

**SB2125**



**104TH GENERAL ASSEMBLY**

**State of Illinois**

**2025 and 2026**

**SB2125**

Introduced 2/7/2025, by Sen. Mike Simmons

**SYNOPSIS AS INTRODUCED:**

765 ILCS 605/15  
765 ILCS 605/18

from Ch. 30, par. 315  
from Ch. 30, par. 318

Amends the Condominium Property Act. Provides that a vote to sell the property shall take place at one meeting called for such purpose and may be extended by no more than 24 hours. Provides that notice of the meeting shall be provided 72 hours in advance to all unit owners. Provides that upon an affirmative vote to sell the property, the board shall notify all State and local legislators representing the legislative district in which the property lies of the intent to sign a contract for sale of the property at least 90 days before signing the contract for sale. Provides that the bylaws that include matters subject to the affirmative vote of not less than 2/3 of the votes of unit owners at a meeting called for that purpose must include the investigation and initiation of a bulk sale of the property.

LRB104 09818 JRC 19886 b

**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 Condominium Property Act is amended by  
5           changing Sections 15 and 18 as follows:

6           (765 ILCS 605/15) (from Ch. 30, par. 315)

7           Sec. 15. Sale of property.

8           (a) Unless a greater percentage is provided for in the  
9           declaration or bylaws, and notwithstanding the provisions of  
10           Sections 13 and 14 hereof, a majority of the unit owners where  
11           the property contains 2 units, or not less than 66 2/3% where  
12           the property contains three units, and not less than 75% where  
13           the property contains 4 or more units may, by affirmative vote  
14           at a meeting of unit owners duly called for such purpose, elect  
15           to sell the property. Such action shall be binding upon all  
16           unit owners, and it shall thereupon become the duty of every  
17           unit owner to execute and deliver such instruments and to  
18           perform all acts as in manner and form may be necessary to  
19           effect such sale, provided, however, that any unit owner who  
20           did not vote in favor of such action and who has filed written  
21           objection thereto with the manager or board of managers within  
22           20 days after the date of the meeting at which such sale was  
23           approved shall be entitled to receive from the proceeds of

1 such sale an amount equivalent to the greater of: (i) the value  
2 of his or her interest, as determined by a fair appraisal, less  
3 the amount of any unpaid assessments or charges due and owing  
4 from such unit owner or (ii) the outstanding balance of any  
5 bona fide debt secured by the objecting unit owner's interest  
6 which was incurred by such unit owner in connection with the  
7 acquisition or refinance of the unit owner's interest, less  
8 the amount of any unpaid assessments or charges due and owing  
9 from such unit owner. The objecting unit owner is also  
10 entitled to receive from the proceeds of a sale under this  
11 Section reimbursement for reasonable relocation costs,  
12 determined in the same manner as under the federal Uniform  
13 Relocation Assistance and Real Property Acquisition Policies  
14 Act of 1970, as amended from time to time, and as implemented  
15 by regulations promulgated under that Act.

16 (a-5) A vote to sell the property shall take place at one  
17 meeting called for such purpose and may be extended by no more  
18 than 24 hours. Notice of a meeting called for such purpose  
19 shall be provided 72 hours in advance to all unit owners  
20 consistent with the requirements of subparagraph (E) of  
21 paragraph (9) of subsection (a) of Section 18.

22 (a-10) Upon an affirmative vote to sell the property, the  
23 Board shall notify all State and local legislators  
24 representing the district in which the property lies of the  
25 Board's intent to sign a contract for sale of the property at  
26 least 90 days before signing the contract for sale.

16 (Source: P.A. 100-292, eff. 1-1-18.)

