

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 Landlord and Tenant Act is amended by
5 adding Section 35 as follows:

6 (765 ILCS 705/35 new)

7 Sec. 35. Tenant fees limitations.

8 (a) A landlord, lessor, sublessor, or grantor may charge a
9 fee to reimburse costs associated with conducting a background
10 check if the cumulative fee for a check is no more than the
11 actual cost of the background check or \$20, whichever is less.
12 The landlord, lessor, sublessor, or grantor shall waive the
13 fee if the potential tenant provides a copy of a background
14 check conducted within the past 30 days. The landlord, lessor,
15 sublessor, or grantor may not collect the fee unless the
16 landlord, lessor, sublessor, or grantor provides the potential
17 tenant with a copy of the background check and the receipt or
18 invoice from the entity conducting the background check.

19 (b) A landlord may not impose a move-in fee.

20 (c) Unless statutes or regulations provide otherwise, no
21 landlord, lessor, sublessor, or grantor may demand (i) any
22 payment, fee, or charge for the processing, review, or
23 acceptance of an application or (ii) any other payment, fee,

1 or charge before or at the beginning of the tenancy. This
2 Section does not apply to entrance fees charged by nursing
3 homes, as defined in the Nursing Home Care Act, or similar
4 institutions.

5 (d) A landlord may not rename a fee or charge to avoid
6 application of this Section.

7 (e) No landlord, lessor, sublessor, or grantor may demand
8 any payment, fee, or charge for the late payment of rent unless
9 the payment of rent has not been made within 5 days of the date
10 it was due. The payment, fee, or charge may not exceed \$10 for
11 the first \$1,000 in rent and 5% of any amount that exceeds
12 \$1,000. The late fee may not be included in rent as that term
13 is used in the Article IX of the Code of Civil Procedure.

14 (f) Any provision of a lease, rental agreement, contract,
15 or any similar document purporting to waive or limit the
16 provisions of this Section is void and unenforceable as
17 against public policy.