

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 Homelessness Prevention Act is amended by  
5 changing Sections 4 and 10 as follows:

6 (310 ILCS 70/4) (from Ch. 67 1/2, par. 1304)

7 Sec. 4. Homelessness Prevention and Assistance Program.

8 (a) The Department shall establish a family homelessness  
9 prevention and assistance program to stabilize families in  
10 their existing homes, to shorten the amount of time that  
11 families stay in emergency shelters, and to assist families  
12 with securing affordable transitional or permanent housing.  
13 The Department shall make grants, from funds appropriated to  
14 it, to develop and implement homelessness prevention and  
15 assistance projects under this Act.

16 (b) Grants may be made from funds appropriated for the  
17 purposes of this Act and from any federal funds or funds from  
18 other sources which are made available for the purposes of  
19 this Act. Grants shall be made under this Act only to the  
20 extent that funds are available.

21 (c) The Department shall be mindful of preventing undue  
22 administrative burden in the application process for  
23 individual tenants applying for assistance authorized under

1 this Act.

2 (Source: P.A. 94-91, eff. 7-1-05.)

3 (310 ILCS 70/10) (from Ch. 67 1/2, par. 1310)

4 Sec. 10. (a) Program staff shall, whenever practicable,  
5 negotiate with the landlord of a household approved for  
6 assistance under the program to enable the household to remain  
7 in its current housing.

8 (b) Program staff shall, when there has been a loss of  
9 public benefits to the household, take all practicable steps  
10 to assist in the restoration of the household's public  
11 benefits.

12 (c) Program staff shall identify, and assist households in  
13 applying for, any form of public benefits or entitlements for  
14 which the household may be eligible.

15 (d) Program staff shall, after the end of each State  
16 fiscal year and as determined by the Department of Human  
17 Services, determine whether the household has remained in the  
18 residence in which they were residing at the time assistance  
19 was provided, and determine whether the living situation of  
20 the household is stable.

21 (e) Program staff, to the extent practicable, shall  
22 endeavor to lessen any administrative burden on landlords  
23 receiving assistance payments under this Act.

24 (Source: P.A. 96-291, eff. 8-11-09.)

1 Section 10. The Code of Civil Procedure is amended by  
2 adding Section 9-106.4 as follows:

3 (735 ILCS 5/9-106.4 new)

4 Sec. 9-106.4. Affirmative defense regarding emergency  
5 housing assistance.

6 (a) The General Assembly hereby finds that:

7 (1) Homelessness frequently results from a temporary  
8 economic crisis such as a temporary loss of employment,  
9 medical emergency, or loss or interruption of public  
10 benefits.

11 (2) The prevention of homelessness, as opposed to  
12 providing temporary shelter or offering other short-term  
13 solutions to persons who become homeless, is  
14 cost-effective, preserves family self-respect, and helps  
15 to keep families intact.

16 (3) Short-term interventions for the prevention of  
17 homelessness serve to prevent the need for long-term  
18 assistance programs that are costlier to taxpayers.

19 (4) The cost-effectiveness and other goals of  
20 homelessness prevention programs are undercut when the  
21 State, its federal or municipal governmental partners, or  
22 private charitable funders appropriate funds for  
23 homelessness prevention programs, but owners of private  
24 property refuse to engage in de minimus paperwork or  
25 bookkeeping tasks to process funding applications;

1 thereby, homelessness is not prevented and family  
2 stability is not secured.

3 (5) State governmental programs shall be mindful of  
4 undue paperwork requirements in administering such funds  
5 and shall encourage governmental and private charitable  
6 partners to be likewise mindful.

7 (b) An affirmative defense applies to any action  
8 maintained under this Article in which the plaintiff has made  
9 a demand for possession that is based on unpaid rent  
10 regardless of whether the owner or the agent of the owner has  
11 joined in the action a claim for rent pursuant to Section  
12 9-201.

13 (c) A defendant may assert an affirmative defense if the  
14 defendant, a social services agency, or a government agency  
15 offered the owner or its agent an application for emergency  
16 housing assistance and the owner or the agent of the owner  
17 refused to complete the process to obtain the emergency  
18 housing assistance and the defendant would have been eligible  
19 for the emergency housing assistance program.

