



Sen. Graciela Guzmán

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10400HB4377sam001

LRB104 17629 BAB 38714 a

1 AMENDMENT TO HOUSE BILL 4377

2 AMENDMENT NO. _____. Amend House Bill 4377 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the
5 Federally Assisted Tenant Protection Act.

6 Section 5. Definitions. As used in this Act:

7 "Covered housing" means housing subsidized through a
8 federal housing program administered by the U.S. Department of
9 Housing and Urban Development, including, but not limited to:

- 10 (1) Project-based rental assistance (42 U.S.C. 1437f).
11 (2) Section 8 of the United States Housing Act of 1937
12 (42 U.S.C. 1437 et seq.), including special purpose
13 vouchers such as Mainstream Vouchers, Stability Vouchers,
14 the Housing Choice Voucher Homeownership Program,
15 Veteran's Affairs Supportive Housing Vouchers, the Family
16 Unification Program, the Foster Youth to Independence

1 Program, or any other programs established by Section 8 in
2 a federal register notice.

3 (3) Project-based voucher program (42 U.S.C. 1437f).

4 "Covered housing provider" means a private owner, property
5 manager, or other entity that administers or is subsidized to
6 provide housing through a covered housing program.

7 "Time limits" means any limitation on the duration of time
8 within which an individual may live in covered housing.

9 "Work requirements" means any requirements to complete
10 work activities, such as working, pursuing education,
11 participating in a work or job training program, volunteering,
12 or doing community service. Work activities include, but are
13 not limited to, work activities defined in 42 U.S.C. 607d.

14 Section 10. Applicability. Every covered housing provider
15 and its agents that receive federal housing assistance
16 payments from the U.S. Department of Housing and Urban
17 Development are subject to the provisions of this Act.

18 Section 15. No time limits or work requirements.

19 (a) Unless required by federal law or an applicable State
20 or federal funding program, no covered housing provider shall
21 establish or implement any rules, policies, or procedures that
22 impose time limits as a condition of initial or continued
23 eligibility for any covered housing or that impact the amount
24 of the rent subsidy or assistance provided to covered housing

1 tenants. Nothing with respect to this prohibition prevents a
2 covered housing provider from terminating assistance or a
3 residential lease as authorized by federal law.

4 (b) Unless required by federal law or an applicable State
5 or federal funding program, no covered housing provider shall
6 establish or implement any rules, policies, or procedures that
7 impose work requirements as a condition of initial or
8 continued eligibility for any covered housing or that impact
9 the amount of the rent subsidy or assistance provided to
10 covered housing tenants.

11 (c) A covered housing provider may establish and implement
12 a voluntary employment or job training program, or encourage a
13 covered housing applicant or tenant to participate in a
14 voluntary employment or job training program, if all of the
15 following apply:

16 (1) Program participation does not impact the
17 applicant's or tenant's initial or continued eligibility
18 for the rent subsidy or assistance or the amount of rent
19 subsidy or assistance.

20 (2) The program has one or more of the following or
21 related goals for participants:

22 (A) Increasing personal income.

23 (B) Generating financial savings.

24 (C) Homeownership.

25 (D) Increasing financial well-being and
26 creditworthiness.

1 (E) Increasing educational attainment.

2 (F) Acquiring job skills.

3 (G) Expanding employment options.

4 (d) Subsection (b) does not apply to a covered housing
5 provider participating in the Moving to Work demonstration
6 (Pub. L. 104-134, 110 Stat. 1321, 42 U.S.C. 1437f note) that
7 has work requirements prior to the effective date of this Act
8 that comply with regulations established by the U.S.
9 Department of Housing and Urban Development.

10 (e) Nothing in this Section limits or alters the operation
11 of the Family Self-Sufficiency Program (42 U.S.C. 1437u) or
12 the Public Housing Community Service Requirement (42 U.S.C.
13 1437j(c)).

14 Section 90. The Housing Authorities Act is amended by
15 adding Section 14.1 as follows:

16 (310 ILCS 10/14.1 new)

17 Sec. 14.1. No time limits or work requirements.

18 (a) As used in this Section:

19 "Time limits" means any limitation on the duration of time
20 within which an individual may live in housing or receive a
21 federal housing subsidy covered by this Act.

