



## 97TH GENERAL ASSEMBLY

### State of Illinois

2011 and 2012

HB5314

Introduced 2/8/2012, by Rep. Jason Barickman

#### SYNOPSIS AS INTRODUCED:

765 ILCS 710/1

from Ch. 80, par. 101

Amends provisions of the Security Deposit Return Act prohibiting a lessor of residential real property containing 5 or more units to withhold any part of a security deposit as compensation for property damage unless, within 30 days of the date the lessee vacates the premises, the lessor delivers an itemized damage statement to the lessee in person or by mail to the lessee's last known address. Adds language providing that the statement may also be sent by electronic mail to a verified electronic mail address provided by the lessee.

LRB097 16202 AJ0 61355 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 Security Deposit Return Act is amended by  
5 changing Section 1 as follows:

6 (765 ILCS 710/1) (from Ch. 80, par. 101)

7 Sec. 1. A lessor of residential real property, containing 5  
8 or more units, who has received a security deposit from a  
9 lessee to secure the payment of rent or to compensate for  
10 damage to the leased property may not withhold any part of that  
11 deposit as compensation for property damage unless he has,  
12 within 30 days of the date that the lessee vacated the  
13 premises, furnished to the lessee, delivered in person, ~~or~~ by  
14 mail directed to his last known address, or by electronic mail  
15 to a verified electronic mail address provided by the lessee,  
16 an itemized statement of the damage allegedly caused to the  
17 premises and the estimated or actual cost for repairing or  
18 replacing each item on that statement, attaching the paid  
19 receipts, or copies thereof, for the repair or replacement. If  
20 the lessor utilizes his or her own labor to repair any damage  
21 caused by the lessee, the lessor may include the reasonable  
22 cost of his or her labor to repair such damage. If estimated  
23 cost is given, the lessor shall furnish the lessee with paid

1 receipts, or copies thereof, within 30 days from the date the  
2 statement showing estimated cost was furnished to the lessee,  
3 as required by this Section. If no such statement and receipts,  
4 or copies thereof, are furnished to the lessee as required by  
5 this Section, the lessor shall return the security deposit in  
6 full within 45 days of the date that the lessee vacated the  
7 premises.

8       Upon a finding by a circuit court that a lessor has refused  
9 to supply the itemized statement required by this Section, or  
10 has supplied such statement in bad faith, and has failed or  
11 refused to return the amount of the security deposit due within  
12 the time limits provided, the lessor shall be liable for an  
13 amount equal to twice the amount of the security deposit due,  
14 together with court costs and reasonable attorney's fees.

15 (Source: P.A. 86-1302.)