



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

**HB4313**

by Rep. Robert S. Molaro

#### SYNOPSIS AS INTRODUCED:

225 ILCS 454/10-15

Amends the Real Estate License Act of 2000. Provides that no licensee shall give or pay cash rebates, cash gifts, or cash prizes to an unlicensed person who is a party to a contract to buy or sell real estate. Provides that a licensee may offer compensation, including prizes, merchandise, services, rebates, discounts, or other consideration to an unlicensed person who is a party to the lease of real estate, so long as the offer complies with certain provisions of the Act. Effective immediately.

LRB095 14919 KBJ 40864 b

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 Real Estate License Act of 2000 is amended  
5 by changing Section 10-15 as follows:

6 (225 ILCS 454/10-15)

7 (Section scheduled to be repealed on January 1, 2010)

8 Sec. 10-15. No compensation to persons in violation of Act;  
9 compensation to unlicensed persons; consumer.

10 (a) No compensation may be paid to any unlicensed person in  
11 exchange for the person performing licensed activities in  
12 violation of this Act.

13 (b) No action or suit shall be instituted, nor recovery  
14 therein be had, in any court of this State by any person,  
15 partnership, registered limited liability partnership, limited  
16 liability company, or corporation for compensation for any act  
17 done or service performed, the doing or performing of which is  
18 prohibited by this Act to other than licensed brokers,  
19 salespersons, or leasing agents unless the person,  
20 partnership, registered limited liability partnership, limited  
21 liability company, or corporation was duly licensed hereunder  
22 as a broker, salesperson, or leasing agent under this Act at  
23 the time that any such act was done or service performed that

1 would give rise to a cause of action for compensation.

2 (c) No licensee shall give or pay cash rebates, cash gifts,  
3 or cash prizes to an unlicensed person who is a party to a  
4 contract to buy or sell real estate. A licensee may offer  
5 compensation, including prizes, merchandise, services,  
6 rebates, discounts, or other consideration to an unlicensed  
7 person who is a party to ~~a contract to buy or sell real estate~~  
8 ~~or is a party to a contract for~~ the lease of real estate, so  
9 long as the offer complies with the provisions of subdivision  
10 (26) of subsection (h) of Section 20-20 of this Act.

11 (d) A licensee may offer cash, gifts, prizes, awards,  
12 coupons, merchandise, rebates or chances to win a game of  
13 chance, if not prohibited by any other law or statute, to a  
14 consumer as an inducement to that consumer to use the services  
15 of the licensee even if the licensee and consumer do not  
16 ultimately enter into a broker-client relationship so long as  
17 the offer complies with the provisions of subdivision (26) of  
18 subsection (h) of Section 20-20 of this Act.

19 (Source: P.A. 91-245, eff. 12-31-99.)

20 Section 99. Effective date. This Act takes effect upon  
21 becoming law.