



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB4703

Introduced 2/6/2024, by Rep. Abdelnasser Rashid

SYNOPSIS AS INTRODUCED:

765 ILCS 745/8.5
765 ILCS 745/8.7 new

Amends the Mobile Home Landlord and Tenant Rights Act. Provides that if a park owner elects to sell, lease, or transfer either all or a portion of the mobile home park, a tenant representing 25% or more of the units in the mobile home park that are occupied by the owners of such units or one or more of the owner's family members shall have the right to make an offer to purchase the mobile home park. Requires the park owner to consider the tenant's offer and negotiate with such tenant in good faith. Sets forth exceptions.

LRB103 32788 LNS 62592 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 Mobile Home Landlord and Tenant Rights Act
5 is amended by changing Section 8.5 and by adding Section 8.7 as
6 follows:

7 (765 ILCS 745/8.5)

8 Sec. 8.5. Park closure, sale, lease, or transfer ~~Closure~~.

9 If a park owner elects to cease the operation of either all or
10 a portion of the mobile home park or elects to sell, lease, or
11 transfer either all or a portion of the mobile home park, the
12 tenants shall be entitled to at least 12 months' notice of such
13 ceasing of operations or sale, lease, or transfer. If 12
14 months or more remain on the existing lease at the time of
15 notice, the tenant is entitled to the balance of the term of
16 his or her lease up to the date of the closing or sale, lease,
17 or transfer. If less than 12 months remain in the term of his
18 or her lease, the tenant is entitled to the balance of his or
19 her lease plus a written month-to-month tenancy and rent must
20 remain at the expiring lease rate to provide him or her with a
21 full 12 months' notice.

22 (Source: P.A. 95-383, eff. 1-1-08.)

1 (765 ILCS 745/8.7 new)

2 Sec. 8.7. Tenant right to purchase mobile home park.

3 (a) No later than 90 days after the notice provided in
4 Section 8.5 has been received, any tenant representing 25% or
5 more of the units in the mobile home park that are occupied by
6 the owners of such units or one or more of the owner's family
7 members may notify the park owner that he or she is interested
8 in purchasing the mobile home park. The tenant shall have 365
9 days after the notice required under Section 8.5 has been
10 given to purchase the mobile home park through negotiation or
11 a method set forth in subsection (b), or, if the tenant
12 proceeds under subsection (c) and reaches an agreement with
13 the park owner for purchase of the park, to close on the sale.

14 (b) If the tenant and the park owner cannot agree upon a
15 purchase price, the tenant shall have the right to purchase
16 the property:

17 (1) if the tenant matches the essential provisions of
18 any existing bona fide offer to purchase the park made by
19 another potential purchaser which offer by such other
20 purchaser the park owner is prepared to accept, if the
21 park owner requires the tenant to pay 102% of the purchase
22 price contained in such bona fide offer; or

23 (2) if there is no such offer, at a purchase price to
24 be established by an appraiser chosen by the tenant and
25 the park owner, and the park owner shall offer to sell the
26 park to the tenant at such purchase price in accordance

1 with this subsection. If the parties cannot agree upon an
2 appraiser, either party may notify the other, in writing,
3 of such disagreement, and the tenant shall choose an
4 appraiser, the park owner shall choose an appraiser, and
5 the 2 appraisers shall choose a third appraiser, which 3
6 appraisers shall establish a value of the mobile home
7 park.

8 (c) Within the 90-day period prescribed under subsection
9 (a), a tenant that meets the requirements of subsection (a)
10 shall have the right to make an offer to purchase the mobile
11 home park without following the method or invoking the rights
12 set forth in subsection (b), in which case the tenant shall so
13 state when presenting his or her offer to the park owner. The
14 park owner shall have the duty to consider the tenant's offer
15 and negotiate with such tenant in good faith.

16 (d) A tenant that has the right to purchase under this
17 Section may, at his or her election, assign his or her purchase
18 rights to the municipality where the tenant is located, the
19 housing authority for its area, an agency of the State or a
20 nonprofit organization for the purpose of continuing the use
21 of the property as a mobile home park.

22 (e) The requirements of this Section shall apply
23 separately to each substantially different offer to sell or
24 purchase a mobile home park.

25 (f) This Section shall not apply if:

26 (1) the sale, lease, or transfer is to a family member

1 of the park owner or to a trust, the beneficiaries of which
2 are family members of the park owner;

3 (2) the transfer is by gift, devise, or required by
4 operation of law;

5 (3) the sale, lease, or transfer is by a partnership
6 to one or more of its partners;

7 (4) the conveyance of an interest in the mobile home
8 park is incidental to the financing of such mobile home
9 park;

10 (5) the lease is the lease of a lot within the mobile
11 home park to a person who will live in a mobile home on
12 such lot;

13 (6) the sale, lease, or transfer is between joint
14 tenants or tenants in common; or

15 (7) the sale is made by eminent domain.