17 (765 ILCS 605/18) (from Ch. 30, par. 318)

18 Sec. 18. Contents of bylaws. The bylaws shall provide for  
19 at least the following:

1       multiple owners shall be eligible to serve as a member of  
2       the board at any one time. A declaration first submitting  
3       property to the provisions of this Act, in accordance with  
4       Section 3 after the effective date of this amendatory Act  
5       of the 102nd General Assembly, or an amendment to the  
6       condominium instruments adopted in accordance with Section  
7       27 after the effective date of this amendatory Act of the  
8       102nd General Assembly, may provide that a majority of the  
9       board of managers, or such lesser number as may be  
10      specified in the declaration, must be comprised of unit  
11      owners occupying their unit as their primary residence;  
12      provided that the condominium instruments may not require  
13      that more than a majority of the board shall be comprised  
14      of unit owners who occupy their unit as their principal  
15      residence;

16               (2) the powers and duties of the board;

17               (3) the compensation, if any, of the members of the  
18      board;

19               (4) the method of removal from office of members of  
20      the board;

21               (5) that the board may engage the services of a  
22      manager or managing agent;

23               (6) that each unit owner shall receive, at least 25  
24      days prior to the adoption thereof by the board of  
25      managers, a copy of the proposed annual budget together  
26      with an indication of which portions are intended for

1       reserves, capital expenditures or repairs or payment of  
2       real estate taxes;

3               (7) that the board of managers shall annually supply  
4       to all unit owners an itemized accounting of the common  
5       expenses for the preceding year actually incurred or paid,  
6       together with an indication of which portions were for  
7       reserves, capital expenditures or repairs or payment of  
8       real estate taxes and with a tabulation of the amounts  
9       collected pursuant to the budget or assessment, and  
10      showing the net excess or deficit of income over  
11      expenditures plus reserves;

12               (8)(i) that each unit owner shall receive notice, in  
13       the same manner as is provided in this Act for membership  
14       meetings, of any meeting of the board of managers  
15       concerning the adoption of the proposed annual budget and  
16       regular assessments pursuant thereto or to adopt a  
17       separate (special) assessment, (ii) that except as  
18       provided in subsection (iv) below, if an adopted budget or  
19       any separate assessment adopted by the board would result  
20       in the sum of all regular and separate assessments payable  
21       in the current fiscal year exceeding 115% of the sum of all  
22       regular and separate assessments payable during the  
23       preceding fiscal year, the board of managers, upon written  
24       petition by unit owners with 20 percent of the votes of the  
25       association delivered to the board within 21 days of the  
26       board action, shall call a meeting of the unit owners

1       within 30 days of the date of delivery of the petition to  
2       consider the budget or separate assessment; unless a  
3       majority of the total votes of the unit owners are cast at  
4       the meeting to reject the budget or separate assessment,  
5       it is ratified, (iii) that any common expense not set  
6       forth in the budget or any increase in assessments over  
7       the amount adopted in the budget shall be separately  
8       assessed against all unit owners, (iv) that separate  
9       assessments for expenditures relating to emergencies or  
10       mandated by law may be adopted by the board of managers  
11       without being subject to unit owner approval or the  
12       provisions of item (ii) above or item (v) below. As used  
13       herein, "emergency" means an immediate danger to the  
14       structural integrity of the common elements or to the  
15       life, health, safety or property of the unit owners, (v)  
16       that assessments for additions and alterations to the  
17       common elements or to association-owned property not  
18       included in the adopted annual budget, shall be separately  
19       assessed and are subject to approval of two-thirds of the  
20       total votes of all unit owners, (vi) that the board of  
21       managers may adopt separate assessments payable over more  
22       than one fiscal year. With respect to multi-year  
23       assessments not governed by items (iv) and (v), the entire  
24       amount of the multi-year assessment shall be deemed  
25       considered and authorized in the first fiscal year in  
26       which the assessment is approved;

(9) (A) that every meeting of the board of managers shall be open to any unit owner, except that the board may close any portion of a noticed meeting or meet separately from a noticed meeting to: (i) discuss litigation when an action against or on behalf of the particular association has been filed and is pending in a court or administrative tribunal, or when the board of managers finds that such an action is probable or imminent, (ii) discuss the appointment, employment, engagement, or dismissal of an employee, independent contractor, agent, or other provider of goods and services, (iii) interview a potential employee, independent contractor, agent, or other provider of goods and services, (iv) discuss violations of rules and regulations of the association, (v) discuss a unit owner's unpaid share of common expenses, or (vi) consult with the association's legal counsel; that any vote on these matters shall take place at a meeting of the board of managers or portion thereof open to any unit owner;

