



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB3062

Introduced 2/23/2011, by Rep. Ann Williams

SYNOPSIS AS INTRODUCED:

765 ILCS 705/9 new

Amends the Landlord and Tenant Act. Provides that a landlord shall make a good faith effort to timely disclose by written notice given to each residential or commercial tenant following, or in anticipation of, a significant change concerning the property at which the leased premises is located by stating that the property: is the subject of a foreclosure action, the control of the property has changed or will change, and that the tenant may terminate, without penalty, the lease upon 90 days' written notice; is for sale or has been sold; or that the premises are or will be under different management. Provides that, if the property where the leased premises is located is in foreclosure, a tenant may terminate, without penalty, the lease upon 90 days' written notice to the landlord. Provides that a landlord shall make a good faith effort to disclose in a timely manner to each prospective residential or commercial tenant who is considering leasing premises that the property at which the premises is located: is the subject of a foreclosure action; is for sale or has been sold; or will be under different management.

LRB097 07028 AJO 47121 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 Landlord and Tenant Act is amended by adding
5 Section 9 as follows:

6 (765 ILCS 705/9 new)

7 Sec. 9. Notice to tenant and prospective tenant.

8 (a) A landlord shall make a good faith effort to disclose
9 by written notice given in a timely manner to each residential
10 or commercial tenant following, or in anticipation of, a
11 significant change concerning the premises, as described in
12 paragraph (1), (2), or (3), that the real estate at which the
13 leased premises is located:

14 (1) is the subject of a foreclosure action (including
15 the name of the case, the case number, and the court where
16 the foreclosure action is pending); whether the control of
17 the real estate in foreclosure has or will change; and that
18 the tenant, upon notice to the landlord, may terminate the
19 lease, without penalty, after giving the landlord 90 days'
20 written notice of the termination under this Section;

21 (2) will be offered for sale or that the property has
22 been sold; or

23 (3) will be under different management or that the

1 property now has different management.

2 (b) If the real estate at which the leased premises is
3 located is the subject of a foreclosure action, the tenant may
4 terminate the lease, without penalty, by giving 90 days'
5 written notice of the termination.

6 (c) A landlord shall make a good faith effort to disclose
7 in a timely manner to each prospective residential or
8 commercial tenant who is considering leasing premises from the
9 landlord that the real estate at which the premises is located
10 has been or will be significantly affected by any of the
11 following:

12 (1) the property is the subject of a foreclosure action
13 (including the name of the case, the case number, and the
14 court where the foreclosure action is pending);

15 (2) the control of the real estate will change;

16 (3) the property will be offered for sale or the
17 property has been sold; or

18 (4) the property will be under different management.