



Sen. Melinda Bush

**Filed: 5/2/2017**

10000SB1334sam002

LRB100 09885 JLS 25701 a

1 AMENDMENT TO SENATE BILL 1334

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1334 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Mobile Home Landlord and Tenant Rights Act  
5 is amended by changing Section 6.7 as follows:

6 (765 ILCS 745/6.7)

7 Sec. 6.7. Violations; inspection reports; postings;  
8 penalty.

9 (a) Any nonconformance with a statute, rule, or ordinance  
10 applicable to the mobile home park or manufactured home  
11 community constitutes a violation. The authority having  
12 jurisdiction shall identify violations in an inspection  
13 report. The inspection report shall be served upon the park  
14 owner or managing agent in person or by certified United States  
15 mail, return receipt requested, postage prepaid.

16 (b) The park owner or its managing agent shall post in a

1 conspicuous place any inspection report received from the  
2 authority having jurisdiction regarding health and life safety  
3 violations as defined in rules promulgated by the Illinois  
4 Department of Public Health. The inspection report shall be  
5 posted beginning the business day after the date by which the  
6 violation or violations must be corrected as set forth in the  
7 inspection report issued by the authority having jurisdiction.

8 The posting may be removed only when:

9 (1) the authority having jurisdiction has issued  
10 written authorization to remove the posting; or

11 (2) the park owner or its managing agent has corrected  
12 the violation or violations, served notice to the authority  
13 having jurisdiction that the violation or violations have  
14 been corrected by submitting such documentation or  
15 affidavit as may be necessary to substantiate the  
16 correction by certified United States mail, return receipt  
17 requested, postage prepaid, and no less than 15 days have  
18 expired from the mailing date of the notice to the  
19 authority having jurisdiction.

20 (c) Nothing in this Act may be construed to diminish,  
21 impair, or otherwise affect the authority of the authority  
22 having jurisdiction to charge violations under the Mobile Home  
23 Park Act or any other statute, rule, or ordinance applicable to  
24 the mobile home park or manufactured home community.

25 (d) Failure to comply with the requirements of this Section  
26 subjects the park owner or managing agent to a \$250 penalty.

1 The penalty shall be payable to the authority having  
2 jurisdiction which issued the inspection report citing  
3 violations.

4 (e) For purposes of enforcement of this Section by the  
5 Illinois Department of Public Health, the Illinois  
6 Administrative Procedure Act is hereby expressly adopted. The  
7 Illinois Department of Public Health has the authority to  
8 promulgate rules to enforce this Section.

9 (f) For purposes of enforcement of this Section by any  
10 authority having jurisdiction other than the Illinois  
11 Department of Public Health, the authority having jurisdiction  
12 has the authority to adopt ordinances to enforce this Section.

13 (g) A unit of local government, as defined in Article VII,  
14 Section 1 of the Illinois Constitution of 1970, has the  
15 authority to enact, maintain, and enforce an ordinance or  
16 resolution denying park owners the ability to increase rent,  
17 fees, or other charges imposed upon tenants if the park owner  
18 has failed to correct a health or life safety violation, as  
19 defined in rules adopted by the Department of Public Health or  
20 the authority having jurisdiction, until the violations are  
21 corrected as set forth in the inspection report issued by the  
22 authority having jurisdiction.

23 (Source: P.A. 98-1062, eff. 1-1-15.)"