



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

SB3497

Introduced 2/10/2010, by Sen. Dan Cronin

#### SYNOPSIS AS INTRODUCED:

765 ILCS 605/22.3 new  
805 ILCS 105/103.40 new

Amends the Condominium Property Act and the General Not For Profit Act. Provides that: in the event of a proposed sale of a condominium unit, or a proposed sale of a unit in a common interest community or homeowners' association, by a unit owner other than the developer to a 501(c)(3) organization that intends to lease the unit for the purpose of providing affordable housing, the unit owner must disclose the proposed sale to the Board of Managers, or to the board of directors in the instance of a common interest community or homeowners' association, and request issuance of a certificate approving the sale to the 501(c)(3) organization for that purpose for as long as the 501(c)(3) organization owns the property; if the board approves the sale and issues a certificate approving the sale, the unit owner must record the certificate with the recorder; and a 501(c)(3) organization may not lease a unit for the purpose of providing affordable housing unless those requirements have been met.

LRB096 20536 AJ0 36223 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 Condominium Property Act is amended by  
5 adding Section 22.3 as follows:

6 (765 ILCS 605/22.3 new)

7 Sec. 22.3. Sale to a 501(c)(3) organization; affordable  
8 housing.

9 (a) In the event of a proposed sale of a condominium unit  
10 by a unit owner other than the developer to a 501(c)(3)  
11 organization that intends to lease the unit for the purpose of  
12 providing affordable housing, the unit owner must disclose the  
13 proposed sale to the Board of Managers and request issuance of  
14 a certificate approving the sale to the 501(c)(3) organization  
15 and the lease of the unit for the purpose of providing  
16 affordable housing for as long as the 501(c)(3) organization  
17 owns the unit.

18 (b) If the Board approves the sale by the unit owner to a  
19 501(c)(3) organization that intends to lease the unit for the  
20 purpose of providing affordable housing and issues a  
21 certificate approving the sale to the 501(c)(3) organization  
22 and the lease of the unit for the purpose of providing  
23 affordable housing, the unit owner must record the certificate

1 with the recorder.

2 (c) A 501(c)(3) organization may not lease a unit for the  
3 purpose of providing affordable housing unless the  
4 requirements of subsections (a) and (b) have been met.

5 Section 10. The General Not For Profit Corporation Act of  
6 1986 is amended by adding Section 103.40 as follows:

7 (805 ILCS 105/103.40 new)

8 Sec. 103.40. Sale to a 501(c)(3) organization; affordable  
9 housing.

10 (a) In the event of a proposed sale of a unit by a unit  
11 owner other than the developer to a 501(c)(3) organization that  
12 intends to lease the unit for the purpose of providing  
13 affordable housing, the unit owner must disclose the proposed  
14 sale to the board of directors and request issuance of a  
15 certificate approving the sale to the 501(c)(3) organization  
16 and the lease of the unit for the purpose of providing  
17 affordable housing for as long as the 501(c)(3) organization  
18 owns the property.

19 (b) If the board approves the sale by the unit owner to a  
20 501(c)(3) organization that intends to lease the unit for the  
21 purpose of providing affordable housing and issues a  
22 certificate approving the sale to the 501(c)(3) organization  
23 and the lease of the unit for the purpose of providing  
24 affordable housing, the unit owner must record the certificate

1 with the recorder.

2 (c) A 501(c)(3) organization may not lease a unit for the  
3 purpose of providing affordable housing unless the  
4 requirements of subsections (a) and (b) have been met.