

1 AN ACT concerning regulation.

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

4 Section 5. The Mobile Home Landlord and Tenant Rights Act
5 is amended by changing Sections 6.5 and 9 as follows:

6 (765 ILCS 745/6.5)

7 Sec. 6.5. Disclosure. A park owner must disclose in
8 writing the following with every lease or sale and upon
9 renewal of a lease of a mobile home or lot in a mobile home
10 park or manufactured home community:

11 (1) the rent charged for the mobile home or lot in the
12 past 5 years;

13 (2) the park owner's responsibilities with respect to
14 the mobile home or lot;

15 (3) information regarding any fees imposed in addition
16 to the base rent;

17 (4) information regarding late payments;

18 (5) information regarding any privilege tax that is
19 applicable;

20 (6) information regarding security deposits, including
21 the right to the return of security deposits and interest
22 as provided in Section 18 of this Act;

23 (7) information on a 3-year rent increase projection

1 which includes the 2 years of the lease and the year
2 immediately following. The basis for such rent increases
3 may be a fixed amount, a "not to exceed" amount, a formula,
4 an applicable index, or a combination of these
5 methodologies as elected by the park owner. If a formula
6 is used, the formula shall include the total fixed amount
7 determined by the formula, and, if applicable, the "not to
8 exceed" amount. These increases may be in addition to all
9 the non-controllable expenses including, but not limited
10 to, property taxes, government assessments, utilities, and
11 insurance;

12 (8) the contact information ~~name~~ of the legal entity
13 that owns the manufactured home community or mobile home
14 park or, if applicable, the contact information ~~, and~~
15 ~~either: (a) the name, address, and telephone number~~ of the
16 property manager or designated agent for the manufactured
17 home community or mobile home park; ~~or (b) the address and~~
18 ~~telephone number of the legal entity that owns the~~
19 ~~manufactured home community or mobile home park, if the~~
20 ~~manufactured home community or mobile home park does not~~
21 ~~have a property manager or designated agent; and~~

22 (9) information contained in any inspection notice
23 required to be posted under subsection (b) of Section 6.7
24 of this Act; and

25 (10) information notifying a tenant that the tenant's
26 right to trial by jury shall not be waived.

1 The park owner must update the written disclosure at least
2 once per year. The park owner must advise tenants who are
3 renewing a lease of any changes in the disclosure from any
4 prior disclosure. Within 20 days after the closing of a
5 purchase and sale of a manufactured home community or mobile
6 home park that results in a change in the owner, the purchaser
7 or the representative of the purchaser must provide written
8 notice to each homeowner of the new owner and either: (i) the
9 name, address, and telephone number of the property manager or
10 designated agent for the manufactured home community or mobile
11 home park; or (ii) the address and telephone number of the
12 legal entity that owns the manufactured home community or
13 mobile home park if the manufactured home community or mobile
14 home park does not have a property manager or designated
15 agent. The written notice may be provided by hand delivery to
16 the resident's home, by United States mail or a recognized
17 courier service, by posting in the office of the custodian of
18 the park or in the clubhouse or other area of the park where
19 park residents gather, or by posting on a community bulletin
20 board.

21 The changes to this Section by this amendatory Act of the
22 98th General Assembly apply to disclosures made and changes of
23 ownership that take place on or after January 1, 2015.

24 The changes to this Section made by this amendatory Act of
25 the 102nd General Assembly apply to disclosures made and
26 changes of ownership that take place on or after January 1,

1 2023.

2 (Source: P.A. 98-1062, eff. 1-1-15.)

3 (765 ILCS 745/9) (from Ch. 80, par. 209)

4 Sec. 9. The Terms of Fees and Rents. The terms for payment
5 of rent shall be clearly set forth and all charges for
6 services, ground or lot rent, unit rent, or any other charges
7 shall be specifically itemized in the lease and in all
8 billings of the tenant by the park owner.

9 The owner shall not change the rental terms nor increase
10 the cost of fees, except as provided herein.

11 The park owner shall not charge a transfer or selling fee
12 as a condition of sale of a mobile home that is going to remain
13 within the park unless a service is rendered.

14 Rents charged to a tenant by a park owner may be increased
15 upon the renewal of a lease. Notification of an increase shall
16 be delivered 90 days prior to expiration of the lease.

17 The park owner shall not charge or impose upon a tenant any
18 fee or increase in rent which reflects the cost to the park
19 owner of any fine, forfeiture, penalty, money damages, or fee
20 assessed or awarded by a court of law against the park owner,
21 including any attorney's fees and costs incurred by the park
22 owner in connection therewith unless the fine, forfeiture,
23 penalty, money damages, or fee was incurred as a result of the
24 tenant's actions.

25 The park owner shall not charge or impose a pet fee upon a

1 resident that owns the home, unless a service related to the
2 pet is offered by the park owner and accepted by the resident.
3 A tenant of a home owned by the park owner may be subject to
4 the imposition of a pet fee as agreed to in the lease.

5 (Source: P.A. 95-383, eff. 1-1-08.)