22 "Work requirements" means any requirements to complete
23 work activities, such as working, pursuing education,
24 participating in a work or job training program, volunteering,

1 or doing community service. Work activities include, but are
2 not limited to, work activities defined in 42 U.S.C. 607d.

3 (b) Unless required by federal law or an applicable State
4 or federal funding program, no housing authority organized in
5 accordance with the provisions of this Act, or its agents,
6 shall impose time limits or work requirements on its tenants
7 or housing applicants. This prohibition shall apply to all
8 federally assisted housing as defined in Section 17.

9 (c) Unless required by federal law or an applicable State
10 or federal funding program, no housing authority or its agents
11 shall establish or implement any rules, policies, or
12 procedures that impose time limits as a condition of initial
13 or continued eligibility for any housing or that impact the
14 amount of the rent subsidy or assistance provided to tenants.
15 Nothing with respect to this prohibition prevents a housing
16 authority or its agents from terminating assistance or a
17 residential lease if authorized by federal law.

18 (d) Unless required by federal law or an applicable State
19 or federal funding program, no housing authority or its agents
20 shall establish or implement any rules, policies, or
21 procedures that impose work requirements as a condition of
22 initial or continued eligibility for any housing or that
23 impact the amount of the rent subsidy or assistance provided
24 to tenants.

25 (e) A housing authority and its agents may establish and
26 implement a voluntary employment or job training program, or

1 encourage a housing applicant or tenant to participate in a
2 voluntary employment or job training program, if all of the
3 following apply:

4 (1) Program participation does not impact the
5 applicant's or tenant's initial or continued eligibility
6 for the rent subsidy or assistance or the amount of rent
7 subsidy or assistance.

8 (2) The program has one or more of the following or
9 related goals for participants:

10 (A) Increasing personal income.

11 (B) Generating financial savings.

12 (C) Homeownership.

13 (D) Increasing financial well-being and
14 creditworthiness.

15 (E) Increasing educational attainment.

16 (F) Acquiring job skills.

17 (G) Expanding employment options.

18 (f) Subsection (d) does not apply to a housing authority
19 participating in the Moving to Work demonstration (Pub. L.
20 104-134, 110 Stat. 1321, 42 U.S.C. 1437f note) that has work
21 requirements prior to the effective date of this Act that
22 comply with regulations established by the U.S. Department of
23 Housing and Urban Development.

24 (g) Nothing in this Section limits or alters the operation
25 of the Family Self-Sufficiency Program (42 U.S.C. 1437u) or
26 the Public Housing Community Service Requirement (42 U.S.C.

1 1437j(c)).

2 Section 95. The Landlord and Tenant Act is amended by
3 adding Section 35 as follows:

4 (765 ILCS 705/35 new)

5 Sec. 35. Broker fees.

6 (a) A residential property owner, landlord, lessor, or
7 sublessor who retains a real estate broker or residential
8 leasing agent to act as an agent in the leasing of residential
9 real estate may not require, direct, or otherwise cause a
10 broker or leasing agent to seek or collect any payment, fee,
11 commission, or other charge from a tenant or prospective
12 tenant for services performed for or at the direction of the
13 property owner. This prohibition includes, but is not limited
14 to, services related to listing the property, showing the
15 property, screening or qualifying prospective tenants, and
16 preparing or executing lease documents.

17 (b) A residential property owner, landlord, lessor, or
18 sublessor may not demand or require that a tenant or
19 prospective tenant retain, hire, or engage a real estate
20 broker or residential leasing agent and pay the real estate
21 broker or residential leasing agent a fee or commission as a
22 condition to applying for or leasing a residential rental
23 unit. A residential property owner, landlord, lessor, or
24 sublessor may not demand or require that a tenant or

1 prospective tenant make any payment in violation of subsection
2 (a).

3 (c) A tenant or prospective tenant alleging a violation of
4 this Section may bring a civil action against the person or
5 entity that is alleged to have violated this Section. The
6 court may award the tenant or prospective tenant injunctive
7 relief, monetary relief, attorney's fees, and costs.

8 (d) Nothing in this Section is intended to prohibit the
9 following:

10 (1) A residential property owner, landlord, lessor, or
11 sublessor from seeking or collecting an application or
12 screening fee from a tenant or prospective tenant.

13 (2) A real estate broker or residential leasing agent
14 from seeking or collecting any payment, fee, commission,
15 or other charge from the party that retained the services
16 of the real estate broker or residential leasing agent.