20 (d) The owner or the agent of the owner may overcome this  
21 affirmative defense only if the court makes a finding that the  
22 application for emergency housing assistance would impose a  
23 significant administrative burden on the owner or the agent of  
24 the owner. It is not a significant administrative burden for  
25 the owner or the agent of the owner to:

26 (1) submit a social security number or taxpayer ID

- 1           number;
- 2           (2) complete an Internal Revenue Service form W-9;
- 3           (3) submit a voided bank account check or deposit  
4           slip;
- 5           (4) submit a bank account number for the purposes of  
6           direct deposit;
- 7           (5) submit proof of ownership;
- 8           (6) submit proof of payment of property taxes;
- 9           (7) allow the agency to inspect the premises to  
10           determine that the property meets the prevailing building  
11           code requirements; or
- 12           (8) agree to discontinue termination of tenancy  
13           proceedings if the tenant and the agency offer to tender  
14           the full amount of past due rent.
- 15           (e) For purposes of this Section, "emergency housing  
16           assistance" means monetary grants made to tenants or landlords  
17           through the Homelessness Prevention Act for the purposes of  
18           rent payments or monetary grants by any similar program  
19           administered by federal, State, township, or municipal  
20           governments or private charitable funders.

21           Section 15. The Illinois Human Rights Act is amended by  
22           changing Sections 1-102, 1-103, 3-102, 3-103, 3-106, and  
23           8B-104 and by adding Section 3-102.2 as follows:

24           (775 ILCS 5/1-102) (from Ch. 68, par. 1-102)

1           Sec. 1-102. Declaration of Policy. It is the public  
2 policy of this State:

3           (A) Freedom from Unlawful Discrimination. To secure for  
4 all individuals within Illinois the freedom from  
5 discrimination against any individual because of his or her  
6 race, color, religion, sex, national origin, ancestry, age,  
7 order of protection status, marital status, physical or mental  
8 disability, military status, sexual orientation, pregnancy, or  
9 unfavorable discharge from military service in connection with  
10 employment, real estate transactions, access to financial  
11 credit, and the availability of public accommodations.

12           (B) Freedom from Sexual Harassment-Employment and  
13 Elementary, Secondary, and Higher Education. To prevent sexual  
14 harassment in employment and sexual harassment in elementary,  
15 secondary, and higher education.

16           (C) Freedom from Discrimination Based on Citizenship  
17 Status-Employment. To prevent discrimination based on  
18 citizenship status in employment.

19           (D) Freedom from Discrimination Based on Familial Status  
20 or Source of Income-Real Estate Transactions. To prevent  
21 discrimination based on familial status or source of income in  
22 real estate transactions.

23           (E) Public Health, Welfare and Safety. To promote the  
24 public health, welfare and safety by protecting the interest  
25 of all people in Illinois in maintaining personal dignity, in  
26 realizing their full productive capacities, and in furthering

1 their interests, rights and privileges as citizens of this  
2 State.

3 (F) Implementation of Constitutional Guarantees. To secure  
4 and guarantee the rights established by Sections 17, 18 and 19  
5 of Article I of the Illinois Constitution of 1970.

6 (G) Equal Opportunity, Affirmative Action. To establish  
7 Equal Opportunity and Affirmative Action as the policies of  
8 this State in all of its decisions, programs and activities,  
9 and to assure that all State departments, boards, commissions  
10 and instrumentalities rigorously take affirmative action to  
11 provide equality of opportunity and eliminate the effects of  
12 past discrimination in the internal affairs of State  
13 government and in their relations with the public.

14 (H) Unfounded Charges. To protect citizens of this State  
15 against unfounded charges of unlawful discrimination, sexual  
16 harassment in employment and sexual harassment in elementary,  
17 secondary, and higher education, and discrimination based on  
18 citizenship status in employment.

19 (Source: P.A. 98-1050, eff. 1-1-15.)