(B) that board members may participate in and act at any meeting of the board of managers in person, by telephonic means, or by use of any acceptable technological means whereby all persons participating in the meeting can communicate with each other; that participation constitutes attendance and presence in person at the meeting;

(C) that any unit owner may record the proceedings at

1 meetings of the board of managers or portions thereof  
2 required to be open by this Act by tape, film or other  
3 means, and that the board may prescribe reasonable rules  
4 and regulations to govern the right to make such  
5 recordings;

6 (D) that notice of every meeting of the board of  
7 managers shall be given to every board member at least 48  
8 hours prior thereto, unless the board member waives notice  
9 of the meeting pursuant to subsection (a) of Section 18.8;  
10 and

11 (E) that notice of every meeting of the board of  
12 managers shall be posted in entranceways, elevators, or  
13 other conspicuous places in the condominium at least 48  
14 hours prior to the meeting of the board of managers except  
15 where there is no common entranceway for 7 or more units,  
16 the board of managers may designate one or more locations  
17 in the proximity of these units where the notices of  
18 meetings shall be posted; that notice of every meeting of  
19 the board of managers shall also be given at least 48 hours  
20 prior to the meeting, or such longer notice as this Act may  
21 separately require, to: (i) each unit owner who has  
22 provided the association with written authorization to  
23 conduct business by acceptable technological means, and  
24 (ii) to the extent that the condominium instruments of an  
25 association require, to each other unit owner, as required  
26 by subsection (f) of Section 18.8, by mail or delivery,

1 and that no other notice of a meeting of the board of  
2 managers need be given to any unit owner;

3 (10) that the board shall meet at least 4 times  
4 annually;

5 (11) that no member of the board or officer shall be  
6 elected for a term of more than 2 years, but that officers  
7 and board members may succeed themselves;

8 (12) the designation of an officer to mail and receive  
9 all notices and execute amendments to condominium  
10 instruments as provided for in this Act and in the  
11 condominium instruments;

12 (13) the method of filling vacancies on the board  
13 which shall include authority for the remaining members of  
14 the board to fill the vacancy by two-thirds vote until the  
15 next annual meeting of unit owners or for a period  
16 terminating no later than 30 days following the filing of  
17 a petition signed by unit owners holding 20% of the votes  
18 of the association requesting a meeting of the unit owners  
19 to fill the vacancy for the balance of the term, and that a  
20 meeting of the unit owners shall be called for purposes of  
21 filling a vacancy on the board no later than 30 days  
22 following the filing of a petition signed by unit owners  
23 holding 20% of the votes of the association requesting  
24 such a meeting, and the method of filling vacancies among  
25 the officers that shall include the authority for the  
26 members of the board to fill the vacancy for the unexpired

1 portion of the term;

2 (14) what percentage of the board of managers, if  
3 other than a majority, shall constitute a quorum;

4 (15) provisions concerning notice of board meetings to  
5 members of the board;

6 (16) the board of managers may not enter into a  
7 contract with a current board member or with a corporation  
8 or partnership in which a board member or a member of the  
9 board member's immediate family has 25% or more interest,  
10 unless notice of intent to enter the contract is given to  
11 unit owners within 20 days after a decision is made to  
12 enter into the contract and the unit owners are afforded  
13 an opportunity by filing a petition, signed by 20% of the  
14 unit owners, for an election to approve or disapprove the  
15 contract; such petition shall be filed within 30 days  
16 after such notice and such election shall be held within  
17 30 days after filing the petition; for purposes of this  
18 subsection, a board member's immediate family means the  
19 board member's spouse, parents, and children;

20 (17) that the board of managers may disseminate to  
21 unit owners biographical and background information about  
22 candidates for election to the board if (i) reasonable  
23 efforts to identify all candidates are made and all  
24 candidates are given an opportunity to include  
25 biographical and background information in the information  
26 to be disseminated; and (ii) the board does not express a

1                   preference in favor of any candidate;

2                   (18) any proxy distributed for board elections by the  
3                   board of managers gives unit owners the opportunity to  
4                   designate any person as the proxy holder, and gives the  
5                   unit owner the opportunity to express a preference for any  
6                   of the known candidates for the board or to write in a  
7                   name;

