**Section 290.1205 Leases for Real Property**

a) Definition. This category includes all agreements for the rental of real property.

b) In addition to complying with Section 290.1203, leases for real property must contain:

1) Lessor's name and address.

2) Leasing agency's name.

3) Description and location of property (address).

4) Beginning and ending dates of lease.

5) Monthly and annual rental amount, where applicable.

6) Disclosure of identity of owners, trust beneficiaries, *and shareholders entitled to receive more than 7½% of the total distributable income of any corporation having an interest in such property,* where required by Section 3.1 of "AN ACT to prevent fraudulent and corrupt practices in the making or accepting of official appointments and contracts by public officers" (Ill. Rev. Stat. 1987, ch. 102, par. 3.1). Suggested language is set forth below:

AFFIDAVIT

The undersigned, being first duly sworn on oath states that he is (State Title) and that the names of all the beneficiaries of a certain title holding trust, established by a Trust Agreement dated \_\_\_\_\_\_\_, identified as Trust No. \_\_\_\_\_, known as \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ are:

(List beneficiaries)

*The undersigned further states that the names of all shareholders entitled to receive more than 7½% of the total distributable income of any corporation having an interest in the real property are:*

(List shareholders)

|  |  |  |
| --- | --- | --- |
| (Notarization) |  | (Signature of Trustee |

*However, if stock in a corporation is publicly traded and there is no individual having greater than a 7½% interest, then a statement to that effect, subscribed to under oath by an officer of the corporation or its managing agent, will satisfy the disclosure statement requirement.*

7) Subject to appropriation clause when the lease is for more than one fiscal year. Suggested language is set forth below:

Obligations of the State shall cease immediately without penalty or further payment being required if, in any fiscal year, the Illinois General Assembly or federal funding source fails to appropriate or otherwise make available funds for this lease.

8) The county in which the property is located.

9) Bribery clause certification. (See Section 290.1203(b)).

10) Execution date. (See Section 290.1203(c)).

11) The maximum or estimated amount to be paid, where applicable. (See Section 290.1203(e)).

12) Signature of lessor and authorized agency representative.

13) Federal Taxpayer Identification Number and legal status disclosure certification (See Section 290.Appendix B (16)).

14) Education loan certification (See Section 290.1203 (l)).

15) Such other provisions as may be specifically required by law.

16) Any other provisions deemed necessary or advisable by the agency, the Attorney General or, where applicable, the Department of Central Management Services.

(Source: Amended at 14 Ill. Reg. 5757, effective April 5, 1990)