20 (775 ILCS 5/1-103) (from Ch. 68, par. 1-103)

21 Sec. 1-103. General definitions. When used in this Act,  
22 unless the context requires otherwise, the term:

23 (A) Age. "Age" means the chronological age of a person who  
24 is at least 40 years old, except with regard to any practice  
25 described in Section 2-102, insofar as that practice concerns

1 training or apprenticeship programs. In the case of training  
2 or apprenticeship programs, for the purposes of Section 2-102,  
3 "age" means the chronological age of a person who is 18 but not  
4 yet 40 years old.

5 (B) Aggrieved party. "Aggrieved party" means a person who  
6 is alleged or proved to have been injured by a civil rights  
7 violation or believes he or she will be injured by a civil  
8 rights violation under Article 3 that is about to occur.

9 (B-5) Arrest record. "Arrest record" means:

10 (1) an arrest not leading to a conviction;

11 (2) a juvenile record; or

12 (3) criminal history record information ordered  
13 expunged, sealed, or impounded under Section 5.2 of the  
14 Criminal Identification Act.

15 (C) Charge. "Charge" means an allegation filed with the  
16 Department by an aggrieved party or initiated by the  
17 Department under its authority.

18 (D) Civil rights violation. "Civil rights violation"  
19 includes and shall be limited to only those specific acts set  
20 forth in Sections 2-102, 2-103, 2-105, 3-102, 3-102.1, 3-103,  
21 3-104, 3-104.1, 3-105, 3-105.1, 4-102, 4-103, 5-102, 5A-102,  
22 6-101, and 6-102 of this Act.

23 (E) Commission. "Commission" means the Human Rights  
24 Commission created by this Act.

25 (F) Complaint. "Complaint" means the formal pleading filed  
26 by the Department with the Commission following an



1 investigation and finding of substantial evidence of a civil  
2 rights violation.

3 (G) Complainant. "Complainant" means a person including  
4 the Department who files a charge of civil rights violation  
5 with the Department or the Commission.

6 (H) Department. "Department" means the Department of Human  
7 Rights created by this Act.

8 (I) Disability. "Disability" means a determinable physical  
9 or mental characteristic of a person, including, but not  
10 limited to, a determinable physical characteristic which  
11 necessitates the person's use of a guide, hearing or support  
12 dog, the history of such characteristic, or the perception of  
13 such characteristic by the person complained against, which  
14 may result from disease, injury, congenital condition of birth  
15 or functional disorder and which characteristic:

16 (1) For purposes of Article 2, is unrelated to the  
17 person's ability to perform the duties of a particular job  
18 or position and, pursuant to Section 2-104 of this Act, a  
19 person's illegal use of drugs or alcohol is not a  
20 disability;

21 (2) For purposes of Article 3, is unrelated to the  
22 person's ability to acquire, rent, or maintain a housing  
23 accommodation;

24 (3) For purposes of Article 4, is unrelated to a  
25 person's ability to repay;

26 (4) For purposes of Article 5, is unrelated to a

1 person's ability to utilize and benefit from a place of  
2 public accommodation;

3 (5) For purposes of Article 5, also includes any  
4 mental, psychological, or developmental disability,  
5 including autism spectrum disorders.

6 (J) Marital status. "Marital status" means the legal  
7 status of being married, single, separated, divorced, or  
8 widowed.

9 (J-1) Military status. "Military status" means a person's  
10 status on active duty in or status as a veteran of the armed  
11 forces of the United States, status as a current member or  
12 veteran of any reserve component of the armed forces of the  
13 United States, including the United States Army Reserve,  
14 United States Marine Corps Reserve, United States Navy  
15 Reserve, United States Air Force Reserve, and United States  
16 Coast Guard Reserve, or status as a current member or veteran  
17 of the Illinois Army National Guard or Illinois Air National  
18 Guard.

19 (K) National origin. "National origin" means the place in  
20 which a person or one of his or her ancestors was born.

21 (K-5) "Order of protection status" means a person's status  
22 as being a person protected under an order of protection  
23 issued pursuant to the Illinois Domestic Violence Act of 1986,  
24 Article 112A of the Code of Criminal Procedure of 1963, the  
25 Stalking No Contact Order Act, or the Civil No Contact Order  
26 Act, or an order of protection issued by a court of another

1 state.

