



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

HB5246

Introduced 1/31/2022, by Rep. Keith R. Wheeler

#### SYNOPSIS AS INTRODUCED:

765 ILCS 605/22.1

from Ch. 30, par. 322.1

Amends the Condominium Property Act. Provides that the principal officer of the unit owner's association or such other officer as is specifically designated shall furnish specified information relevant to the condominium when requested to do so in writing and within 5 business days, rather than 30 days, of the request by the prospective purchaser. Limits the fee charged by the association or its Board of Managers covering the direct out-of-pocket cost of providing and copying the information to \$100.

LRB102 22788 LNS 31937 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 Condominium Property Act is amended by  
5 changing Section 22.1 as follows:

6 (765 ILCS 605/22.1) (from Ch. 30, par. 322.1)

7 Sec. 22.1. (a) In the event of any resale of a condominium  
8 unit by a unit owner other than the developer such owner shall  
9 obtain from the Board of Managers and shall make available for  
10 inspection to the prospective purchaser, upon demand, the  
11 following:

12 (1) A copy of the Declaration, by-laws, other  
13 condominium instruments, and any rules and regulations.

14 (2) A statement of any liens, including a statement of  
15 the account of the unit setting forth the amounts of  
16 unpaid assessments and other charges due and owing as  
17 authorized and limited by the provisions of Section 9 of  
18 this Act or the condominium instruments.

19 (3) A statement of any capital expenditures  
20 anticipated by the unit owner's association within the  
21 current or succeeding 2 ~~two~~ fiscal years.

22 (4) A statement of the status and amount of any  
23 reserve for replacement fund and any portion of such fund

1 earmarked for any specified project by the Board of  
2 Managers.

3 (5) A copy of the statement of financial condition of  
4 the unit owner's association for the last fiscal year for  
5 which such statement is available.

6 (6) A statement of the status of any pending suits or  
7 judgments in which the unit owner's association is a  
8 party.

9 (7) A statement setting forth what insurance coverage  
10 is provided for all unit owners by the unit owner's  
11 association.

12 (8) A statement that any improvements or alterations  
13 made to the unit, or the limited common elements assigned  
14 thereto, by the prior unit owner are in good faith  
15 believed to be in compliance with the condominium  
16 instruments.

17 (9) The identity and mailing address of the principal  
18 officer of the unit owner's association or of the other  
19 officer or agent as is specifically designated to receive  
20 notices.

21 (b) The principal officer of the unit owner's association  
22 or such other officer as is specifically designated shall  
23 furnish the above information when requested to do so in  
24 writing and within 5 business ~~30~~ days of the request.

25 (c) Within 15 days of the recording of a mortgage or trust  
26 deed against a unit ownership given by the owner of that unit

1 to secure a debt, the owner shall inform the Board of Managers  
2 of the unit owner's association of the identity of the lender  
3 together with a mailing address at which the lender can  
4 receive notices from the association. If a unit owner fails or  
5 refuses to inform the Board as required under subsection (c)  
6 then that unit owner shall be liable to the association for all  
7 costs, expenses, and reasonable attorney's ~~attorneys~~ fees and  
8 such other damages, if any, incurred by the association as a  
9 result of such failure or refusal.

10 A reasonable fee, not to exceed \$100, covering the direct  
11 out-of-pocket cost of providing such information and copying  
12 may be charged by the association or its Board of Managers to  
13 the unit seller for providing such information.

14 (Source: P.A. 87-692.)