



Rep. Emanuel Chris Welch

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09800HB4778ham002

LRB098 18830 HEP 57651 a

1 AMENDMENT TO HOUSE BILL 4778

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4778 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Landlord and Tenant Act is amended by  
5 adding Section 17 as follows:

6 (765 ILCS 705/17 new)

7 Sec. 17. Application fees.

8 (a) As used in this Section, "application fee" means an  
9 amount required by a lessor to be paid by a prospective lessee  
10 of a dwelling unit prior to the lessor offering or accepting a  
11 lease agreement with the prospective lessee.

12 (b) A lessor may not charge an application fee that exceeds  
13 the lessor's actual out-of-pocket costs of evaluating a  
14 prospective lessee's application to enter into a lease with the  
15 lessor.

16 (c) Upon receiving an application fee, the lessor shall

1 provide the prospective lessee with a written receipt which  
2 shall state the amount of the application fee received and  
3 specify a date on or before which the lessor will notify the  
4 prospective lessee of a decision as to whether a lease will be  
5 offered or accepted.

6 (d) On or before the date specified by the lessor under  
7 subsection (c), the lessor shall:

8 (1) return any portion of the application fee not  
9 expended;

10 (2) notify the prospective lessee in writing of the  
11 decision whether a lease will be offered or accepted;

12 (3) provide a copy of any information obtained from a  
13 third party regarding the prospective lessee that is not  
14 prohibited from disclosure by State or federal law; if any  
15 third-party material subject to disclosure under this  
16 paragraph (3) is not in a form that can reasonably be  
17 copied or printed, the lessor shall in writing provide a  
18 substantially similar description of the information and  
19 the identity and contact information of its source.

20 (e) If no decision has been made or if no unit is available  
21 by the date specified under subsection (c), the lessor may, by  
22 agreement of the prospective lessee, extend the date by which a  
23 response under subsection (d) will be provided.

24 (f) A lessor who collects an application fee from a  
25 prospective lessee may not knowingly make any  
26 misrepresentation to the prospective lessee regarding the

1 current or future availability of a dwelling unit for lease.

2 (g) A lessor who fails to substantially comply with this  
3 Section is liable to the prospective lessee for an amount up to  
4 double the application fee, and reasonable attorney's fees and  
5 costs."