



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB1099

Introduced 02/08/05, by Rep. Ruth Munson - Lisa M. Dugan -
Elaine Nekritz

SYNOPSIS AS INTRODUCED:

765 ILCS 745/24

from Ch. 80, par. 224

Amends the Mobile Home Landlord and Tenant Rights Act. Provides that a park owner must purchase a tenant's mobile home at fair market value if a tenant is unable to sell his or her mobile home within 90 days after initially placing it on the market because the park owner has increased the rent that a subsequent owner would have to pay by a percentage greater than the average percentage increase of all other increases in the lot within the last 5 years.

LRB094 09584 LCB 39837 b

1 AN ACT concerning property.

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 the
10 freedom of any mobile home owner to:

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

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

21 If, within 90 days after a tenant initially places his or
22 her mobile home on the market, the tenant is unable to sell the
23 mobile home because the park owner has increased the rent that
24 a subsequent tenant would have to pay by a percentage greater
25 than the average percentage increase of all other increases in
26 the lot within the last 5 years, the park owner must purchase
27 the mobile home from the tenant at the mobile home's fair
28 market value.

29 The park owner is prohibited from imposing any fee, charge
30 or commission for the sale of a mobile home, except when a
31 mobile home owner requests the park owner or his agent to
32 assist in securing a purchaser for his mobile home. A

1 commission may be accepted for such service subject only to the
2 following conditions:

3 (1) that the exact amount of commission or fee shall be
4 a percentage of the actual sales price of the mobile home;
5 and

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

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

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