



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB4528

Introduced 1/31/2024, by Rep. Joyce Mason

SYNOPSIS AS INTRODUCED:

765 ILCS 735/1.5 new

765 ILCS 735/2.1

from Ch. 80, par. 63.1

Amends the Rental Property Utility Service Act. Provides that a landlord shall repair any leaking water pipe of a tenant within 30 days of the landlord being notified of a leak. Provides that this requirement applies if the leaking water pipe is under the landlord's control, but it does not apply if the leaking water pipe is owned by a municipality or water utility. Provides that, if a landlord violates this provision and the tenant pays the water bill, the landlord is liable for any additional costs incurred by the tenant as a result of the water leak.

LRB103 36177 LNS 66269 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 Rental Property Utility Service Act is
5 amended by adding Section 1.5 and changing Section 2.1 as
6 follows:

7 (765 ILCS 735/1.5 new)

8 Sec. 1.5. Repair of leaking water pipes. A landlord shall
9 repair any leaking water pipe of a tenant within 30 days of the
10 landlord being notified of a leak. This requirement applies if
11 the leaking water pipe is under the landlord's control. This
12 requirement does not apply if the leaking water pipe is owned
13 by a municipality or water utility.

14 (765 ILCS 735/2.1) (from Ch. 80, par. 63.1)

15 Sec. 2.1. Tenant damages.

16 (a) A landlord's violation of Section 1.4 entitles the
17 residential tenant to damages from the landlord in the amount
18 of a 100% abatement of the rental obligation for each month,
19 and prorated for each part of a month, that the utility service
20 was terminated and to consequential damages. The tenant has a
21 duty to mitigate damages.

22 (b) When utility service is terminated as a result of the

1 landlord's violation of Section 1.4 under circumstances
2 demonstrating the landlord's deliberate or reckless
3 indifference or wilful disregard for the rights of the
4 tenants, or bad faith, the court may additionally award each
5 affected residential tenant in the building statutory damages
6 up to \$300 each or the sum of \$5,000 divided by the number of
7 affected tenants, whichever is less.

8 (c) If a landlord violates Section 1.5 and the tenant pays
9 the water bill, the landlord is liable for any additional
10 costs incurred by the tenant as a result of the water leak.

11 (Source: P.A. 87-177; 87-895.)