

1 AMENDMENT TO HOUSE BILL 27

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 27 by replacing the  
3 title with the following:

4 "AN ACT concerning local government."; and

5 by replacing everything after the enacting clause with the  
6 following:

7 "Section 5. The Counties Code is amended by changing  
8 Sections 5-1121 and 5-12017 as follows:

9 (55 ILCS 5/5-1121)

10 Sec. 5-1121. Demolition, repair, or enclosure.

11 (a) The county board of each county may demolish,  
12 repair, or enclose or cause the demolition, repair, or  
13 enclosure of dangerous and unsafe buildings or uncompleted  
14 and abandoned buildings within the territory of the county,  
15 but outside the territory of any municipality, and may remove  
16 or cause the removal of garbage, debris, and other hazardous,  
17 noxious, or unhealthy substances or materials from those  
18 buildings. If a township within the county makes a formal  
19 request to the county board as provided in Section 85-50 of  
20 the Township Code that the county board commence specified  
21 proceedings under this Section with respect to property

1 located within the township but outside the territory of any  
2 municipality, then, at the next regular county board meeting  
3 occurring at least 10 days after the formal request is made  
4 to the county board, the county board shall either commence  
5 the requested proceedings or decline to do so (either  
6 formally or by failing to act on the request) and shall  
7 notify the township board making the request of the county  
8 board's decision. In any county having adopted, by referendum  
9 or otherwise, a county health department as provided by  
10 Division 5-25 of the Counties Code or its predecessor, the  
11 county board of any such county may upon a formal request by  
12 the city, village, or incorporated town demolish, repair or  
13 cause the demolition or repair of dangerous and unsafe  
14 buildings or uncompleted and abandoned buildings within the  
15 territory of any city, village, or incorporated town having a  
16 population of less than 50,000.

17 The county board shall apply to the circuit court of the  
18 county in which the building is located (i) for an order  
19 authorizing action to be taken with respect to a building if  
20 the owner or owners of the building, including the lien  
21 holders of record, after at least 15 days' written notice by  
22 mail to do so, have failed to commence proceedings to put the  
23 building in a safe condition or to demolish it or (ii) for an  
24 order requiring the owner or owners of record to demolish,  
25 repair, or enclose the building or to remove garbage, debris,  
26 and other hazardous, noxious, or unhealthy substances or  
27 materials from the building. It is not a defense to the  
28 cause of action that the building is boarded up or otherwise  
29 enclosed, although the court may order the defendant to have  
30 the building boarded up or otherwise enclosed. Where, upon  
31 diligent search, the identity or whereabouts of the owner or  
32 owners of the building, including the lien holders of record,  
33 is not ascertainable, notice mailed to the person or persons  
34 in whose name the real estate was last assessed and the

1 posting of such notice upon the premises sought to be  
2 demolished or repaired is sufficient notice under this  
3 Section.

4 The hearing upon the application to the circuit court  
5 shall be expedited by the court and shall be given precedence  
6 over all other suits.

7 The cost of the demolition, repair, enclosure, or removal  
8 incurred by the county, by an intervenor, or by a lien holder  
9 of record, including court costs, attorney's fees, and other  
10 costs related to the enforcement of this Section, is  
11 recoverable from the owner or owners of the real estate or  
12 the previous owner or both if the property was transferred  
13 during the 15 day notice period and is a lien on the real  
14 estate; the lien is superior to all prior existing liens and  
15 encumbrances, except taxes, if, within 180 days after the  
16 repair, demolition, enclosure, or removal, the county, the  
17 lien holder of record, or the intervenor who incurred the  
18 cost and expense shall file a notice of lien for the cost and  
19 expense incurred in the office of the recorder in the county  
20 in which the real estate is located or in the office of the  
21 registrar of titles of the county if the real estate affected  
22 is registered under the Registered Titles (Torrens) Act.

