 landlord-paid to tenant-paid utilities, regardless of the
22 metering arrangement, during the term of a lease. The landlord
23 shall provide a minimum of 30 days notice to each affected
24 tenant before effecting such a change in service; for tenants
25 under a lease, the notice shall be provided to the tenants no
26 less than 30 days before the expiration of the lease term. This

1 subsection does not prohibit the landlord and tenant from
2 agreeing to amend the lease to effect such a change; the
3 amendment must be in writing and subscribed by both parties.

4 (c) Any term or condition in a rental agreement between
5 the landlord and the tenant that is inconsistent with this
6 Section is void and unenforceable.

7 (d) Nothing in this Section affects the relationship
8 between a utility company and its customers.

9 (Source: P.A. 87-178.)