

1 AN ACT in relation to property.

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

4 Section 5. The Residential Real Property Disclosure Act  
5 is amended by changing Section 55 as follows:

6 (765 ILCS 77/55)

7 Sec. 55. Violations and damages. If the seller fails or  
8 refuses to provide the disclosure document before ~~prior-to~~  
9 the conveyance of the residential real property, the buyer  
10 has ~~shall~~-have the right to terminate the contract. A person  
11 who knowingly violates or fails to perform any duty  
12 prescribed by any provision of this Act or who discloses any  
13 information on the Residential Real Property Disclosure  
14 Report that he or she knows to be false is ~~shall~~-be liable in  
15 the amount of actual damages and court costs, and the court  
16 may award reasonable attorney fees incurred by the prevailing  
17 party.

18 (Source: P.A. 90-383, eff. 1-1-98.)