



Rep. Anna Moeller

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10200SB1097ham001

LRB102 04921 LNS 37641 a

1 AMENDMENT TO SENATE BILL 1097

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1097 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Mobile Home Landlord and Tenant Rights Act  
5 is amended by changing Sections 6.5 and 9 as follows:

6 (765 ILCS 745/6.5)

7 Sec. 6.5. Disclosure. A park owner must disclose in  
8 writing the following with every lease or sale and upon  
9 renewal of a lease of a mobile home or lot in a mobile home  
10 park or manufactured home community:

11 (1) the rent charged for the mobile home or lot in the  
12 past 5 years;

13 (2) the park owner's responsibilities with respect to  
14 the mobile home or lot;

15 (3) information regarding any fees imposed in addition  
16 to the base rent;

1 (4) information regarding late payments;

2 (5) information regarding any privilege tax that is  
3 applicable;

4 (6) information regarding security deposits, including  
5 the right to the return of security deposits and interest  
6 as provided in Section 18 of this Act;

7 (7) information on a 3-year rent increase projection  
8 which includes the 2 years of the lease and the year  
9 immediately following. The basis for such rent increases  
10 may be a fixed amount, a "not to exceed" amount, a formula,  
11 an applicable index, or a combination of these  
12 methodologies as elected by the park owner. If a formula  
13 is used, the formula shall include the total fixed amount  
14 determined by the formula, and, if applicable, the "not to  
15 exceed" amount. These increases may be in addition to all  
16 the non-controllable expenses including, but not limited  
17 to, property taxes, government assessments, utilities, and  
18 insurance;

19 (8) the contact information ~~name~~ of the legal entity  
20 that owns the manufactured home community or mobile home  
21 park and, if applicable, the contact information, ~~and~~  
22 ~~either: (a) the name, address, and telephone number~~ of the  
23 property manager or designated agent for the manufactured  
24 home community or mobile home park; or ~~(b)~~ the address and  
25 telephone number of the legal entity that owns the  
26 manufactured home community or mobile home park, if the

1 manufactured home community or mobile home park does not  
2 have a property manager or designated agent; and

3 (9) information contained in any inspection notice  
4 required to be posted under subsection (b) of Section 6.7  
5 of this Act; and

6 (10) information notifying a tenant that the tenant's  
7 right to trial by jury shall not be waived.

8 As used in this Section, "contact information" means the  
9 name, address, and telephone number of a person or entity.

10 The park owner must update the written disclosure at least  
11 once per year. The park owner must advise tenants who are  
12 renewing a lease of any changes in the disclosure from any  
13 prior disclosure. Within 20 days after the closing of a  
14 purchase and sale of a manufactured home community or mobile  
15 home park that results in a change in the owner, the purchaser  
16 or the representative of the purchaser must provide written  
17 notice to each homeowner of the new owner and either: (i) the  
18 name, address, and telephone number of the property manager or  
19 designated agent for the manufactured home community or mobile  
20 home park; or (ii) the address and telephone number of the  
21 legal entity that owns the manufactured home community or  
22 mobile home park if the manufactured home community or mobile  
23 home park does not have a property manager or designated  
24 agent. The written notice may be provided by hand delivery to  
25 the resident's home, by United States mail or a recognized  
26 courier service, by posting in the office of the custodian of

1 the park or in the clubhouse or other area of the park where  
2 park residents gather, or by posting on a community bulletin  
3 board.

4 The changes to this Section by this amendatory Act of the  
5 98th General Assembly apply to disclosures made and changes of  
6 ownership that take place on or after January 1, 2015.

7 The changes to this Section made by this amendatory Act of  
8 the 102nd General Assembly apply to disclosures made and  
9 changes of ownership that take place on or after January 1,  
10 2023.

11 (Source: P.A. 98-1062, eff. 1-1-15.)

12 (765 ILCS 745/9) (from Ch. 80, par. 209)

13 Sec. 9. The Terms of Fees and Rents. The terms for payment  
14 of rent shall be clearly set forth and all charges for  
15 services, ground or lot rent, unit rent, or any other charges  
16 shall be specifically itemized in the lease and in all  
17 billings of the tenant by the park owner.

18 The owner shall not change the rental terms nor increase  
19 the cost of fees, except as provided herein.

20 The park owner shall not charge a transfer or selling fee  
21 as a condition of sale of a mobile home that is going to remain  
22 within the park unless a service is rendered.

23 Rents charged to a tenant by a park owner may be increased  
24 upon the renewal of a lease. Notification of an increase shall  
25 be delivered 90 days prior to expiration of the lease.

1           The park owner shall not charge or impose upon a tenant any  
2 fee or increase in rent which reflects the cost to the park  
3 owner of any fine, forfeiture, penalty, money damages, or fee  
4 assessed or awarded by a court of law against the park owner,  
5 including any attorney's fees and costs incurred by the park  
6 owner in connection therewith unless the fine, forfeiture,  
7 penalty, money damages, or fee was incurred as a result of the  
8 tenant's actions.

9           The park owner shall not charge or impose a pet fee upon a  
10 resident that owns the home, unless a service related to the  
11 pet is offered by the park owner and accepted by the resident.  
12 A tenant of a home owned by the park owner may be subject to  
13 the imposition of a pet fee as agreed to in the lease.  
14 (Source: P.A. 95-383, eff. 1-1-08.)".