

AN ACT concerning civil law.

**Be it enacted by the People of the State of Illinois,  
represented in the General Assembly:**

Section 5. The Mobile Home Landlord and Tenant Rights Act is amended by changing Section 24 as follows:

(765 ILCS 745/24) (from Ch. 80, par. 224)

Sec. 24. Sale of Mobile Home. The park owner shall be enjoined and restrained from prohibiting, limiting, restricting, obstructing, or in any manner interfering with the freedom of any mobile home owner to:

(a) Sell the ~~his~~ mobile home to a purchaser of the mobile home owner's ~~his~~ choice, provided that the park owner shall be allowed to promulgate any general qualifications or lawful restrictions on park residents which limit or define the admission of entrants to the park. The purchaser, prior to closing, must obtain a written and signed lease unless the purchaser elects to remove the mobile home from the mobile home park. If the purchaser elects to remove the mobile home, the person or entity that removes the mobile home shall be licensed in accordance with the Manufactured Home Installers Act and shall provide proof of insurance to the park owner as a named additional insured. The purchaser and the park owner shall establish a mutually agreed upon date and time for the

removal of the mobile home. The purchaser shall remove the mobile home within 30 days of the date of purchase, satisfy any liens the owner of the mobile home park may have against the mobile home, indemnify the owner of the mobile home park against any injury to persons or damage to the mobile home park incurred as a result of the removal of the mobile home, and remove all debris from the lot on which the mobile home was located. If the purchaser fails to remove the mobile home within 30 days of the purchase, the purchaser must complete the mobile home park's application and execute the mobile home park's standard lease agreement. If the purchaser fails to meet qualifications for residency, the purchaser must sign a storage agreement, approved by the mobile home park owner, and comply with the rules and regulations of the mobile home park;

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

The park owner is prohibited from imposing any fee, charge, or commission for the sale of a mobile home, except when a mobile home owner requests the park owner or ~~his~~ agent of the park owner to assist in securing a purchaser for the ~~his~~ mobile home. A commission may be accepted for such service subject only to the following conditions:

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

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

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

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

Section 99. Effective date. This Act takes effect upon becoming law.