2 (L) Person. "Person" includes one or more individuals,  
3 partnerships, associations or organizations, labor  
4 organizations, labor unions, joint apprenticeship committees,  
5 or union labor associations, corporations, the State of  
6 Illinois and its instrumentalities, political subdivisions,  
7 units of local government, legal representatives, trustees in  
8 bankruptcy or receivers.

9 (L-5) Pregnancy. "Pregnancy" means pregnancy, childbirth,  
10 or medical or common conditions related to pregnancy or  
11 childbirth.

12 (M) Public contract. "Public contract" includes every  
13 contract to which the State, any of its political  
14 subdivisions, or any municipal corporation is a party.

15 (N) Religion. "Religion" includes all aspects of religious  
16 observance and practice, as well as belief, except that with  
17 respect to employers, for the purposes of Article 2,  
18 "religion" has the meaning ascribed to it in paragraph (F) of  
19 Section 2-101.

20 (O) Sex. "Sex" means the status of being male or female.

21 (O-1) Sexual orientation. "Sexual orientation" means  
22 actual or perceived heterosexuality, homosexuality,  
23 bisexuality, or gender-related identity, whether or not  
24 traditionally associated with the person's designated sex at  
25 birth. "Sexual orientation" does not include a physical or  
26 sexual attraction to a minor by an adult.

1       (O-5) Source of income. "Source of income" means lawful,  
2       verifiable income paid directly to a tenant, or to a  
3       representative of a tenant, or paid to a housing owner or  
4       landlord on behalf of a tenant, including federal, State, or  
5       local public or private assistance, and federal, State, or  
6       local housing subsidies, including, but not limited to,  
7       emergency housing assistance, social security, or federal  
8       housing assistance vouchers issued under Section 8 of the  
9       United States Housing Act of 1937 (42 U.S.C. Sec. 1437f) and  
10       the federal Department of Housing and Urban Development  
11       Veterans Affairs Supportive Housing voucher. "Source of  
12       income" does not include income derived in a manner that is  
13       illegal in this State.

14       (P) Unfavorable military discharge. "Unfavorable military  
15       discharge" includes discharges from the Armed Forces of the  
16       United States, their Reserve components, or any National Guard  
17       or Naval Militia which are classified as RE-3 or the  
18       equivalent thereof, but does not include those characterized  
19       as RE-4 or "Dishonorable".

20       (Q) Unlawful discrimination. "Unlawful discrimination"  
21       means discrimination against a person because of his or her  
22       actual or perceived: race, color, religion, national origin,  
23       ancestry, age, sex, marital status, order of protection  
24       status, disability, military status, sexual orientation,  
25       pregnancy, or unfavorable discharge from military service as  
26       those terms are defined in this Section.

1 (Source: P.A. 100-714, eff. 1-1-19; 101-81, eff. 7-12-19;  
2 101-221, eff. 1-1-20; 101-565, eff. 1-1-20; revised 9-18-19.)

3 (775 ILCS 5/3-102) (from Ch. 68, par. 3-102)

4 Sec. 3-102. Civil rights violations; real estate  
5 transactions. It is a civil rights violation for an owner or  
6 any other person engaging in a real estate transaction, or for  
7 a real estate broker or salesman, because of unlawful  
8 discrimination, familial status, source of income, or an  
9 arrest record, as defined under subsection (B-5) of Section  
10 1-103, to:

11 (A) Transaction. Refuse to engage in a real estate  
12 transaction with a person or to discriminate in making  
13 available such a transaction;

14 (B) Terms. Alter the terms, conditions or privileges  
15 of a real estate transaction or in the furnishing of  
16 facilities or services in connection therewith;

17 (C) Offer. Refuse to receive or to fail to transmit a  
18 bona fide offer to engage in a real estate transaction  
19 from a person;

20 (D) Negotiation. Refuse to negotiate for a real estate  
21 transaction with a person;

22 (E) Representations. Represent to a person that real  
23 property is not available for inspection, sale, rental, or  
24 lease when in fact it is so available, or to fail to bring  
25 a property listing to his or her attention, or to refuse to

1 permit him or her to inspect real property;

