

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. If the purchaser elects to remove the mobile home,  
19 the person or entity that removes the mobile home shall be  
20 licensed in accordance with the Manufactured Home Installers  
21 Act and shall provide proof of insurance to the park owner as a  
22 named additional insured. The purchaser and the park owner  
23 shall establish a mutually agreed upon date and time for the

1 removal of the mobile home. The purchaser shall remove the  
2 mobile home within 30 days of the date of purchase, satisfy any  
3 liens the owner of the mobile home park may have against the  
4 mobile home, indemnify the owner of the mobile home park  
5 against any injury to persons or damage to the mobile home park  
6 incurred as a result of the removal of the mobile home, and  
7 remove all debris from the lot on which the mobile home was  
8 located. If the purchaser fails to remove the mobile home  
9 within 30 days of the purchase, the purchaser must complete  
10 the mobile home park's application and execute the mobile home  
11 park's standard lease agreement. If the purchaser fails to  
12 meet qualifications for residency, the purchaser must sign a  
13 storage agreement, approved by the mobile home park owner, and  
14 comply with the rules and regulations of the mobile home park;

15 (b) Employ or secure the services of an independent  
16 salesperson in connection with the sale of said mobile home,  
17 providing that said salesperson collects and remits all  
18 governmental taxes.

19 The park owner is prohibited from imposing any fee,  
20 charge, or commission for the sale of a mobile home, except  
21 when a mobile home owner requests the park owner or ~~his~~ agent  
22 of the park owner to assist in securing a purchaser for the ~~his~~  
23 mobile home. A commission may be accepted for such service  
24 subject only to the following conditions:

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

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

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

13           (Source: P.A. 85-998.)

14           Section 99. Effective date. This Act takes effect upon  
15 becoming law.