



Sen. Steve Stadelman

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10400SB2912sam001

LRB104 16681 JRC 35130 a

1 AMENDMENT TO SENATE BILL 2912

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2912 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Landlord and Tenant Act is amended by  
5 adding Section 35 as follows:

6 (765 ILCS 705/35 new)

7 Sec. 35. Broker fees.

8 (a) A real estate broker or residential leasing agent who  
9 rents or leases residential real estate as an agent of a  
10 residential property owner, landlord, lessor, or sublessor may  
11 not demand, receive, or retain any payment, fee, commission,  
12 or other charge from a tenant or prospective tenant for any  
13 services for the listing, showing, qualifying of prospective  
14 tenants, preparation and execution of documents, or other  
15 action arising out of the leasing of a residential property on  
16 behalf of the residential property owner, landlord, lessor, or

1 sublessor.

2 (b) A residential property owner, landlord, lessor, or  
3 sublessor may not demand or require that a tenant or  
4 prospective tenant retain, hire, or engage a real estate  
5 broker or residential leasing agent and pay the real estate  
6 broker or residential leasing agent a fee or commission as a  
7 condition to applying for or leasing a residential rental  
8 unit. A residential property owner, landlord, lessor, or  
9 sublessor may not demand or require that a tenant or  
10 prospective tenant make any payment in violation of subsection  
11 (a) of this Section.

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

17 (d) 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."