2 (F) Publication of Intent. Make, print, circulate,  
3 post, mail, publish or cause to be made, printed,  
4 circulated, posted, mailed, or published any notice,  
5 statement, advertisement or sign, or use a form of  
6 application for a real estate transaction, or make a  
7 record or inquiry in connection with a prospective real  
8 estate transaction, that indicates any preference,  
9 limitation, or discrimination based on unlawful  
10 discrimination or unlawful discrimination based on  
11 familial status, source of income, or an arrest record, or  
12 an intention to make any such preference, limitation, or  
13 discrimination;

14 (G) Listings. Offer, solicit, accept, use or retain a  
15 listing of real property with knowledge that unlawful  
16 discrimination or discrimination on the basis of familial  
17 status, source of income, or an arrest record in a real  
18 estate transaction is intended.

19 (Source: P.A. 101-565, eff. 1-1-20.)

20 (775 ILCS 5/3-102.2 new)

21 Sec. 3-102.2. Calculation of income or assets. If a  
22 landlord requires that a prospective tenant or current tenant  
23 have a certain level of income, then the landlord shall  
24 subtract any source of income in the form of a rent voucher or  
25 subsidy from the total of the monthly rent prior to

1 calculating if the income criteria have been met. A landlord  
2 shall not apply an income or asset requirement to a tenant with  
3 a non-wage source of income that the landlord does not apply to  
4 all tenants. A landlord commits a civil rights violation if  
5 the landlord does not comply with the requirements of this  
6 Section. If an income or asset requirement serves to generally  
7 exclude participants in a housing or benefits program, a  
8 landlord who imposes such a requirement is presumed to have  
9 committed a civil rights violation within the meaning of this  
10 Act.

11 (775 ILCS 5/3-103) (from Ch. 68, par. 3-103)

12 Sec. 3-103. Blockbusting. It is a civil rights violation  
13 for any person to:

14 (A) Solicitation. Solicit for sale, lease, listing or  
15 purchase any residential real estate within this State, on the  
16 grounds of loss of value due to the present or prospective  
17 entry into the vicinity of the property involved of any person  
18 or persons of any particular race, color, religion, national  
19 origin, ancestry, age, sex, sexual orientation, marital  
20 status, familial status, source of income, or disability.

21 (B) Statements. Distribute or cause to be distributed,  
22 written material or statements designed to induce any owner of  
23 residential real estate in this State to sell or lease his or  
24 her property because of any present or prospective changes in  
25 the race, color, religion, national origin, ancestry, age,

1 sex, sexual orientation, marital status, familial  
2 status, source of income, or disability of residents in the  
3 vicinity of the property involved.

4 (C) Creating Alarm. Intentionally create alarm, among  
5 residents of any community, by transmitting communications in  
6 any manner, including a telephone call whether or not  
7 conversation thereby ensues, with a design to induce any owner  
8 of residential real estate in this state to sell or lease his  
9 or her property because of any present or prospective entry  
10 into the vicinity of the property involved of any person or  
11 persons of any particular race, color, religion, national  
12 origin, ancestry, age, sex, sexual orientation, marital  
13 status, familial status, source of income, or disability.

14 (Source: P.A. 97-877, eff. 8-2-12.)

15 (775 ILCS 5/3-106) (from Ch. 68, par. 3-106)

16 Sec. 3-106. Exemptions. Nothing contained in Section 3-102  
17 shall prohibit:

18 (A) Private Sales of Single Family Homes.

19 (1) Any sale of a single family home by its owner so  
20 long as the following criteria are met:

21 (a) The owner does not own or have a beneficial  
22 interest in more than three single family homes at the  
23 time of the sale;

24 (b) The owner or a member of his or her family was  
25 the last current resident of the home;



1           (c) The home is sold without the use in any manner  
2           of the sales or rental facilities or services of any  
3           real estate broker or salesman, or of any employee or  
4           agent of any real estate broker or salesman;

5           (d) The home is sold without the publication,  
6           posting or mailing, after notice, of any advertisement  
7           or written notice in violation of paragraph (F) of  
8           Section 3-102.

9           (2) This exemption does not apply to paragraph (F) of  
10          Section 3-102.

11          (B) Apartments. Rental of a housing accommodation in a  
12          building which contains housing accommodations for not more  
13          than 4 families living independently of each other, if the  
14          owner resides in one of the housing accommodations. This  
15          exemption does not apply to paragraph (F) of Section 3-102.

