



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB2562

Introduced 2/15/2023, by Rep. Hoan Huynh

SYNOPSIS AS INTRODUCED:

765 ILCS 160/1-71 new
765 ILCS 605/18.11 new
765 ILCS 705/20 new

Amends the Common Interest Community Association Act, the Condominium Property Act, and the Landlord and Tenant Act. Requires a common interest community association, unit owners' association, and landlord to keep the temperature of all common areas between 67 and 73 degrees, and, if a unit owner or tenant does not have control of temperature settings in the unit owner's or tenant's living area, to keep the temperature of all living areas between 67 and 73 degrees. Provides that the provisions apply only to property or residential premises where: (1) 75% of the unit owners or tenants are 65 years of age or older if the property or residential premises has 25 dwelling units or less; or (2) 50% of the unit owners or tenants are 65 years of age or older if the property residential premises has 26 dwelling units or more. Allows a unit owner or tenant to bring an action for damages, injunctive relief, or other appropriate relief if the association or landlord violates the provisions. Allows a court to grant a prevailing unit owner or tenant actual damages, reasonable costs, and attorney's fees. Allows the court to issue a civil penalty of \$750 for each day the association or landlord violates the provisions.

LRB103 24796 LNS 51125 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 5. The Common Interest Community Association Act
5 is amended by adding Section 1-71 as follows:

6 (765 ILCS 160/1-71 new)

7 Sec. 1-71. Temperature threshold requirement.

8 (a) An association shall keep the temperature of all
9 common areas between 67 and 73 degrees. If a unit owner does
10 not have control of temperature settings in the unit owner's
11 living area, the association shall keep the temperature of all
12 living areas between 67 and 73 degrees.

13 (b) This Section applies only to property where: (1) 75%
14 of the unit owners are 65 years of age or older if the property
15 has 25 units or less; or (2) 50% of the unit owners are 65
16 years of age or older if the property has 26 units or more.

17 (c) If an association violates this Section, a unit owner
18 may bring an action for damages, injunctive relief, or other
19 appropriate relief. A court may award a prevailing unit owner
20 actual damages and reasonable costs and attorney's fees. A
21 court may also issue a civil penalty of \$750 for each day the
22 association violates this Section.

1 Section 10. The Condominium Property Act is amended by
2 adding Section 18.11 as follows:

3 (765 ILCS 605/18.11 new)

4 Sec. 18.11. Temperature threshold requirement.

5 (a) An association shall keep the temperature of all
6 common areas between 67 and 73 degrees. If a unit owner does
7 not have control of temperature settings in the unit owner's
8 living area, the association shall keep the temperature of all
9 living areas between 67 and 73 degrees.

10 (b) This Section applies only to property where: (1) 75%
11 of the unit owners are 65 years of age or older if the property
12 has 25 units or less; or (2) 50% of the unit owners are 65
13 years of age or older if the property has 26 units or more.

14 (c) If an association violates this Section, a unit owner
15 may bring an action for damages, injunctive relief, or other
16 appropriate relief. A court may award a prevailing unit owner
17 actual damages and reasonable costs and attorney's fees. A
18 court may also issue a civil penalty of \$750 for each day the
19 association violates this Section.

20 Section 15. The Landlord and Tenant Act is amended by
21 adding Section 20 as follows:

22 (765 ILCS 705/20 new)

23 Sec. 20. Temperature threshold requirement.

1 (a) A landlord shall keep the temperature of all common
2 areas between 67 and 73 degrees. If a tenant does not have
3 control of temperature settings in the tenant's living area,
4 the landlord shall keep the temperature of all living areas
5 between 67 and 73 degrees.

6 (b) This Section applies only to residential premises
7 where: (1) 75% of the tenants are 65 years of age or older if
8 the residential premises has 25 dwelling units or less; or (2)
9 50% of the tenants are 65 years of age or older if the
10 residential premises has 26 dwelling units or more.

11 (c) If a landlord violates this Section, a tenant may
12 bring an action for damages, injunctive relief, or other
13 appropriate relief. A court may award a prevailing tenant
14 actual damages and reasonable costs and attorney's fees. A
15 court may also issue a civil penalty of \$750 for each day the
16 landlord violates this Section.