

# HB4248



## 102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

**HB4248**

Introduced 1/5/2022, by Rep. David Friess

### SYNOPSIS AS INTRODUCED:

765 ILCS 745/24

from Ch. 80, par. 224

Amends the Mobile Home Landlord and Tenant Rights Act. Provides that a purchaser of a mobile home must obtain a written and signed lease from the park owner unless the purchaser elects to remove the mobile home from the mobile home park. Effective immediately.

LRB102 21012 LNS 29933 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 Mobile Home Landlord and Tenant Rights Act  
5 is amended by changing Section 24 as follows:

6 (765 ILCS 745/24) (from Ch. 80, par. 224)

7 Sec. 24. Sale of Mobile Home. The park owner shall be  
8 enjoined and restrained from prohibiting, limiting,  
9 restricting, obstructing, or in any manner interfering with  
10 the freedom of any mobile home owner to:

11 (a) Sell the ~~his~~ mobile home to a purchaser of the mobile  
12 home owner's ~~his~~ choice, provided that the park owner shall be  
13 allowed to promulgate any general qualifications or lawful  
14 restrictions on park residents which limit or define the  
15 admission of entrants to the park. The purchaser, prior to  
16 closing, must obtain a written and signed lease unless the  
17 purchaser elects to remove the mobile home from the mobile  
18 home park;

19 (b) Employ or secure the services of an independent  
20 salesperson in connection with the sale of said mobile home,  
21 providing that said salesperson collects and remits all  
22 governmental taxes.

23 The park owner is prohibited from imposing any fee,

1 charge, or commission for the sale of a mobile home, except  
2 when a mobile home owner requests the park owner or ~~his~~ agent  
3 of the park owner to assist in securing a purchaser for the ~~his~~  
4 mobile home. A commission may be accepted for such service  
5 subject only to the following conditions:

6 (1) That the exact amount of commission or fee shall be a  
7 percentage of the actual sales price of the mobile home; and

8 (2) That the maximum percentage figure for the services in  
9 the resale of the mobile home by the park owner or ~~his~~ agent of  
10 the park owner shall be set forth in writing prior to the sale.

11 The park owner is prohibited from requiring, upon the sale  
12 by a tenant of a mobile home to a qualified purchaser, the  
13 removal from the park of such mobile home unless the mobile  
14 home is less than 12 feet wide or is significantly  
15 deteriorated and in substantial disrepair, in which case the  
16 park owner shall bear the burden of demonstrating such fact  
17 and must, prior to sale, have given the tenant written notice  
18 thereof, and that unless first corrected, removal will be  
19 required upon sale.

20 (Source: P.A. 85-998.)

21 Section 99. Effective date. This Act takes effect upon  
22 becoming law.