



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB4998

by Rep. Gregg Johnson

SYNOPSIS AS INTRODUCED:

New Act
815 ILCS 505/2MMMM new

Creates the Standardized Protections for Residential Tenants Act. Prohibits a landlord, lessor, sub-lessor, or grantor from requiring a deposit or advance that exceeds the amount of one month's rent, unless the deposit or advance is for a seasonal use dwelling unit or unless the deposit or advance is for an owner-occupied cooperative apartment. Prohibits a landlord, lessor, sub-lessor, or grantor from charging an application fee that exceeds \$20. Allows a fee for a background check or credit check of \$20 or the actual cost, whichever is less. Exempts entrance fees charged licensed continuing care retirement communities, licensed assisted living providers, licensed adult care facilities, senior residential communities, or not-for-profit independent retirement communities that offer personal emergency response, housekeeping, transportation, and meals to their residents. Prohibits any payment, fee, or charge for the late payment of rent unless the payment of rent has not been made within 5 days of the date it was due, and the payment, fee, or charge does not exceed \$50 or 5% of the monthly rent, whichever is less; provided a cooperative housing corporation shall be permitted to charge a tenant or lessee that is a dwelling unit owner or shareholder of such cooperative housing corporation a fee of up to 8% of the monthly maintenance fee for the late payment of the monthly maintenance fee if the proprietary lease or occupancy agreement provides for such a fee. Voids any agreement by a lessee or tenant of a dwelling waiving or modifying the rights in the Act. Authorizes the Attorney General to enforce the Act and adopt rules to implement and administer the Act. Provides that a violation of the Act is a violation of the Consumer Fraud and Deceptive Practices Act. Preempts home rule.

LRB104 20275 JRC 33726 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 1. Short title. This Act may be cited as the
5 Standardized Protections for Residential Tenants Act.

6 Section 5. Definitions. As used in this Act:

7 "Landlord, lessor, sub-lessor, or grantor" includes, but
8 is not limited to, individual property owners, corporate
9 owners, property management companies, and out-of-state
10 landlords.

11 "Seasonal dwelling" means a dwelling unit that is not used
12 as a person's principal residence that may be occupied on
13 weekends or for brief periods during the year.

14 Section 10. Standardized security deposit practices. In
15 relation to a residential dwelling unit:

16 (a) A landlord, lessor, sub-lessor, or grantor may not
17 require a deposit or advance that exceeds the amount of one
18 month's rent, unless the deposit or advance is for a seasonal
19 use dwelling unit or unless the deposit or advance is for an
20 owner-occupied cooperative apartment.

21 (b) All deposits and advances collected must be paid in
22 the same manner as expected for future payments of rent.

1 (c) All deposits or advances collected must be returned in
2 accordance with the Security Deposit Return Act and the
3 Security Deposit Interest Act.

4 Section 15. Standardized fees on application. For a
5 residential dwelling unit:

6 (a) Except in instances in which statutes or regulations
7 provide for a payment, fee or charge, no landlord, lessor,
8 sub-lessor, or grantor may demand any payment, fee, or charge
9 for the processing, review or acceptance of an application; or
10 demand any other payment, fee or charge before or at the
11 beginning of the tenancy, except background checks, credit
12 checks, and application fee as provided in subsections (b) and
13 (c).

14 (b) A landlord, lessor, sub-lessor, or grantor may charge
15 a fee or fees to reimburse costs associated with conducting a
16 background check and credit check, if the cumulative fee or
17 fees for the checks is no more than the actual cost of the
18 background check and credit check or \$20, whichever is less;
19 and the landlord, lessor, sub-lessor, or grantor must waive
20 the fee or fees if the potential tenant or lessee provides a
21 copy of a background check or credit check conducted within
22 the past 30 days.

23 (1) The landlord, lessor, sub-lessor, or grantor may
24 not collect the fee or fees unless the landlord, lessor,
25 sub-lessor, or grantor provides the potential tenant or

1 lessee with a copy of the background check or credit check
2 and the receipt or invoice from the entity conducting the
3 background check or credit check.

4 (2) Notwithstanding the provisions of this subsection,
5 a cooperative housing corporation is permitted to charge a
6 fee or fees to reimburse costs associated with conducting
7 a background check and credit check in excess of \$20, if
8 the potential tenant or lessee would become a dwelling
9 unit owner or shareholder of the cooperative housing
10 corporation, provided the cumulative fee or fees for these
11 checks is no more than the actual cost of the background
12 check or credit check. All these fees must be reasonable
13 and approved by the agency supervising the cooperative
14 housing corporation.