8                   (19) that special meetings of the board of managers  
9                   can be called by the president or 25% of the members of the  
10                   board;

11                   (20) that the board of managers may establish and  
12                   maintain a system of master metering of public utility  
13                   services and collect payments in connection therewith,  
14                   subject to the requirements of the Tenant Utility Payment  
15                   Disclosure Act; and

16                   (21) that the board may ratify and confirm actions of  
17                   the members of the board taken in response to an  
18                   emergency, as that term is defined in subdivision  
19                   (a) (8) (iv) of this Section; that the board shall give  
20                   notice to the unit owners of: (i) the occurrence of the  
21                   emergency event within 7 business days after the emergency  
22                   event, and (ii) the general description of the actions  
23                   taken to address the event within 7 days after the  
24                   emergency event.

25                   The intent of the provisions of Public Act 99-472  
26                   adding this paragraph (21) is to empower and support

boards to act in emergencies.

(b) (1) What percentage of the unit owners, if other than 20%, shall constitute a quorum provided that, for condominiums with 20 or more units, the percentage of unit owners constituting a quorum shall be 20% unless the unit owners holding a majority of the percentage interest in the association provide for a higher percentage, provided that in voting on amendments to the association's bylaws, a unit owner who is in arrears on the unit owner's regular or separate assessments for 60 days or more, shall not be counted for purposes of determining if a quorum is present, but that unit owner retains the right to vote on amendments to the association's bylaws;

(2) that the association shall have one class of membership;

(3) that the members shall hold an annual meeting, one of the purposes of which shall be to elect members of the board of managers;

(4) the method of calling meetings of the unit owners;

(5) that special meetings of the members can be called by the president, board of managers, or by 20% of unit owners;

(6) that written notice of any membership meeting shall be mailed or delivered giving members no less than 10 and no more than 30 days notice of the time, place and purpose of such meeting except that notice may be sent, to

1 the extent the condominium instruments or rules adopted  
2 thereunder expressly so provide, by electronic  
3 transmission consented to by the unit owner to whom the  
4 notice is given, provided the director and officer or his  
5 agent certifies in writing to the delivery by electronic  
6 transmission;

7 (7) that voting shall be on a percentage basis, and  
8 that the percentage vote to which each unit is entitled is  
9 the percentage interest of the undivided ownership of the  
10 common elements appurtenant thereto, provided that the  
11 bylaws may provide for approval by unit owners in  
12 connection with matters where the requisite approval on a  
13 percentage basis is not specified in this Act, on the  
14 basis of one vote per unit;

15 (8) that, where there is more than one owner of a unit,  
16 if only one of the multiple owners is present at a meeting  
17 of the association, he is entitled to cast all the votes  
18 allocated to that unit, if more than one of the multiple  
19 owners are present, the votes allocated to that unit may  
20 be cast only in accordance with the agreement of a  
21 majority in interest of the multiple owners, unless the  
22 declaration expressly provides otherwise, that there is  
23 majority agreement if any one of the multiple owners cast  
24 the votes allocated to that unit without protest being  
25 made promptly to the person presiding over the meeting by  
26 any of the other owners of the unit;

(9) (A) except as provided in subparagraph (B) of this paragraph (9) in connection with board elections, that a unit owner may vote by proxy executed in writing by the unit owner or by his duly authorized attorney in fact; that the proxy must bear the date of execution and, unless the condominium instruments or the written proxy itself provide otherwise, is invalid after 11 months from the date of its execution; to the extent the condominium instruments or rules adopted thereunder expressly so provide, a vote or proxy may be submitted by electronic transmission, provided that any such electronic transmission shall either set forth or be submitted with information from which it can be determined that the electronic transmission was authorized by the unit owner or the unit owner's proxy;

(B) that if a rule adopted at least 120 days before a board election or the declaration or bylaws provide for balloting as set forth in this subsection, unit owners may not vote by proxy in board elections, but may vote only (i) by submitting an association-issued ballot in person at the election meeting or (ii) by submitting an association-issued ballot to the association or its designated agent by mail or other means of delivery specified in the declaration, bylaws, or rule; that the ballots shall be mailed or otherwise distributed to unit owners not less than 10 and not more than 30 days before

