

Summary of 2023 Draft Residential Landlord Tenant Ordinance Updates

#	Code section	Summary	Reason	Page
1	Throughout	The term “landlord” was replaced with “housing provider”. Definition of landlord is maintained in 5-3-2.	Language inclusivity	All
2	Title, Purpose, and Scope 5-3-1(D)(3)	Landlords whose dwelling units are excluded from the scope of the RLTO must inform their tenants in relevant marketing and application materials.	Consistency with Cook County RTLO Clarification	1
3	Title, Purpose, and Scope 5-3-1(D)(4)	Anti-lockout prohibitions apply to all dwelling units in the city that would otherwise be excluded from the scope of the RLTO.	Consistency with Cook County RTLO Clarification	1-2
4	Definitions, Principles of Interpretation 5-3-2(A)	Definitions added: application fee, harass/harassing, successor housing provider, owner, owner occupied, principal residence, security deposit, qualified relative, domestic partnership, move-in fee, and written notice.	Consistency with Cook County RTLO/Just Cause Additions Clarification Discussion in HCDC	2-5
5	Definitions, Principles of Interpretation 5-3-2(A)	Definitions revised: of dwelling unit, landlord/housing provider material noncompliance, rent, and tenant.	Consistency with Cook County RTLO/Just Cause Additions Clarification	2-5
6	Prohibited Provisions in Rental Agreements 5-3-3-3(A)	Ten provisions prohibiting waiving of legal rights and other matters relating to legality of rental agreements added. Limits late fees to	Consistency with Cook County RTLO Clarification Discussion in	9

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		\$50 or 5% of rent–whichever is lower.	HCDC Modernization	
7	Prohibited Provisions in Rental Agreements 5-3-3-3(B)	Tenant may recover actual damages or two months rent, whichever is greater, if prohibited items are in rental agreement	Clarification	9
8	Prohibited Provisions in Rental Agreements 5-3-3-3(C)	Updated prohibited provisions apply to new rental agreements starting on or after March 1, 2024.	Clarification	9
9	Rules and Regulations 5-3-4-2(A)(6)	Adopted rules and regulations may not be for the purpose of preventing tenants to assemble or otherwise communicate amongst each other.	Discussion in HCDC Consistency with Cook County RTLO Modernization	11
10	Access 5-3-4-3(A)	Language describing access and limitation on the amount of time prior to lease terminating landlord can show dwelling unit.	Consistency with Cook County RTLO Clarification	11
11	Access 5-3-4-3(C)	Landlord abuse of access is considered any time outside of 8:00am and 8:00pm; landlords must notify tenants of access to the unit made for emergencies within two days following the emergency.	Consistency with Cook County RTLO Clarification	11
12	Security Deposits and Prepaid Rent 5-3-5-1(A)	Removes requirement to pay interest on security deposit. Prevents renaming of security deposit.	Discussion in HCDC Consistency with Cook County RTLO	14
13	Security Deposits and Prepaid Rent 5-3-5-1(B-D)	Section on paying interest on security deposit removed	Discussion in HCDC	14

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			Consistency with Cook County RTLO	
14	Disclosure 5-3-5-2(A)(3)	Describes landlord's obligation to disclose utility costs if tenant pays heat	Discussion in HCDC Consistency with Cook County RTLO	16
15	Disclosure 5-3-5-2(A)(4)	Requires landlord provide an itemized list of estimated costs of admin and move-in fees when charging a move-in fee or admin fee	Discussion in HCDC Consistency with Cook County RTLO Modernization	16
16	Disclosure 5-3-5-2(D)(1-2)	Requires landlords to disclose pending code enforcement litigation and/or termination of utilities to dwelling unit or common area.	Discussion in HCDC Consistency with Cook County RTLO	17
17	Disclosure 5-3-5-2(E)	Requires landlords to disclose when their property is in foreclosure.	Discussion in HCDC Consistency with Cook County RTLO	17
18	Disclosure 5-3-5-2(F)	Requires landlords to disclose how to detect, report, and remove bed bugs.	Discussion in HCDC Consistency with Cook County RTLO	18
19	Lead Disclosure Requirements 5-3-5-5(B)	Added failure to comply provision.	Consistency with Cook County RTLO	19
20	Noncompliance with rental agreement; Failure to pay rent 5-3-6-1	Removed section describing landlord remedies for rent nonpayment and material lease violations. Replaced with Just Cause Required for Eviction.	Duplicative of Just Cause ordinance	20-21