16          (C) Private Rooms. Rental of a room or rooms in a private  
17          home by an owner if he or she or a member of his or her family  
18          resides therein or, while absent for a period of not more than  
19          twelve months, if he or she or a member of his or her family  
20          intends to return to reside therein.

21          (D) Reasonable local, State, or Federal restrictions  
22          regarding the maximum number of occupants permitted to occupy  
23          a dwelling.

24          (E) Religious Organizations. A religious organization,  
25          association, or society, or any nonprofit institution or  
26          organization operated, supervised or controlled by or in

1 conjunction with a religious organization, association, or  
2 society, from limiting the sale, rental or occupancy of a  
3 dwelling which it owns or operates for other than a commercial  
4 purpose to persons of the same religion, or from giving  
5 preference to such persons, unless membership in such religion  
6 is restricted on account of race, color, or national origin.

7 (F) Sex. Restricting the rental of rooms in a housing  
8 accommodation to persons of one sex.

9 (G) Persons Convicted of Drug-Related Offenses. Conduct  
10 against a person because such person has been convicted by any  
11 court of competent jurisdiction of the illegal manufacture or  
12 distribution of a controlled substance as defined in Section  
13 102 of the federal Controlled Substances Act (21 U.S.C. 802).

14 (H) Persons engaged in the business of furnishing  
15 appraisals of real property from taking into consideration  
16 factors other than those based on unlawful discrimination or  
17 familial status or source of income in furnishing appraisals.

18 (H-1) The owner of an owner-occupied residential building  
19 with 4 or fewer units (including the unit in which the owner  
20 resides) from making decisions regarding whether to rent to a  
21 person based upon that person's sexual orientation.

22 (I) Housing for Older Persons. No provision in this  
23 Article regarding familial status shall apply with respect to  
24 housing for older persons.

25 (1) As used in this Section, "housing for older  
26 persons" means housing:

1 (a) provided under any State or Federal program  
2 that the Department determines is specifically  
3 designed and operated to assist elderly persons (as  
4 defined in the State or Federal program); or

5 (b) intended for, and solely occupied by, persons  
6 62 years of age or older; or

7 (c) intended and operated for occupancy by persons  
8 55 years of age or older and:

9 (i) at least 80% of the occupied units are  
10 occupied by at least one person who is 55 years of  
11 age or older;

12 (ii) the housing facility or community  
13 publishes and adheres to policies and procedures  
14 that demonstrate the intent required under this  
15 subdivision (c); and

16 (iii) the housing facility or community  
17 complies with rules adopted by the Department for  
18 verification of occupancy, which shall:

19 (aa) provide for verification by reliable  
20 surveys and affidavits; and

21 (bb) include examples of the types of  
22 policies and procedures relevant to a  
23 determination of compliance with the  
24 requirement of clause (ii).

25 These surveys and affidavits shall be admissible in  
26 administrative and judicial proceedings for the purposes

1 of such verification.

2 (2) Housing shall not fail to meet the requirements  
3 for housing for older persons by reason of:

4 (a) persons residing in such housing as of the  
5 effective date of this amendatory Act of 1989 who do  
6 not meet the age requirements of subsections (1)(b) or  
7 (c); provided, that new occupants of such housing meet  
8 the age requirements of subsections (1)(b) or (c) of  
9 this subsection; or

10 (b) unoccupied units; provided, that such units  
11 are reserved for occupancy by persons who meet the age  
12 requirements of subsections (1)(b) or (c) of this  
13 subsection.

14 (3) (a) A person shall not be held personally liable  
15 for monetary damages for a violation of this Article  
16 if the person reasonably relied, in good faith, on the  
17 application of the exemption under this subsection (I)  
18 relating to housing for older persons.

19 (b) For the purposes of this item (3), a person may  
20 show good faith reliance on the application of the  
21 exemption only by showing that:

22 (i) the person has no actual knowledge that  
23 the facility or community is not, or will not be,  
24 eligible for the exemption; and

25 (ii) the facility or community has stated  
26 formally, in writing, that the facility or

1 community complies with the requirements for the  
2 exemption.