1 the election meeting, and the board shall give unit owners  
2 not less than 21 days' prior written notice of the  
3 deadline for inclusion of a candidate's name on the  
4 ballots; that the deadline shall be no more than 7 days  
5 before the ballots are mailed or otherwise distributed to  
6 unit owners; that every such ballot must include the names  
7 of all candidates who have given the board or its  
8 authorized agent timely written notice of their candidacy  
9 and must give the person casting the ballot the  
10 opportunity to cast votes for candidates whose names do  
11 not appear on the ballot; that a ballot received by the  
12 association or its designated agent after the close of  
13 voting shall not be counted; that a unit owner who submits  
14 a ballot by mail or other means of delivery specified in  
15 the declaration, bylaws, or rule may request and cast a  
16 ballot in person at the election meeting, and thereby void  
17 any ballot previously submitted by that unit owner;

18 (B-5) that if a rule adopted at least 120 days before a  
19 board election or the declaration or bylaws provide for  
20 balloting as set forth in this subparagraph, unit owners  
21 may not vote by proxy in board elections, but may vote only  
22 (i) by submitting an association-issued ballot in person  
23 at the election meeting; or (ii) by any acceptable  
24 technological means as defined in Section 2 of this Act;  
25 instructions regarding the use of electronic means for  
26 voting shall be distributed to all unit owners not less

1 than 10 and not more than 30 days before the election  
2 meeting, and the board shall give unit owners not less  
3 than 21 days' prior written notice of the deadline for  
4 inclusion of a candidate's name on the ballots; the  
5 deadline shall be no more than 7 days before the  
6 instructions for voting using electronic or acceptable  
7 technological means is distributed to unit owners; every  
8 instruction notice must include the names of all  
9 candidates who have given the board or its authorized  
10 agent timely written notice of their candidacy and must  
11 give the person voting through electronic or acceptable  
12 technological means the opportunity to cast votes for  
13 candidates whose names do not appear on the ballot; a unit  
14 owner who submits a vote using electronic or acceptable  
15 technological means may request and cast a ballot in  
16 person at the election meeting, thereby voiding any vote  
17 previously submitted by that unit owner;

18 (C) that if a written petition by unit owners with at  
19 least 20% of the votes of the association is delivered to  
20 the board within 30 days after the board's approval of a  
21 rule adopted pursuant to subparagraph (B) or subparagraph  
22 (B-5) of this paragraph (9), the board shall call a  
23 meeting of the unit owners within 30 days after the date of  
24 delivery of the petition; that unless a majority of the  
25 total votes of the unit owners are cast at the meeting to  
26 reject the rule, the rule is ratified;

(D) that votes cast by ballot under subparagraph (B) or electronic or acceptable technological means under subparagraph (B-5) of this paragraph (9) are valid for the purpose of establishing a quorum;

(10) that the association may, upon adoption of the appropriate rules by the board of managers, conduct elections by secret ballot whereby the voting ballot is marked only with the percentage interest for the unit and the vote itself, provided that the board further adopt rules to verify the status of the unit owner issuing a proxy or casting a ballot; and further, that a candidate for election to the board of managers or such candidate's representative shall have the right to be present at the counting of ballots at such election;

(11) that in the event of a resale of a condominium unit the purchaser of a unit from a seller other than the developer pursuant to an installment sales contract for purchase shall during such times as he or she resides in the unit be counted toward a quorum for purposes of election of members of the board of managers at any meeting of the unit owners called for purposes of electing members of the board, shall have the right to vote for the election of members of the board of managers and to be elected to and serve on the board of managers unless the seller expressly retains in writing any or all of such rights. In no event may the seller and purchaser both be

counted toward a quorum, be permitted to vote for a particular office or be elected and serve on the board. Satisfactory evidence of the installment sales contract shall be made available to the association or its agents. For purposes of this subsection, "installment sales contract" shall have the same meaning as set forth in Section 5 of the Installment Sales Contract Act and Section 1(e) of the Dwelling Unit Installment Contract Act;