17 (e) This Section does not apply to a broker or residential
18 leasing agent who enters into a dual agency relationship with
19 both parties of the same lease under the requirements of
20 Section 15-45 of the Real Estate License Act of 2000.

21 Section 100. The Illinois Human Rights Act is amended by
22 changing Sections 3-101, 3-102, 3-102.10, 3-103, and 6-101.5
23 as follows:

24 (775 ILCS 5/3-101) (from Ch. 68, par. 3-101)

1 Sec. 3-101. Definitions. The following definitions are
2 applicable strictly in the context of this Article:

3 (A) Real Property. "Real property" includes buildings,
4 structures, real estate, lands, tenements, leaseholds,
5 interests in real estate cooperatives, condominiums, and
6 hereditaments, corporeal and incorporeal, or any interest
7 therein.

8 (B) Real Estate Transaction. "Real estate transaction"
9 includes the sale, exchange, rental or lease of real property,
10 or any act that otherwise makes available such a transaction
11 or alters a person's rights to real property. "Real estate
12 transaction" also includes the brokering or appraising of
13 residential real property and the making or purchasing of
14 loans or providing other financial assistance:

15 (1) for purchasing, constructing, improving, repairing
16 or maintaining a dwelling; or

17 (2) secured by residential real estate.

18 (C) Housing Accommodations. "Housing accommodation"
19 includes any improved or unimproved real property, or part
20 thereof, which is used or occupied, or is intended, arranged
21 or designed to be used or occupied, as the home or residence of
22 one or more individuals.

23 (D) Real Estate Broker or Salesman. "Real estate broker or
24 salesman" means a person, whether licensed or not, who, for or
25 with the expectation of receiving a consideration, lists,
26 sells, purchases, exchanges, rents, or leases real property,

1 or who negotiates or attempts to negotiate any of these
2 activities, or who holds oneself out as engaged in these.

3 (E) Familial Status. "Familial status" means one or more
4 individuals (who have not attained the age of 18 years) being
5 domiciled with:

6 (1) a parent or person having legal custody of such
7 individual or individuals; or

8 (2) the designee of such parent or other person having
9 such custody, with the written permission of such parent
10 or other person.

11 The protections afforded by this Article against
12 discrimination on the basis of familial status apply to any
13 person who is pregnant or is in the process of securing legal
14 custody of any individual who has not attained the age of 18
15 years.

16 (F) Conciliation. "Conciliation" means the attempted
17 resolution of issues raised by a charge, or by the
18 investigation of such charge, through informal negotiations
19 involving the aggrieved party, the respondent and the
20 Department.

21 (G) Conciliation Agreement. "Conciliation agreement" means
22 a written agreement setting forth the resolution of the issues
23 in conciliation.

24 (H) Covered Multifamily Dwellings. As used in Section
25 3-102.1, "covered multifamily dwellings" means:

26 (1) buildings consisting of 4 or more units if such

1 buildings have one or more elevators; and

2 (2) ground floor units in other buildings consisting
3 of 4 or more units.

4 (I) Immigration Status. "Immigration status" means a
5 person's actual or perceived citizenship or immigration
6 status.

7 (J) Domestic violence. "Domestic violence" means the use
8 or attempted use of abuse as defined in Section 103 of the
9 Illinois Domestic Violence Act of 1986 or a pattern of any
10 other coercive behavior committed, enabled, or solicited to
11 gain or maintain power and control over a person, including
12 verbal, psychological, economic, or technological abuse by a
13 family or household member as defined in Section 103 of the
14 Illinois Domestic Violence Act of 1986. "Domestic violence"
15 includes a person's status as being a person protected under a
16 protective order issued under the Illinois Domestic Violence
17 Act of 1986, Article 112A of the Code of Criminal Procedure of
18 1963, the Stalking No Contact Order Act, the Civil No Contact
19 Order Act, or a protective order issued by a court of another
20 state.