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21	Just Cause Required for Evictions 5-3-6-1	Limited rental agreement non-renewal to the establishment of one or more grounds. Added grounds that need to be established for good cause for eviction.	Discussion in HCDC/Just Cause Task Force	21-25
22	Just Cause Required for Evictions 5-3-6-1 (A)(1)(a)(i)	Added provision allowing tenant to pay past-due rent up until an eviction judgment.	Discussion in HCDC Consistency with Cook County RTLO Modernization	21
23	Just Cause Required for Evictions 5-3-6-1(A-B)	Period to cure reduced to 10 days.	Discussion in HCDC Consistency with Cook County RTLO	21-23
24	Tenant Relocation Assistance 5-3-6-2	Describes relocation assistance triggers and amounts depending on size and type of housing provider.	Discussion in HCDC/Just Cause Task Force	26
25	Remedies and Defenses to Violations of Just Cause Eviction and Relocation Assistance 5-3-6-3	Describes penalties of not following Just Cause and Relocation Assistance provisions.	Discussion in Just Cause Task Force	26-27
26	Abandonment; Subleases. Waiver of Landlord's Right to Terminate. Remedy after Termination. 5-3-6-4, 5-3-6-5, 5-3-6-6	Changed order due to addition of new sections for Just Cause	Consistency	27
27	Waiver of Landlord's Right to Terminate 5-3-6-5	"Holding payment" added to waiver of landlord's right to terminate.	Consistency with Cook County RTLO Clarification	27

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28	Remedy after Termination 5-3-6-6	Removes the claim for reasonable attorney fees from remedy of terminating rental agreement.	Discussion in HCDC Consistency with Cook County RTLO Modernization	28
29	City Housing Provider Mitigation Fund 5-3-6-7	Describes potential support to be provided by City Housing Provider Mitigation Fund for displaced tenants.	Discussion in HCDC/Just Cause Task Force	28
30	Noncompliance by Landlord 5-3-9-1(A)	Adds that if a breach is not remedied following a 10 day notice, and that the tenant does not vacate within 30 days of expiration of the notice, notice is deemed withdrawn.	Discussion in HCDC Consistency with Cook County RTLO Clarification	30
31	Noncompliance by Landlord 5-3-9-1(B)	Adds that landlord has defense that the condition of noncompliance was caused by the tenant	Consistency with Cook County RTLO Clarification	30
32	Self-help for minor defects and rent withholding 5-3-9-3(A)(1)	Increases remedy fee from \$200 to \$500	Modernization	31
33	Wrongful failure to supply essential services 5-3-9-4(A)	Adds internet access to list of essential services	Consistency with Cook County RTLO Modernization	32
34	Landlord's Noncompliance as Defense to Action for Possession or Rent 5-3-9-5(A)	Removes language regarding collection of attorney fees from tenant for rent nonpayment	Discussion in HCDC Consistency with Cook County RTLO Modernization	33
35	Fire or Casualty Damage	In case of fire or casualty damage, the tenant may	Clarification	33

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	5-3-9-6	terminate the rental agreement as of the date of the fire or casualty, rather than on the date of vacating as a result of the fire or casualty.		
36	Holdover Remedies 5-3-10-1	Removes language regarding collection of attorney fees from tenant for rent nonpayment.	Discussion in HCDC Consistency with Cook County RTLO Modernization	34
37	Notice of Refusal to Renew Rental Agreement 5-3-10-3(A-B)	Increases the notice period for lease nonrenewal from 30 days to 90 days.	Discussion in HCDC Consistency with Cook County RTLO	34
38	Notice of Refusal to Renew Rental Agreement 5-3-10-3(C)	Adds that a tenant cannot be required to renew their lease sooner than 30 days before expiration.	Discussion in HCDC Modernization	34-35
39	Notices for Rent Increases 5-3-10-4	Added graduated notice for rent increases with relocation component if rent is raised over 15% and tenant rejects offer.	Discussion in HCDC/Just Cause Task Force	35
40	Retaliatory Conduct 5-3-11-1(A)(3-8)	Adds protections for tenants reporting health code violations, seeking assistance from tenants rights organizations, organizing and organizing activities, testifying, and exercising their rights under the Illinois Safe Homes Act.	Discussion in HCDC Consistency with Cook County RTLO	36
41	Attachment of Chapter to Rental Agreement 5-3-12(A)	Requires only a summary instead of entire chapter.	Discussion in HCDC Consistency with Cook County RTLO	38

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			Modernization	
42	Attachment of Chapter to Rental Agreement 5-3-12(B)	Increases landlord fine from \$200 to \$500	Discussion in HCDC Consistency with Cook County RTLO Modernization	38
43	Condominium Conversions 5-3-13	Changed order due to addition of new sections.	Clarity	39
44	Tenant Right of First Refusal 5-3-14	Revised language from initial HCDC discussion to shorten amount of time tenants have to organize and make an offer.	Discussion in HCDC	40
45	Unlawful interruption 5-3-15-1	Adds internet service; and incapacitating of appliances or fixtures, except for the purpose of repair to description of unlawful interruption	Consistency with Cook County RTLO Modernization	41
46	Fines 5-3-15-3	Increases landlord fine from \$200 to \$500	Modernization	41
47	Tenant's Right to Terminate 5-3-15-5	Removes requirement that landlords pay interest on security deposits	Discussion in HCDC Consistency with Cook County RTLO	42