HB1607

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97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB1607

Introduced 2/15/2011, by Rep. William Davis

SYNOPSIS AS INTRODUCED:

765 ILCS 705/9 new

Amends the Landlord and Tenant Act. When a prospective lessor receives a request from a prospective lessee to rent a residential property, the prospective lessor may charge that prospective lessee an application fee, subject to limitations concerning the cost of, receipt for, and return of the fee. Effective immediately.

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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 Landlord and Tenant Act is amended by adding

5   Section 9 as follows:

6   (765 ILCS 705/9 new)

7   Sec. 9. Application fees. When a prospective lessor

8   receives a request from a prospective lessee to rent a

9   residential property, the prospective lessor may charge the

10   prospective lessee an application fee. The fee cannot exceed

11   the lessor's actual out-of-pocket cost to gather relevant

12   information concerning the prospective lessee from a tenant

13   screening service or consumer credit reporting agency. A

14   prospective lessor shall provide the prospective lessee with a

15   written itemized receipt for any application fee received. A

16   prospective lessor shall not charge a prospective lessee an

17   application fee if the prospective lessor knows or should have

18   known that no rental unit is available at that time or will

19   become available within a reasonable period of time. If the

20   prospective lessor does not perform a screening of the

21   prospective lessee, the prospective lessor shall return the

22   application fee to the prospective lessee. A prospective lessor

23   who violates this Section is liable to the prospective lessee

1   for the application fee plus a civil penalty of up to $100,

2   civil court filing costs, and reasonable attorney fees incurred

3   to enforce this remedy.

4   Section 99. Effective date. This Act takes effect upon

5   becoming law.