

13-72-065 Tenant relocation assistance.

For any building containing residential rental units that is being converted to a condominium project and for which a declaration is recorded on or after July 30, 2012, a qualified tenant may, at the tenant's option, receive relocation assistance. If such qualified tenant exercises the option for relocation assistance, the landlord of such building shall provide the qualified tenant with relocation assistance, as follows:

(A) The landlord shall pay to a qualified tenant who exercises the option for assistance a one-time relocation fee of \$1,500.00; provided that if the tenant's one month's rent is greater than \$1,500.00, the landlord shall pay to the tenant one month's rent at the highest rent charged to that qualified tenant for that rental unit, or \$2,500.00, whichever is less; provided further, that if a rental unit is occupied by two or more qualified tenants, the landlord's total liability to all the qualified tenants of the rental unit shall be no more than if the rental unit was occupied by one qualified tenant.

(B) The landlord shall pay the relocation fee to the qualified tenant no later than 7 days after the day of complete vacation of the rental unit by the qualified tenant. The relocation fee shall be paid by certified or cashier's check payable to the qualified tenant.

(C) The relocation fee shall be in addition to any damage, deposit or other compensation or refund to which the qualified tenant is otherwise entitled.

(D) No rental agreement may provide that a qualified tenant agrees to waive or forego the rights and remedies provided under this section and any such provision included in a rental agreement is unenforceable.

(E) The landlord may deduct from the relocation fee all rent due and payable for the rental unit occupied by the qualified tenant prior to the date on which the rental unit is vacated, unless such rent has been validly withheld or deducted pursuant to state, federal or local law. The landlord shall not retain all or any part of the relocation fee for the payment of any other amount, including without limitation, for any damage to the premises or for any other violation or breach of a rental agreement.

(F) The landlord shall not be liable to pay the relocation fee to any qualified tenant:

(1) who exercises the right to purchase the rental unit, or another unit within the same building or condominium project;

(2) against whom the landlord has obtained a judgment for possession of the rental unit;

(3) who fails to provide the landlord with the written evidence, as provided in rules and regulations, to prove household income; or

(4) who fails to exercise the option for relocation assistance.

(G) For purposes of this section only, the following definitions apply:

“Household” means, collectively, all the persons who occupy a residential rental unit as their primary residence.

“Household income” means the combined income of the members of a household for the calendar year preceding the date the notice of intent was given.

“PMSA Median Income” means the Primary Metropolitan Statistical Area median income for the Chicago-Naperville-Joliet, Illinois, Metropolitan Fair Market Rent Area, as determined by the United States Department of Housing and Urban Development from time to time.

“Principal residence” means a tenant's primary or chief residence that the tenant actually occupies on a regular basis.

“Qualified tenant” means a tenant:

(1) who is entitled to receive the notice of intent pursuant to section 13-72-060(A)(2);

(2) who has a rental agreement to occupy a residential rental unit as the tenant's principal residence in a building that is being converted into a condominium project that is subject to the provisions of this section; and

(3) with a household income of no greater than 120% of the PMSA Median Income.

“Residential rental unit” means a dwelling unit for which a tenant has a rental agreement to occupy the dwelling unit as the tenant's principal residence.

“Dwelling unit” and “rental agreement” have the same meaning ascribed to those terms in section 5-12-030.

(Added Coun. J. 5-4-11, p. 118299, § 3; Amend Coun. J. 11-16-11, p. 13798, Art. X, § 3)

13-72-067 Summary of a tenant's rights.

The commissioner shall prepare a summary of this chapter, describing the rights, obligations and remedies of landlords, tenants and developers hereunder.

(Added Coun. J. 5-4-11, p. 118299, § 3)