

HB3989



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB3989

Introduced 3/4/2021, by Rep. Curtis J. Tarver, II

SYNOPSIS AS INTRODUCED:

765 ILCS 77/5

Amends the Residential Real Property Disclosure Act. Changes the definition of "seller" by deleting language providing that "seller" shall not include any person who has both (i) never occupied the residential real property and (ii) never had the management responsibility for the residential real property nor delegated such responsibility for the residential real property to another person or entity.

LRB102 16893 LNS 22304 b

A BILL FOR

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 Residential Real Property Disclosure Act is
5 amended by changing Section 5 as follows:

6 (765 ILCS 77/5)

7 Sec. 5. Definitions. As used in this Act, unless the
8 context otherwise requires, the following terms have the
9 meaning given in this Section.

10 "Residential real property" means real property improved
11 with not less than one nor more than 4 residential dwelling
12 units; units in residential cooperatives; or, condominium
13 units, including the limited common elements allocated to the
14 exclusive use thereof that form an integral part of the
15 condominium unit. The term includes a manufactured home as
16 defined in subdivision (53) of Section 9-102 of the Uniform
17 Commercial Code that is real property as defined in the
18 Conveyance and Encumbrance of Manufactured Homes as Real
19 Property and Severance Act.

20 "Seller" means every person or entity who is an owner,
21 beneficiary of a trust, contract purchaser or lessee of a
22 ground lease, who has an interest (legal or equitable) in
23 residential real property. ~~However, "seller" shall not include~~

1 ~~any person who has both (i) never occupied the residential~~
2 ~~real property and (ii) never had the management responsibility~~
3 ~~for the residential real property nor delegated such~~
4 ~~responsibility for the residential real property to another~~
5 ~~person or entity.~~

6 "Prospective buyer" means any person or entity negotiating
7 or offering to become an owner or lessee of residential real
8 property by means of a transfer for value to which this Act
9 applies.

10 (Source: P.A. 98-749, eff. 7-16-14; 99-78, eff. 7-20-15.)