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09500HB5037ham001

LRB095 15175 AJO 47694 a

1 AMENDMENT TO HOUSE BILL 5037

2 AMENDMENT NO. _____. Amend House Bill 5037 on page 1, by
3 inserting after line 3 the following:

4 "Section 1. Legislative findings. The General Assembly
5 finds that it is imperative for municipalities to reclaim
6 certain housing stock that has been used in various fraudulent
7 schemes and that now creates a nuisance to the municipality.
8 Distressed condominiums create a hazard and blight to the
9 general public and community, diminish the local tax base,
10 distort the true value of property in the community (thereby
11 creating illusory market values that harm innocent developers
12 and buyers), and remove housing from the rental market,
13 especially for low and moderate income renters. While normal
14 conservation and building code enforcement methods can
15 adequately deal with housing code violations found in
16 legitimately created condominium buildings which are managed
17 by functioning condominium associations, this Act is necessary

1 because those normal code enforcement procedures are not
2 effective in dealing with distressed condominiums, because
3 there often is no functioning condominium board which can take
4 responsibility for the necessary code repairs. In that
5 situation the repairs may take years to complete, and the delay
6 can result in a property with such serious problems that the
7 property cannot be restored and instead must be demolished.";
8 and

9 on page 1, line 13, by replacing "one" with "2"; and

10 on page 1, by replacing lines 15 through 17 with the following:

11 "(A) 50% or more of the condominium units are not
12 occupied by persons with a legal right to reside in the
13 units;

14 (B) the building has serious violations of any
15 applicable local building code or zoning ordinance;"; and

16 on page 1, line 18, by replacing "(B)" with "(C)"; and

17 on page 1, line 21, by replacing "(C)" with "(D)"; and

18 on page 1, line 23, by replacing "(D)" with "(E)"; and

19 on page 2, line 1, by replacing "condominium" with "to 40% or
20 more of the condominium"; and

1 on page 2, line 2, after "termination;" by inserting "or"; and

2 on page 2, by replacing lines 3 through 6 with the following:

3 "(F) there is a delinquency on the property taxes for
4 at least 60% of the condominium units."; and

5 on page 3, line 6, by inserting after "court" the following:

6 ", after a hearing held upon giving notice to all interested
7 parties as provided in subsection (b),"; and

8 on page 3, line 19, after "under", by inserting "paragraph (2)
9 of"; and

10 on page 4, line 5, by replacing "sale" with "the sale"; and

11 on page 4, by replacing lines 6 through 8 with the following:
12 "time, expenses, and fees as approved by the court, shall be
13 deposited into an"; and

14 on page 7, line 9, by replacing "subsection (e)" with
15 "subsection (d)".