(12) the method by which matters subject to the approval of unit owners set forth in this Act, or in the condominium instruments, will be submitted to the unit owners at special membership meetings called for such purposes; and

(13) that matters subject to the affirmative vote of not less than 2/3 of the votes of unit owners at a meeting duly called for that purpose, shall include, but not be limited to:

(i) merger or consolidation of the association;

(ii) sale, lease, exchange, or other disposition (excluding the mortgage or pledge) of all, or substantially all of the property and assets of the association; and

(iii) the purchase or sale of land or of units on behalf of all unit owners; and -

(iv) the investigation and initiation of a bulk

1                   sale of the property under Section 15 of this Act,  
2                   including obtaining information, consulting with real  
3                   estate professionals, and negotiating offers.

4                   (c) Election of a president from among the board of  
5                   managers, who shall preside over the meetings of the board  
6                   of managers and of the unit owners.

7                   (d) Election of a secretary from among the board of  
8                   managers, who shall keep the minutes of all meetings of  
9                   the board of managers and of the unit owners and who shall,  
10                   in general, perform all the duties incident to the office  
11                   of secretary.

12                   (e) Election of a treasurer from among the board of  
13                   managers, who shall keep the financial records and books  
14                   of account.

15                   (f) Maintenance, repair and replacement of the common  
16                   elements and payments therefor, including the method of  
17                   approving payment vouchers.

18                   (g) An association with 30 or more units shall obtain  
19                   and maintain fidelity insurance covering persons who  
20                   control or disburse funds of the association for the  
21                   maximum amount of coverage available to protect funds in  
22                   the custody or control of the association plus the  
23                   association reserve fund. All management companies which  
24                   are responsible for the funds held or administered by the  
25                   association shall maintain and furnish to the association  
26                   a fidelity bond for the maximum amount of coverage

1       available to protect funds in the custody of the  
2       management company at any time. The association shall bear  
3       the cost of the fidelity insurance and fidelity bond,  
4       unless otherwise provided by contract between the  
5       association and a management company. The association  
6       shall be the direct obligee of any such fidelity bond. A  
7       management company holding reserve funds of an association  
8       shall at all times maintain a separate account for each  
9       association, provided, however, that for investment  
10      purposes, the Board of Managers of an association may  
11      authorize a management company to maintain the  
12      association's reserve funds in a single interest bearing  
13      account with similar funds of other associations. The  
14      management company shall at all times maintain records  
15      identifying all moneys of each association in such  
16      investment account. The management company may hold all  
17      operating funds of associations which it manages in a  
18      single operating account but shall at all times maintain  
19      records identifying all moneys of each association in such  
20      operating account. Such operating and reserve funds held  
21      by the management company for the association shall not be  
22      subject to attachment by any creditor of the management  
23      company.

24           For the purpose of this subsection, a management  
25      company shall be defined as a person, partnership,  
26      corporation, or other legal entity entitled to transact

1 business on behalf of others, acting on behalf of or as an  
2 agent for a unit owner, unit owners or association of unit  
3 owners for the purpose of carrying out the duties,  
4 responsibilities, and other obligations necessary for the  
5 day to day operation and management of any property  
6 subject to this Act. For purposes of this subsection, the  
7 term "fiduciary insurance coverage" shall be defined as  
8 both a fidelity bond and directors and officers liability  
9 coverage, the fidelity bond in the full amount of  
10 association funds and association reserves that will be in  
11 the custody of the association, and the directors and  
12 officers liability coverage at a level as shall be  
13 determined to be reasonable by the board of managers, if  
14 not otherwise established by the declaration or by laws.

15 Until one year after September 21, 1985 (the effective  
16 date of Public Act 84-722), if a condominium association  
17 has reserves plus assessments in excess of \$250,000 and  
18 cannot reasonably obtain 100% fidelity bond coverage for  
19 such amount, then it must obtain a fidelity bond coverage  
20 of \$250,000.

