

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 Common Interest Community Association Act is
5 amended by changing Section 1-35 as follows:

6 (765 ILCS 160/1-35)

7 Sec. 1-35. Member powers, duties, and obligations.

8 (a) The provisions of this Act, the declaration, bylaws,
9 other community instruments, and rules and regulations that
10 relate to the use of an individual unit or the common areas
11 shall be applicable to any person leasing a unit and shall be
12 deemed to be incorporated in any lease executed or renewed on
13 or after the effective date of this Act. Unless otherwise
14 provided in the community instruments, with ~~With~~ regard to any
15 lease entered into subsequent to the effective date of this
16 Act, the unit owner leasing the unit shall deliver a copy of
17 the signed lease to the association or if the lease is oral, a
18 memorandum of the lease, not later than the date of occupancy
19 or 10 days after the lease is signed, whichever occurs first.

20 (b) If there are multiple owners of a single unit, only one
21 of the multiple owners shall be eligible to serve as a member
22 of the board at any one time, unless the unit owner owns
23 another unit independently.

1 (c) Two-thirds of the membership may remove a board member
2 as a director at a duly called special meeting.

3 (d) In the event of any resale of a unit in a common
4 interest community association by a member or unit owner other
5 than the developer, the board shall make available for
6 inspection to the prospective purchaser, upon demand, the
7 following:

8 (1) A copy of the declaration, other instruments, and
9 any rules and regulations.

10 (2) A statement of any liens, including a statement of
11 the account of the unit setting forth the amounts of unpaid
12 assessments and other charges due and owing.

13 (3) A statement of any capital expenditures
14 anticipated by the association within the current or
15 succeeding 2 fiscal years.

16 (4) A statement of the status and amount of any reserve
17 or replacement fund and any other fund specifically
18 designated for association projects.

19 (5) A copy of the statement of financial condition of
20 the association for the last fiscal year for which such a
21 statement is available.

22 (6) A statement of the status of any pending suits or
23 judgments in which the association is a party.

24 (7) A statement setting forth what insurance coverage
25 is provided for all members or unit owners by the
26 association for common properties.

1 The principal officer of the board or such other officer as
2 is specifically designated shall furnish the above information
3 within 30 days after receiving a written request for such
4 information.

5 A reasonable fee covering the direct out-of-pocket cost of
6 copying and providing such information may be charged by the
7 association or the board to the unit seller for providing the
8 information.

9 (Source: P.A. 96-1400, eff. 7-29-10; 97-605, eff. 8-26-11;
10 97-1090, eff. 8-24-12.)