



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

**HB4865**

Introduced 2/7/2024, by Rep. Nabeela Syed

#### SYNOPSIS AS INTRODUCED:

765 ILCS 705/25 new

Amends the Landlord and Tenant Act. Provides that a landlord, lessor, sublessor, or grantor may charge a fee or fees to reimburse costs associated with conducting a background check and credit check if the cumulative fee or fees for such checks are no more than the actual cost of the background check and credit check or \$20, whichever is less. Allows this fee or fees if the potential tenant provides a copy of a background check or credit check conducted within the past 30 days. Prohibits a landlord from imposing a move-in fee that is in excess of the reasonable cost to the landlord of obtaining or providing the product or service for which the fee is imposed. Unless provided by law elsewhere, a landlord may not demand any charge for the processing, reviewing, or accepting of an application, or demand any other payment, fee, or charge before or at the beginning of the tenancy. Exempts entrance fees charged by nursing homes as defined by Nursing Home Care Act or similar institutions. Prohibits a landlord from renaming a fee or charge to avoid application of these provisions. Limits fees for the late payment of rent in certain situations. Any provision of a lease, rental agreement, contract, or any similar document purporting to waive or limit these provisions is void and unenforceable as against public policy.

LRB103 37921 JRC 68053 b

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 Landlord and Tenant Act is amended by  
5 adding Section 25 as follows:

6 (765 ILCS 705/25 new)

7 Sec. 25. Tenant fees limitations.

8 (a) A landlord, lessor, sublessor, or grantor may charge a  
9 fee or fees to reimburse costs associated with conducting a  
10 background check and credit check if the cumulative fee or  
11 fees for such checks are no more than the actual cost of the  
12 background check and credit check or \$20, whichever is less.  
13 The landlord, lessor, sublessor, or grantor shall waive the  
14 fee or fees if the potential tenant provides a copy of a  
15 background check or credit check conducted within the past 30  
16 days. The landlord, lessor, sublessor, or grantor may not  
17 collect the fee or fees unless the landlord, lessor,  
18 sub-lessor, or grantor provides the potential tenant with a  
19 copy of the background check or credit check and the receipt or  
20 invoice from the entity conducting the background check or  
21 credit check.

22 (b) A landlord shall not impose a move-in fee that is in  
23 excess of the reasonable cost to the landlord of obtaining or

1 providing the product or service for which the fee is imposed.

2 (c) Unless statutes or regulations provide otherwise, no  
3 landlord, lessor, sublessor, or grantor may demand any  
4 payment, fee, or charge for the processing, review, or  
5 acceptance of an application; or demand any other payment,  
6 fee, or charge before or at the beginning of the tenancy. This  
7 Section does not apply to entrance fees charged by nursing  
8 homes, as defined in the Nursing Home Care Act, or similar  
9 institutions.

10 (d) A landlord shall not rename a fee or charge to avoid  
11 application of this Section.

12 (e) No landlord, lessor, sublessor, or grantor may demand  
13 any payment, fee, or charge for the late payment of rent unless  
14 the payment of rent has not been made within 5 days of the date  
15 it was due. The payment, fee, or charge shall not exceed \$10  
16 for the first \$1,000 in rent and 5% of any amount that exceeds  
17 \$1,000. The late fee shall not be included in rent as that term  
18 is used in the Article IX of the Code of Civil Procedure.

19 (f) Any provision of a lease, rental agreement, contract,  
20 or any similar document purporting to waive or limit the  
21 provisions of this Section is void and unenforceable as  
22 against public policy.