21 (h) Method of estimating the amount of the annual  
22 budget, and the manner of assessing and collecting from  
23 the unit owners their respective shares of such estimated  
24 expenses, and of any other expenses lawfully agreed upon.

25 (i) That upon 10 days notice to the manager or board of  
26 managers and payment of a reasonable fee, any unit owner

1       shall be furnished a statement of his account setting  
2       forth the amount of any unpaid assessments or other  
3       charges due and owing from such owner.

4                   (j) Designation and removal of personnel necessary for  
5       the maintenance, repair and replacement of the common  
6       elements.

7                   (k) Such restrictions on and requirements respecting  
8       the use and maintenance of the units and the use of the  
9       common elements, not set forth in the declaration, as are  
10      designed to prevent unreasonable interference with the use  
11      of their respective units and of the common elements by  
12      the several unit owners.

13                  (l) Method of adopting and of amending administrative  
14      rules and regulations governing the operation and use of  
15      the common elements.

16                  (m) The percentage of votes required to modify or  
17      amend the bylaws, but each one of the particulars set  
18      forth in this section shall always be embodied in the  
19      bylaws.

20                 (n)(i) The provisions of this Act, the declaration,  
21      bylaws, other condominium instruments, and rules and  
22      regulations that relate to the use of the individual unit  
23      or the common elements shall be applicable to any person  
24      leasing a unit and shall be deemed to be incorporated in  
25      any lease executed or renewed on or after August 30, 1984  
26      (the effective date of Public Act 83-1271).

(ii) With regard to any lease entered into subsequent to July 1, 1990 (the effective date of Public Act 86-991), the unit owner leasing the unit shall deliver a copy of the signed lease to the board or if the lease is oral, a memorandum of the lease, not later than the date of occupancy or 10 days after the lease is signed, whichever occurs first. In addition to any other remedies, by filing an action jointly against the tenant and the unit owner, an association may seek to enjoin a tenant from occupying a unit or seek to evict a tenant under the provisions of Article IX of the Code of Civil Procedure for failure of the lessor-owner to comply with the leasing requirements prescribed by this Section or by the declaration, bylaws, and rules and regulations. The board of managers may proceed directly against a tenant, at law or in equity, or under the provisions of Article IX of the Code of Civil Procedure, for any other breach by tenant of any covenants, rules, regulations or bylaws.

(o) The association shall have no authority to forbear the payment of assessments by any unit owner.

(p) That when 30% or fewer of the units, by number, possess over 50% in the aggregate of the votes in the association, any percentage vote of members specified herein or in the condominium instruments shall require the specified percentage by number of units rather than by percentage of interest in the common elements allocated to

1       units that would otherwise be applicable and garage units  
2       or storage units, or both, shall have, in total, no more  
3       votes than their aggregate percentage of ownership in the  
4       common elements; this shall mean that if garage units or  
5       storage units, or both, are to be given a vote, or portion  
6       of a vote, that the association must add the total number  
7       of votes cast of garage units, storage units, or both, and  
8       divide the total by the number of garage units, storage  
9       units, or both, and multiply by the aggregate percentage  
10      of ownership of garage units and storage units to  
11      determine the vote, or portion of a vote, that garage  
12      units or storage units, or both, have. For purposes of  
13      this subsection (p), when making a determination of  
14      whether 30% or fewer of the units, by number, possess over  
15      50% in the aggregate of the votes in the association, a  
16      unit shall not include a garage unit or a storage unit.

17               (q) That a unit owner may not assign, delegate,  
18       transfer, surrender, or avoid the duties,  
19       responsibilities, and liabilities of a unit owner under  
20       this Act, the condominium instruments, or the rules and  
21       regulations of the Association; and that such an attempted  
22       assignment, delegation, transfer, surrender, or avoidance  
23       shall be deemed void.

24       The provisions of this Section are applicable to all  
25       condominium instruments recorded under this Act. Any portion  
26       of a condominium instrument which contains provisions contrary

1 to these provisions shall be void as against public policy and  
2 ineffective. Any such instrument which fails to contain the  
3 provisions required by this Section shall be deemed to  
4 incorporate such provisions by operation of law.

5 (Source: P.A. 102-162, eff. 1-1-22.)