3 (J) Child Sex Offender Refusal to Rent. Refusal of a child  
4 sex offender who owns and resides at residential real estate  
5 to rent any residential unit within the same building in which  
6 he or she resides to a person who is the parent or guardian of  
7 a child or children under 18 years of age.

8 (K) Arrest Records. Inquiry into or the use of an arrest  
9 record if the inquiry or use is otherwise authorized by State  
10 or federal law.

11 (Source: P.A. 101-565, eff. 1-1-20.)

12 (775 ILCS 5/8B-104) (from Ch. 68, par. 8B-104)

13 Sec. 8B-104. Relief; penalties. Upon finding a civil  
14 rights violation, a hearing officer may recommend and the  
15 Commission or any three-member panel thereof may provide for  
16 any relief or penalty identified in this Section, separately  
17 or in combination, by entering an order directing the  
18 respondent to:

19 (A) Cease and Desist Order. Cease and desist from any  
20 violation of this Act.

21 (B) Actual Damages. Pay actual damages, as reasonably  
22 determined by the Commission, for injury or loss suffered  
23 by the complainant.

24 (C) Civil Penalty. Pay a civil penalty to vindicate  
25 the public interest:

1           (i) in an amount not exceeding \$16,000 if the  
2           respondent has not been adjudged to have committed any  
3           prior civil rights violation under Article 3;

4           (ii) in an amount not exceeding \$42,500 if the  
5           respondent has been adjudged to have committed one  
6           other civil rights violation under Article 3 during  
7           the 5-year period ending on the date of the filing of  
8           this charge; and

9           (iii) in an amount not exceeding \$70,000 if the  
10          respondent has been adjudged to have committed 2 or  
11          more civil rights violations under Article 3 during  
12          the 7-year period ending on the date of the filing of  
13          this charge; except that if the acts constituting the  
14          civil rights violation that is the object of the  
15          charge are committed by the same natural person who  
16          has been previously adjudged to have committed acts  
17          constituting a civil rights violation under Article 3,  
18          then the civil penalties set forth in subparagraphs  
19          (ii) and (iii) may be imposed without regard to the  
20          period of time within which any subsequent civil  
21          rights violation under Article 3 occurred.

22          (D) Attorney Fees; Costs. Pay to the complainant all  
23          or a portion of the costs of maintaining the action,  
24          including reasonable attorneys fees and expert witness  
25          fees incurred in maintaining this action before the  
26          Department, the Commission and in any judicial review and

1 judicial enforcement proceedings.

2 (E) Compliance Report. Report as to the manner of  
3 compliance.

4 (F) Posting of Notices. Post notices in a conspicuous  
5 place which the Commission may publish or cause to be  
6 published setting forth requirements for compliance with  
7 this Act or other relevant information which the  
8 Commission determines necessary to explain this Act.

9 (G) Make Complainant Whole. Take such action as may be  
10 necessary to make the individual complainant whole,  
11 including, but not limited to, awards of interest on the  
12 complainant's actual damages from the date of the civil  
13 rights violation.

14 (H) Other Relief. Any other relief as the hearing  
15 officer and the Commission deem appropriate, including any  
16 permanent or temporary injunction, temporary restraining  
17 order, or other order, including an order enjoining the  
18 defendant from engaging in such practice or ordering such  
19 affirmative action as may be appropriate.

20 (Source: P.A. 99-548, eff. 1-1-17.)

1 INDEX

2 Statutes amended in order of appearance

3	310 ILCS 70/4	from Ch. 67 1/2, par. 1304
4	310 ILCS 70/10	from Ch. 67 1/2, par. 1310
5	735 ILCS 5/9-106.4 new	
6	775 ILCS 5/1-102	from Ch. 68, par. 1-102
7	775 ILCS 5/1-103	from Ch. 68, par. 1-103
8	775 ILCS 5/3-102	from Ch. 68, par. 3-102
9	775 ILCS 5/3-102.2 new	
10	775 ILCS 5/3-103	from Ch. 68, par. 3-103
11	775 ILCS 5/3-106	from Ch. 68, par. 3-106
12	775 ILCS 5/8B-104	from Ch. 68, par. 8B-104