15 (c) No landlord, lessor, sub-lessor or grantor may demand
16 any payment, fee, or charge for the application fee to a
17 prospective tenant or lessee unless the application fee does
18 not exceed \$20.

19 (d) This Section does not apply to entrance fees charged
20 by licensed continuing care retirement communities, licensed
21 assisted living providers, licensed adult care facilities,
22 senior residential communities, or not-for-profit independent
23 retirement communities that offer personal emergency response,
24 housekeeping, transportation and meals to their residents.

25 (e) Nothing in this Section prohibits a cooperative
26 housing corporation from demanding from a prospective tenant

1 or lessee any payment, fee or charge that is necessary to
2 compensate a managing agent or transfer agent for the
3 processing, review, or acceptance of a prospective tenant's or
4 lessee's application if the prospective tenant or lessees
5 would become a dwelling unit owner or shareholder of the
6 cooperative housing corporation.

7 (f) The provisions of this Section do not apply to a
8 shareholder of a cooperative housing corporation. The
9 provisions of this Section do apply to any tenant, subtenant,
10 lessee, or sub-lessee of such a shareholder.

11 (g) Every landlord, lessor, sub-lessor, or grantor that
12 is, or going to, enter into a contract with a prospective
13 tenant or lessee must inform the tenant or lessee of this
14 Section, including, but not limited to, maximum amounts of any
15 payment, fee, or charge for the processing, review, or
16 acceptance of an application; or the demand for any other
17 payment, fee, or charge before or at the beginning of the
18 tenancy.

19 Section 20. Late fees. In relation to a residential
20 dwelling unit:

21 (1) No landlord, lessor, sub-lessor, or grantor may
22 demand any payment, fee, or charge for the late payment of
23 rent unless the payment of rent has not been made within 5
24 days of the date it was due; and such payment, fee, or
25 charge may not exceed \$50 or 5% of the monthly rent,

1 whichever is less. A cooperative housing corporation is
2 permitted to charge a tenant or lessee that is a dwelling
3 unit owner or shareholder of a cooperative housing
4 corporation a fee of up to 8% of the monthly maintenance
5 fee for the late payment of the monthly maintenance fee if
6 the proprietary lease or occupancy agreement provides for
7 such a fee.

8 (2) No landlord, lessor, sub-lessor, or grantor may
9 demand an additional payment, charge, or fee if a tenant
10 or lessee pays the month's rent in full and on time but has
11 unpaid fines from a previous month's late payment.

12 Section 25. Mandatory tenant rights disclosure. In
13 relation to a residential dwelling unit, every landlord,
14 lessor, sub-lessor, or grantor that is, or going to, enter
15 into a contract with a prospective tenant or lessee must
16 provide the prospective tenant or lessee a copy of "Landlord
17 and Tenant Rights and Laws" sheet created by the Attorney
18 General and information in this Act at the time of the signing
19 of the contract.

20 Section 30. Void agreements. This Act applies to all
21 dwelling units in residential premises. Any agreement by a
22 lessee or tenant of a dwelling waiving or modifying these
23 rights is void.

1 Section 35. Enforcement. A violation of any of the
2 provisions of this Act is an unlawful practice under the
3 Consumer Fraud and Deceptive Business Practices Act. All
4 remedies, penalties, and authority granted to the Attorney
5 General by that Act are available for the enforcement of this
6 Act.

7 Section 40. Rulemaking. The Attorney General may adopt
8 rules to implement and administer this Act.

9 Section 45. Home Rule. A home rule unit may not regulate
10 standardizing protections for residential tenants in a manner
11 less restrictive than the regulation by the State under this
12 Act. This Section is a limitation under subsection (i) of
13 Section 6 of Article VII of the Illinois Constitution on the
14 concurrent exercise by home rule units of powers and functions
15 exercised by the State.

16 Section 50. The Consumer Fraud and Deceptive Business
17 Practices Act is amended by adding Section 2MMMM as follows:

18 (815 ILCS 505/2MMMM new)

19 Sec. 2MMMM. Violations of the Standardized Protections for
20 Residential Tenants Act. A person who violates the
21 Standardized Protections for Residential Tenants Act commits
22 an unlawful practice within the meaning of this Act.