



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

SB2935

Introduced 1/31/2024, by Sen. Steve Stadelman

#### SYNOPSIS AS INTRODUCED:

765 ILCS 745/6.8 new

Amends the Mobile Landlord and Tenant Act. Requires a mobile manufactured park owner to give written notice by first class mail or personal delivery to each mobile home in the park that the park owner intends to discontinue the use of the land as a park or to sell land if the transaction or sale will discontinue the use of the land as a park. Provides that the notice must be mailed or delivered at least 120 days before the discontinuance of the park or sale. Allows an association that represents 33% or more of the units in the park to notify the park owner that the association is interested in purchasing the mobile park. Allows the association 365 days after this notice is given to purchase the park as outlined in the Act. Provides that if the association and the park owner cannot agree upon a purchase price, the association shall have the right to purchase the property: (i) if the association matches the essential provisions of any existing bona fide offer to purchase the park made by another potential purchaser that the park owner is prepared to accept; or (ii) if there is no such offer, at a purchase price to be established by an appraiser chosen by the association and the park owner. Provides that if the 2 parties cannot agree upon one appraiser, either party may notify the other, in writing, of such disagreement, and the association shall choose an appraiser, the park owner shall choose an appraiser, and the 2 appraisers shall choose a third appraiser, and the 3 appraisers shall establish a value of the park. Voids any rights under this Act if no agreement for a sale signed by the association and the park owner has been filed upon the land records, or if the association has not filed a certified statement to purchase the park at the appraised value.

LRB103 38596 JRC 68732 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 adding Section 6.8 as follows:

6 (765 ILCS 745/6.8 new)

7 Sec. 6.8. Right of first refusal.

8 (a) Any mobile manufactured home park owner who intends to  
9 discontinue the use of the land as a mobile manufactured home  
10 park or to sell land used as a mobile manufactured home park to  
11 any person who intends to discontinue its use as a mobile  
12 manufactured home park shall give written notice by first  
13 class mail addressed to each mobile manufactured home unit or  
14 by personal delivery to each unit upon such land if such  
15 transaction will entail the discontinuance of the use of the  
16 land for mobile manufactured home park purposes. If an owner  
17 of a mobile manufactured home has given the park owner written  
18 notice that the owner resides in a place other than the owner's  
19 unit, notice shall be sent by first class mail to the address  
20 so provided. The notice shall include a statement advising the  
21 recipient of the intended discontinuance of use or sale and,  
22 shall be mailed or delivered at least 120 days prior to the  
23 discontinuance of the use of the land as a mobile manufactured

1 home park. A copy of such notice from the park owner shall be  
2 sent to any association of residents of the mobile  
3 manufactured home park which has made a written request for  
4 such notice.

5 (b) Within 60 days after the notice provided for in  
6 subsection (a) of this Section has been mailed, any  
7 association representing 33% or more of the units in the park,  
8 including an association formed after the issuance of the  
9 notice, may notify the owner of the park that it is interested  
10 in purchasing the mobile manufactured home park. A copy of  
11 such notice may be filed on the land records of the town in  
12 which the mobile manufactured home park is located. If such  
13 notice is given, the association shall have 365 days after the  
14 notice required in subsection (a) of this Section has been  
15 given to purchase the park through negotiation or the method  
16 set forth in subsection (c) of this Section. Upon the request  
17 of the association, the Department of Public Health shall  
18 assist the association in developing financing for the  
19 purchase of the park.

20 (c) If the association and the park owner cannot agree  
21 upon a purchase price, the association shall have the right to  
22 purchase the property:

23 (1) If the association matches the essential  
24 provisions of any existing bona fide offer to purchase the  
25 park made by another potential purchaser which offer by  
26 such other purchaser the owner is prepared to accept; or

1           (2) if there is no such offer, at a purchase price to  
2           be established by an appraiser chosen by the association  
3           and the park owner.

4           If the 2 parties cannot agree upon one appraiser, either  
5           party may notify the other, in writing, of such disagreement,  
6           and the association shall choose an appraiser, the park owner  
7           shall choose an appraiser, and the 2 appraisers shall choose a  
8           third appraiser, which 3 appraisers shall establish a value of  
9           the park. If the park owner refuses to select an appraiser  
10           within 15 days of such notice, the Department of Public Health  
11           shall choose an appraiser for the park owner. The costs of all  
12           appraisers shall be paid equally by the association and the  
13           park owner. If, within 365 days from the mailing of the notice  
14           required in subsection (a) of this Section, no agreement for  
15           such sale signed by the association and the park owner has been  
16           filed upon the land records, or if the association has not  
17           filed a certified statement to purchase the park at the  
18           appraised value which value shall also be certified on the  
19           land records by the appraiser or appraisers, the right  
20           provided in this subsection to purchase the park shall be void  
21           and any recorded notice filed pursuant to subsection (b) of  
22           this Section shall be void.