

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 Landlord Retaliation Act.

6 Section 5. Prohibition on retaliatory conduct by landlord.  
7 It is declared to be against public policy of the State for a  
8 landlord to take retaliatory action against a tenant. A  
9 landlord may not knowingly terminate a tenancy, increase rent,  
10 decrease services, bring or threaten to bring a lawsuit  
11 against a tenant for possession or refuse to renew a lease or  
12 tenancy because the tenant has in good faith done any of the  
13 following:

14 (1) complained of code violations applicable to the  
15 premises to the relevant governmental agency, elected  
16 representative, or public official charged with  
17 responsibility for enforcement of a building, housing,  
18 health, or similar code;

19 (2) complained of a building, housing, health, or  
20 similar code violation or an illegal landlord practice to  
21 a community organization;

22 (3) sought the assistance of a community organization  
23 to remedy a code violation or illegal landlord practice;

1 (4) complained or requested the landlord to make  
2 repairs to the premises as required by a building code,  
3 health ordinance, other regulation, or the residential  
4 rental agreement;

5 (5) organized or become a member of a tenants' union  
6 or similar organization;

7 (6) testified in any court or administrative  
8 proceeding concerning the condition of the premises; or

9 (7) exercised any right or remedy provided by law.

10 Section 10. Remedies for violation of this Act. If the  
11 landlord acts in violation of this Act, the tenant has a  
12 defense in any retaliatory action against the tenant, and a  
13 landlord shall be subject to a civil action for damages and  
14 other appropriate relief, including, but not limited to, the  
15 following remedies:

16 (1) terminate the rental agreement and, if the rental  
17 agreement is terminated, the landlord shall return all  
18 security and interest recoverable under the Security  
19 Deposit Return Act and all prepaid rent;

20 (2) recover possession of the premises if the landlord  
21 has dispossessed, threatened to dispossess, or is in the  
22 process of dispossessing; and

23 (3) recovery of an amount equal to and not more than 2  
24 months' rent or 2 times the damages sustained by the  
25 tenant, whichever is greater, and reasonable attorney's

1 fees.

2 Section 15. Non-retaliatory actions. An action is not  
3 retaliatory if the landlord can prove a legitimate,  
4 non-retaliatory basis for the action; or the landlord began  
5 the action before the tenant engaged in the protected  
6 activity.

7 Section 20. Rebuttable presumption. In an action by or  
8 against the tenant, if within one year before the alleged act  
9 of retaliation there is evidence that the retaliation was  
10 against tenant's conduct that is protected under this Act,  
11 that evidence creates a rebuttable presumption that the  
12 landlord's conduct was retaliatory. The presumption does not  
13 arise if the protected tenant activity was initiated after the  
14 alleged act of retaliation.

15 (765 ILCS 720/Act rep.)

16 Section 95. The Retaliatory Eviction Act is repealed.