

AN ACT concerning civil law.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 5. The Landlord and Tenant Act is amended by adding Section 35 as follows:

(765 ILCS 705/35 new)

Sec. 35. Rental fee transparency and limitations.

(a) As used in this Section, "listing" means an advertisement or written notice that conveys a property is for lease and includes the rental price.

(b) Rental fee transparency. All non-optional fees, regardless of whether they are one-time fees or recurring fees, shall be explicitly contained on the first page of a lease agreement. If a fee is not explicitly contained on the first page of a lease agreement, a tenant shall not be liable for payment of such fee.

(1) Non-optional fees shall be disclosed in a clear and conspicuous manner in a listing of residential property or in an accompanying weblink at the time of the listing.

(2) In a lease agreement disclosure or unit listing, the landlord must disclose whether utilities are included in rent.

(c) Junk fee ban. No landlord or lease agreement may require the payment by the tenant of any of the following:

(1) A fee for a rental application, including background checks, in excess of \$50. A landlord may charge a fee over \$50 for a third-party background check only if:

(A) the actual cost of the third-party background check service is greater than \$50;

(B) the landlord pays the upfront cost of the third-party background check service; and

(C) the landlord bills the applicant within 14 days of the third-party background check service with receipts from the third-party background check service provider.

If the landlord does not submit the bill and receipts within 14 days, the fee for a third-party background check is waived. Under no circumstances may this fee be used as a basis for an eviction action within the first year of a lease agreement.

(2) A fee or fine ancillary to the application fee at the time of the application that is intended to duplicate the costs of tenant screening or to include costs unrelated to tenant screening. This paragraph shall not be construed to limit the ability of the landlord to charge an application fee to cover the costs of tenant screening.

(3) A fee or fine for modification or renewal of a lease agreement.

(4) A fee or fine for an eviction notice or the filing of an eviction action prior to the court granting an eviction order. This paragraph shall not be construed to limit the ability of the landlord to recover court costs and filing fees.

(5) A fee or fine for after-hours requests for maintenance service.

(6) A fee or fine for contacting the building owner or property manager for maintenance or service requests, lease-related questions, or other items directly related to the tenancy.

(7) A fee or fine for travel required to complete needed maintenance work or safety repairs.

(8) A fee or fine for a maintenance hotline service or call to a maintenance hotline for maintenance or service requests, lease-related questions, or other items directly related to the tenancy.

(9) A fee or fine for the routine maintenance and upkeep of the unit.

(10) A fee or fine for pest abatement or removal where the tenant has in no way contributed to the infestation.

(11) A fee or fine for an in-person walk through of the unit at the time of move-in and move-out.

(d) Home rule. Any home rule unit of local government, non-home rule municipality, or non-home rule county within the unincorporated territory of the county may regulate fees

charged to tenants, but such regulations must at a minimum, restrict fees charged to tenants in a manner equal to this Section. This Section is a limitation under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule units of powers and functions exercised by the State.

(e) Applicability. A landlord may not rename a fee or charge to avoid application of this Section. This Section applies to all lease agreements for residential rental property entered into after the effective date of this amendatory Act of the 104th General Assembly, except that this Section does not apply to lease agreements entered into for dwelling units in owner-occupied premises containing 6 units or fewer.

(f) Penalties. Any person alleging a violation of this Section may bring a civil action, in accordance with applicable law, in any court of competent jurisdiction. The court may order injunctive relief, monetary relief, attorney's fees, and costs.

Section 99. Effective date. This Act takes effect July 1, 2026.