21 (K) Sexual violence. "Sexual violence" means any act of
22 sexual assault or sexual abuse, including, but not limited to,
23 non-consensual sexual conduct or non-consensual sexual
24 penetration as defined in the Civil No Contact Order Act and
25 the offenses of stalking, aggravated stalking, criminal sexual
26 assault, aggravated criminal sexual assault, predatory

1 criminal sexual assault of a child, criminal sexual abuse, and
2 aggravated criminal sexual abuse as those offenses are
3 described in the Criminal Code of 2012. "Sexual violence"
4 includes a person's status as being a person protected under a
5 protective order issued under the Illinois Domestic Violence
6 Act of 1986, Article 112A of the Code of Criminal Procedure of
7 1963, the Stalking No Contact Order Act, the Civil No Contact
8 Order Act, or a protective order issued by a court of another
9 state.

10 (L) Gender-based violence. "Gender-based violence" means
11 actual, attempted, threatened, or perceived domestic violence,
12 sexual violence, or gender-based violence. "Gender-based
13 violence" has the same meaning as provided in Section 2-1401
14 of the Code of Civil Procedure and includes domestic violence
15 and sexual violence as defined in this Section and stalking as
16 defined in the Stalking No Contact Order Act. "Gender-based
17 violence" includes a person's status as being a person
18 protected under a protective order issued under the Illinois
19 Domestic Violence Act of 1986, Article 112A of the Code of
20 Criminal Procedure of 1963, the Stalking No Contact Order Act,
21 the Civil No Contact Order Act, or a protective order issued by
22 a court of another state. The Department may create rules to
23 ensure gender-based violence survivor status is applied in
24 accordance with the legislative intent of this Act.

25 (Source: P.A. 103-232, eff. 1-1-24; 103-859, eff. 1-1-25.)

1 (775 ILCS 5/3-102) (from Ch. 68, par. 3-102)

2 Sec. 3-102. Civil rights violations; real estate
3 transactions and other prohibited acts. It is a civil rights
4 violation for an owner or any other person, or for a real
5 estate broker or salesman, because of unlawful discrimination,
6 familial status, immigration status, source of income, status
7 as a person with a history of being a survivor of gender-based
8 violence, or an arrest record, as defined under subsection
9 (B-5) of Section 1-103, to:

10 (A) Transactions. Refuse to engage in a real estate
11 transaction or deny real property, or to discriminate in
12 making available such a transaction;

13 (B) Terms. Alter the terms, conditions or privileges
14 of a real estate transaction or in the furnishing of
15 facilities or services in connection therewith;

16 (C) Offers. Refuse to receive or to fail to transmit a
17 bona fide offer in a real estate transaction from a
18 person;

19 (D) Negotiation. Refuse to negotiate a real estate
20 transaction with a person;

21 (E) Representations. Represent to a person that real
22 property is not available for inspection, sale, rental, or
23 lease when in fact it is so available, or to fail to bring
24 a property listing to the person's attention, or to refuse
25 to permit the person to inspect real property;

26 (F) Publication of Intent. Make, print, circulate,

1 post, mail, publish or cause to be made, printed,
2 circulated, posted, mailed, or published any notice,
3 statement, advertisement or sign, or use a form of
4 application for a real estate transaction, or make a
5 record or inquiry in connection with a prospective real
6 estate transaction, that indicates any preference,
7 limitation, or discrimination based on unlawful
8 discrimination or unlawful discrimination based on
9 familial status, immigration status, source of income,
10 status as a person with a history of being a survivor of
11 gender-based violence, or an arrest record, or an
12 intention to make any such preference, limitation, or
13 discrimination;

14 (G) Listings. Offer, solicit, accept, use or retain a
15 listing of real property with knowledge that unlawful
16 discrimination or discrimination on the basis of familial
17 status, immigration status, source of income, status as a
18 person with a history of being a survivor of gender-based
19 violence, or an arrest record in a real estate transaction
20 is intended.

21 (H) Criteria. Use criteria or methods that have the
22 effect of subjecting individuals to unlawful
23 discrimination or discrimination based on familial status,
24 immigration status, source of income, status as a person
25 with a history of being a survivor of gender-based
26 violence, or an arrest record in a real estate

1 transaction. Such criteria or methods are unlawful under
2 this subsection if they are not necessary to achieve a
3 substantial, legitimate, non-discriminatory interest; or
4 if the substantial, legitimate, non-discriminatory
5 interest could be served by another practice that has a
6 less discriminatory effect.

7 (Source: P.A. 102-896, eff. 1-1-23; 103-232, eff. 1-1-24;
8 103-859, eff. 1-1-25.)

