



Rep. JoAnn D. Osmond

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09500HB4207ham002

LRB095 14731 RLC 49258 a

1 AMENDMENT TO HOUSE BILL 4207

2 AMENDMENT NO. _____. Amend House Bill 4207 on page 10, by
3 inserting immediately below line 15 the following:

4 "Section 10. The Landlord and Tenant Act is amended by
5 adding Section 10 as follows:

6 (765 ILCS 705/10 new)

7 Sec. 10. Failure to inform lessor who is a child sex
8 offender and resides at residential real estate that the lessee
9 is a parent or guardian of a child or children under 18 years
10 of age. If a lessor of residential real estate resides at such
11 real estate and is a child sex offender as defined in Section
12 11-9.4 of the Criminal Code of 1961 and rents such real estate
13 to a person who does not inform the lessor that the person is a
14 parent or guardian of a child or children under 18 years of age
15 and subsequent to such lease, the lessee discovers that the
16 landlord is a child sex offender, then the lessee may not

1 terminate the lease based upon such discovery that the lessor
2 is a child sex offender and such lease shall be in full force
3 and effect.

4 Section 15. The Illinois Human Rights Act is amended by
5 changing Section 3-106 as follows:

6 (775 ILCS 5/3-106) (from Ch. 68, par. 3-106)

7 Sec. 3-106. Exemptions. Nothing contained in Section 3-102
8 shall prohibit:

9 (A) Private Sales of Single Family Homes.

10 (1) Any sale of a single family home by its owner so
11 long as the following criteria are met:

12 (a) The owner does not own or have a beneficial
13 interest in more than three single family homes at the
14 time of the sale;

15 (b) The owner or a member of his or her family was
16 the last current resident of the home;

17 (c) The home is sold without the use in any manner
18 of the sales or rental facilities or services of any
19 real estate broker or salesman, or of any employee or
20 agent of any real estate broker or salesman;

21 (d) The home is sold without the publication,
22 posting or mailing, after notice, of any advertisement
23 or written notice in violation of paragraph (F) of
24 Section 3-102.

1 (2) This exemption does not apply to paragraph (F) of
2 Section 3-102.

3 (B) Apartments. Rental of a housing accommodation in a
4 building which contains housing accommodations for not more
5 than 4 families living independently of each other, if the
6 owner resides in one of the housing accommodations. This
7 exemption does not apply to paragraph (F) of Section 3-102.

8 (C) Private Rooms. Rental of a room or rooms in a private
9 home by an owner if he or she or a member of his or her family
10 resides therein or, while absent for a period of not more than
11 twelve months, if he or she or a member of his or her family
12 intends to return to reside therein.

13 (D) Reasonable local, State, or Federal restrictions
14 regarding the maximum number of occupants permitted to occupy a
15 dwelling.

16 (E) Religious Organizations. A religious organization,
17 association, or society, or any nonprofit institution or
18 organization operated, supervised or controlled by or in
19 conjunction with a religious organization, association, or
20 society, from limiting the sale, rental or occupancy of a
21 dwelling which it owns or operates for other than a commercial
22 purpose to persons of the same religion, or from giving
23 preference to such persons, unless membership in such religion
24 is restricted on account of race, color, or national origin.

25 (F) Sex. Restricting the rental of rooms in a housing
26 accommodation to persons of one sex.

1 (G) Persons Convicted of Drug-Related Offenses. Conduct
2 against a person because such person has been convicted by any
3 court of competent jurisdiction of the illegal manufacture or
4 distribution of a controlled substance as defined in Section
5 102 of the federal Controlled Substances Act (21 U.S.C. 802).

6 (H) Persons engaged in the business of furnishing
7 appraisals of real property from taking into consideration
8 factors other than those based on unlawful discrimination or
9 familial status in furnishing appraisals.

10 (H-1) The owner of an owner-occupied residential building
11 with 4 or fewer units (including the unit in which the owner
12 resides) from making decisions regarding whether to rent to a
13 person based upon that person's sexual orientation.

14 (I) Housing for Older Persons. No provision in this Article
15 regarding familial status shall apply with respect to housing
16 for older persons.

17 (1) As used in this Section, "housing for older
18 persons" means housing:

19 (a) provided under any State or Federal program
20 that the Department determines is specifically
21 designed and operated to assist elderly persons (as
22 defined in the State or Federal program); or

23 (b) intended for, and solely occupied by, persons
24 62 years of age or older; or

25 (c) intended and operated for occupancy by persons
26 55 years of age or older and:

1 (i) at least 80% of the occupied units are
2 occupied by at least one person who is 55 years of
3 age or older;

4 (ii) the housing facility or community
5 publishes and adheres to policies and procedures
6 that demonstrate the intent required under this
7 subdivision (c); and

8 (iii) the housing facility or community
9 complies with rules adopted by the Department for
10 verification of occupancy, which shall:

11 (aa) provide for verification by reliable
12 surveys and affidavits; and

13 (bb) include examples of the types of
14 policies and procedures relevant to a
15 determination of compliance with the
16 requirement of clause (ii).

17 These surveys and affidavits shall be admissible in
18 administrative and judicial proceedings for the purposes
19 of such verification.

20 (2) Housing shall not fail to meet the requirements for
21 housing for older persons by reason of:

22 (a) persons residing in such housing as of the
23 effective date of this amendatory Act of 1989 who do
24 not meet the age requirements of subsections (1) (b) or
25 (c); provided, that new occupants of such housing meet
26 the age requirements of subsections (1) (b) or (c) of

1 this subsection; or

2 (b) unoccupied units; provided, that such units
3 are reserved for occupancy by persons who meet the age
4 requirements of subsections (1)(b) or (c) of this
5 subsection.

6 (3) (a) A person shall not be held personally liable
7 for monetary damages for a violation of this Article if
8 the person reasonably relied, in good faith, on the
9 application of the exemption under this subsection (I)
10 relating to housing for older persons.

11 (b) For the purposes of this item (3), a person may
12 show good faith reliance on the application of the
13 exemption only by showing that:

14 (i) the person has no actual knowledge that the
15 facility or community is not, or will not be,
16 eligible for the exemption; and

17 (ii) the facility or community has stated
18 formally, in writing, that the facility or
19 community complies with the requirements for the
20 exemption.

21 (J) Child Sex Offender Refusal to Rent. Refusal of a child
22 sex offender who owns and resides at residential real estate to
23 rent such real estate to a person who is a parent or guardian
24 of a child or children under 18 years of age.

25 (Source: P.A. 95-42, eff. 8-10-07.)".