



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB1560

Introduced 2/18/2009, by Sen. David Koehler

SYNOPSIS AS INTRODUCED:

New Act

Creates the Industrialized Residential Structure Deed Restriction Act. Provides that a deed restriction or restrictive covenant may not prohibit or restrict the erection of an industrialized residential structure on real property, except for a deed restriction, restrictive covenant, or agreement that applies uniformly to all homes and industrialized residential structures in a subdivision may impose the same aesthetic compatibility requirements on an industrialized residential structure in the subdivision that are applicable to all residential structures in the subdivision. Applies only to deed restrictions or restrictive covenants recorded after the effective date of the amendatory Act.

LRB096 01964 AJO 11973 b

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 Industrialized Residential Structure Deed Restriction Act.

6 Section 5. Definitions. As used in this Act:

7 "Industrialized residential structure" means a
8 manufactured housing unit that is intended to contain or
9 contains only one or 2 dwelling units and is constructed in
10 conformance with a model building code published by a model
11 code organization.

12 "Manufactured housing unit" has the meaning ascribed to
13 that term in the Illinois Manufactured Housing and Mobile Home
14 Safety Act.

15 "Model code organization" has the meaning ascribed to that
16 term in 77 Ill. Adm. Code 880.10.

17 Section 10. Deed restriction or restrictive covenant
18 concerning erection of industrialized residential structure.

19 (a) Except as provided in Section 15 of this Act, a deed
20 restriction or restrictive covenant may not prohibit or
21 restrict the erection of an industrialized residential
22 structure on real property.

1 (b) This Section does not require a property owner to erect
2 an industrialized residential structure on the owner's
3 property.

4 Section 15. Aesthetic compatibility requirement permitted.
5 A deed restriction, restrictive covenant, or agreement that
6 applies uniformly to all homes and industrialized residential
7 structures in a subdivision may impose the same aesthetic
8 compatibility requirements on an industrialized residential
9 structure in the subdivision that are applicable to all
10 residential structures in the subdivision.

11 Section 20. Application. This Act applies only to deed
12 restrictions or restrictive covenants that are recorded on or
13 after the effective date of this Act.