9 (775 ILCS 5/3-102.10)

10 Sec. 3-102.10. Third-party loan modification service
11 provider.

12 (A) It is a civil rights violation for a third-party loan
13 modification service provider, because of unlawful
14 discrimination, familial status, immigration status, source of
15 income, status as a person with a history of being a survivor
16 of gender-based violence, or an arrest record, to:

17 (1) refuse to engage in loan modification services;

18 (2) alter the terms, conditions, or privileges of such
19 services; or

20 (3) discriminate in making such services available,
21 including, but not limited to, by making a statement,
22 advertisement, representation, inquiry, listing, offer, or
23 solicitation that indicates a preference or the intention
24 to make such a preference in making such services
25 available.

1 (B) For purposes of this Section, "third-party loan
2 modification service provider" means a person or entity,
3 whether licensed or not, who, for or with the expectation of
4 receiving consideration, provides assistance or services to a
5 loan borrower to obtain a modification to a term of an existing
6 real estate loan or to obtain foreclosure relief. "Third-party
7 loan modification service provider" does not include lenders,
8 brokers or appraisers of mortgage loans, or the servicers,
9 subsidiaries, affiliates, or agents of the lender.

10 (Source: P.A. 102-362, eff. 1-1-22; 103-232, eff. 1-1-24.)

11 (775 ILCS 5/3-103) (from Ch. 68, par. 3-103)

12 Sec. 3-103. Blockbusting. It is a civil rights violation
13 for any person to:

14 (A) Solicitation. Solicit for sale, lease, listing or
15 purchase any residential real estate within this State, on
16 the grounds of loss of value due to the present or
17 prospective entry into the vicinity of the property
18 involved of any person or persons of any particular race,
19 color, religion, national origin, ancestry, age, sex,
20 sexual orientation, marital status, familial status,
21 immigration status, source of income, status as a person
22 with a history of being a survivor of gender-based
23 violence, or disability.

24 (B) Statements. Distribute or cause to be distributed,
25 written material or statements designed to induce any

1 owner of residential real estate in this State to sell or
2 lease the owner's property because of any present or
3 prospective changes in the race, color, religion, national
4 origin, ancestry, age, sex, sexual orientation, marital
5 status, familial status, immigration status, source of
6 income, status as a person with a history of being a
7 survivor of gender-based violence, or disability of
8 residents in the vicinity of the property involved.

9 (C) Creating Alarm. Intentionally create alarm, among
10 residents of any community, by transmitting communications
11 in any manner, including a telephone call whether or not
12 conversation thereby ensues, with a design to induce any
13 owner of residential real estate in this state to sell or
14 lease the owner's property because of any present or
15 prospective entry into the vicinity of the property
16 involved of any person or persons of any particular race,
17 color, religion, national origin, ancestry, age, sex,
18 sexual orientation, marital status, familial status,
19 immigration status, source of income, status as a person
20 with a history of being a survivor of gender-based
21 violence, or disability.

22 (Source: P.A. 102-896, eff. 1-1-23; 103-232, eff. 1-1-24.)

23 (775 ILCS 5/6-101.5)

24 Sec. 6-101.5. Additional civil rights violations under
25 Article 3. It is a civil rights violation for a person, or for

1 2 or more persons, to conspire, to:

2 (A) retaliate against a person because the person has
3 opposed that which he or she reasonably and in good faith
4 believes to be unlawful discrimination or conduct
5 otherwise prohibited ~~discrimination based on familial~~
6 ~~status or arrest record in a real estate transaction~~ under
7 Article 3, because the person has made a charge, filed a
8 complaint, testified, assisted, or participated in an
9 investigation, proceeding, or hearing under this Act, or
10 because the person has requested, attempted to request,
11 used, or attempted to use a reasonable accommodation as
12 allowed by this Act;

13 (B) aid, abet, compel, or coerce a person to commit
14 any violation of this Act; or

15 (C) willfully interfere with the performance of a duty
16 or the exercise of a power by the Commission or one of its
17 members or representatives or the Department or one of its
18 officers or employees.

19 ~~For the purposes of this Section, "familial status" has~~
20 ~~the same meaning as defined in Section 3-101.~~

21 (Source: P.A. 102-362, eff. 1-1-22.)

22 Section 999. Effective date. This Act takes effect upon
23 becoming law, except that Sections 95 and 100 take effect
24 January 1, 2027."