



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

HB0926

by Rep. Curtis J. Tarver, II

#### SYNOPSIS AS INTRODUCED:

775 ILCS 5/3-101  
775 ILCS 5/3-102

from Ch. 68, par. 3-101  
from Ch. 68, par. 3-102

Amends the Illinois Human Rights Act. Provides that it is a civil rights violation for an owner or any other person engaging in a real estate transaction because of, among other things, source of income, to: refuse to engage in a real estate transaction or to discriminate in making available such a transaction; alter the terms, conditions, or privileges of a real estate transaction; refuse to receive or to fail to transmit a bona fide offer to engage in a real estate transaction from a person; refuse to negotiate for a real estate transaction; represent to a person that real property is not available for inspection, sale, rental, or lease when it is available, or fail to bring a property listing to his or her attention, or refuse to permit him or her to inspect real property; make, print, circulate, post, mail, publish, or cause to be made, printed, circulated, posted, mailed, or published, any notice, statement, advertisement, or sign that indicates any preference, limitation, or discrimination based on unlawful discrimination based on source of income, or an intention to make any such preference, limitation, or discrimination; or offer, solicit, accept, use, or retain a listing of real property with knowledge that unlawful discrimination on the basis of source of income in a real estate transaction is intended. Defines "source of income" as the lawful manner by which an individual supports himself or herself and his or her dependents.

LRB101 06183 LNS 51206 b

1 AN ACT concerning human rights.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Illinois Human Rights Act is amended by  
5 changing Sections 3-101 and 3-102 as follows:

6 (775 ILCS 5/3-101) (from Ch. 68, par. 3-101)

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

9 (A) Real Property. "Real property" includes buildings,  
10 structures, real estate, lands, tenements, leaseholds,  
11 interests in real estate cooperatives, condominiums, and  
12 hereditaments, corporeal and incorporeal, or any interest  
13 therein.

14 (B) Real Estate Transaction. "Real estate transaction"  
15 includes the sale, exchange, rental or lease of real property.  
16 "Real estate transaction" also includes the brokering or  
17 appraising of residential real property and the making or  
18 purchasing of loans or providing other financial assistance:

19 (1) for purchasing, constructing, improving, repairing or  
20 maintaining a dwelling; or

21 (2) secured by residential real estate.

22 (C) Housing Accommodations. "Housing accommodation"  
23 includes any improved or unimproved real property, or part

1       thereof, which is used or occupied, or is intended, arranged or  
2       designed to be used or occupied, as the home or residence of  
3       one or more individuals.

4           (D) Real Estate Broker or Salesman. "Real estate broker or  
5       salesman" means a person, whether licensed or not, who, for or  
6       with the expectation of receiving a consideration, lists,  
7       sells, purchases, exchanges, rents, or leases real property, or  
8       who negotiates or attempts to negotiate any of these  
9       activities, or who holds himself or herself out as engaged in  
10      these.

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

14          (1) a parent or person having legal custody of such  
15      individual or individuals; or

16          (2) the designee of such parent or other person having such  
17      custody, with the written permission of such parent or other  
18      person.

19          The protections afforded by this Article against  
20      discrimination on the basis of familial status apply to any  
21      person who is pregnant or is in the process of securing legal  
22      custody of any individual who has not attained the age of 18  
23      years.

24          (F) Conciliation. "Conciliation" means the attempted  
25      resolution of issues raised by a charge, or by the  
26      investigation of such charge, through informal negotiations

1 involving the aggrieved party, the respondent and the  
2 Department.

3 (G) Conciliation Agreement. "Conciliation agreement" means  
4 a written agreement setting forth the resolution of the issues  
5 in conciliation.

6 (H) Covered Multifamily Dwellings. As used in Section  
7 3-102.1, "covered multifamily dwellings" means:

8 (1) buildings consisting of 4 or more units if such  
9 buildings have one or more elevators; and

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

12 (I) Source of Income. "Source of income" means the lawful  
13 manner by which an individual supports himself or herself and  
14 his or her dependents.

15 (Source: P.A. 86-820; 86-910; 86-1028.)

16 (775 ILCS 5/3-102) (from Ch. 68, par. 3-102)

17 Sec. 3-102. Civil rights violations; real estate  
18 transactions. It is a civil rights violation for an owner or  
19 any other person engaging in a real estate transaction, or for  
20 a real estate broker or salesman, because of unlawful  
21 discrimination, source of income, or familial status, to

22 (A) Transaction. Refuse to engage in a real estate  
23 transaction with a person or to discriminate in making  
24 available such a transaction;

25 (B) Terms. Alter the terms, conditions or privileges of

1 a real estate transaction or in the furnishing of  
2 facilities or services in connection therewith;

3 (C) Offer. Refuse to receive or to fail to transmit a  
4 bona fide offer to engage in a real estate transaction from  
5 a person;

6 (D) Negotiation. Refuse to negotiate for a real estate  
7 transaction with a person;

8 (E) Representations. Represent to a person that real  
9 property is not available for inspection, sale, rental, or  
10 lease when in fact it is so available, or to fail to bring  
11 a property listing to his or her attention, or to refuse to  
12 permit him or her to inspect real property;

13 (F) Publication of Intent. Make, print, circulate,  
14 post, mail, publish or cause to be made, printed,  
15 circulated, posted, mailed, or published any notice,  
16 statement, advertisement or sign, or use a form of  
17 application for a real estate transaction, or make a record  
18 or inquiry in connection with a prospective real estate  
19 transaction, that indicates any preference, limitation, or  
20 discrimination based on unlawful discrimination, unlawful  
21 discrimination based on source of income, or unlawful  
22 discrimination based on familial status, or an intention to  
23 make any such preference, limitation, or discrimination;

24 (G) Listings. Offer, solicit, accept, use or retain a  
25 listing of real property with knowledge that unlawful  
26 discrimination, unlawful discrimination on the basis of

1           source of income, or discrimination on the basis of  
2           familial status in a real estate transaction is intended.

3           (Source: P.A. 99-196, eff. 7-30-15; 99-642, eff. 7-28-16.)