23 The notice must consist of a sworn statement setting out  
24 (1) a description of the real estate sufficient for its  
25 identification, (2) the amount of money representing the cost  
26 and expense incurred, and (3) the date or dates when the cost  
27 and expense was incurred by the county, the lien holder of  
28 record, or the intervenor. Upon payment of the cost and  
29 expense by the owner or persons interested in the property  
30 after the notice of lien has been filed, the lien shall be  
31 released by the county, the person in whose name the lien has  
32 been filed, or the assignee of the lien, and the release may  
33 be filed of record as in the case of filing notice of lien.  
34 Unless the lien is enforced under subsection (b), the lien

1 may be enforced by foreclosure proceedings as in the case of  
2 mortgage foreclosures under Article XV of the Code of Civil  
3 Procedure or mechanics' lien foreclosures. An action to  
4 foreclose this lien may be commenced at any time after the  
5 date of filing of the notice of lien. The costs of  
6 foreclosure incurred by the county, including court costs,  
7 reasonable attorney's fees, advances to preserve the  
8 property, and other costs related to the enforcement of this  
9 subsection, plus statutory interest, are a lien on the real  
10 estate and are recoverable by the county from the owner or  
11 owners of the real estate.

12 All liens arising under this subsection (a) shall be  
13 assignable. The assignee of the lien shall have the same  
14 power to enforce the lien as the assigning party, except that  
15 the lien may not be enforced under subsection (b).

16 If the appropriate official of any county determines that  
17 any dangerous and unsafe building or uncompleted and  
18 abandoned building within its territory fulfills the  
19 requirements for an action by the county under the Abandoned  
20 Housing Rehabilitation Act, the county may petition under  
21 that Act in a proceeding brought under this subsection.

22 (b) In any case where a county has obtained a lien under  
23 subsection (a), the county may enforce the lien under this  
24 subsection (b) in the same proceeding in which the lien is  
25 authorized.

26 A county desiring to enforce a lien under this subsection  
27 (b) shall petition the court to retain jurisdiction for  
28 foreclosure proceedings under this subsection. Notice of the  
29 petition shall be served, by certified or registered mail, on  
30 all persons who were served notice under subsection (a). The  
31 court shall conduct a hearing on the petition not less than  
32 15 days after the notice is served. If the court determines  
33 that the requirements of this subsection (b) have been  
34 satisfied, it shall grant the petition and retain

1 jurisdiction over the matter until the foreclosure proceeding  
2 is completed. The costs of foreclosure incurred by the  
3 county, including court costs, reasonable attorneys' fees,  
4 advances to preserve the property, and other costs related to  
5 the enforcement of this subsection, plus statutory interest,  
6 are a lien on the real estate and are recoverable by the  
7 county from the owner or owners of the real estate. If the  
8 court denies the petition, the county may enforce the lien in  
9 a separate action as provided in subsection (a).

10 All persons designated in Section 15-1501 of the Code of  
11 Civil Procedure as necessary parties in a mortgage  
12 foreclosure action shall be joined as parties before issuance  
13 of an order of foreclosure. Persons designated in Section  
14 15-1501 of the Code of Civil Procedure as permissible parties  
15 may also be joined as parties in the action.

16 The provisions of Article XV of the Code of Civil  
17 Procedure applicable to mortgage foreclosures shall apply to  
18 the foreclosure of a lien under this subsection (b), except  
19 to the extent that those provisions are inconsistent with  
20 this subsection. For purposes of foreclosures of liens  
21 under this subsection, however, the redemption period  
22 described in subsection (b) of Section 15-1603 of the Code of  
23 Civil Procedure shall end 60 days after the date of entry of  
24 the order of foreclosure.

25 (c) In addition to any other remedy provided by law, the  
26 county board of any county may petition the circuit court to  
27 have property declared abandoned under this subsection (c)  
28 if:

29 (1) the property has been tax delinquent for 2 or  
30 more years or bills for water service for the property  
31 have been outstanding for 2 or more years;

32 (2) the property is unoccupied by persons legally  
33 in possession; and

34 (3) the property contains a dangerous or unsafe

1 building.

2 All persons having an interest of record in the property,  
3 including tax purchasers and beneficial owners of any  
4 Illinois land trust having title to the property, shall be  
5 named as defendants in the petition and shall be served with  
6 process. In addition, service shall be had under Section  
7 2-206 of the Code of Civil Procedure as in other cases  
8 affecting property.

9 The county, however, may proceed under this subsection in  
10 a proceeding brought under subsection (a). Notice of the  
11 petition shall be served by certified or registered mail on  
12 all persons who were served notice under subsection (a).

13 If the county proves that the conditions described in  
14 this subsection exist and the owner of record of the property  
15 does not enter an appearance in the action, or, if title to  
16 the property is held by an Illinois land trust, if neither  
17 the owner of record nor the owner of the beneficial interest  
18 of the trust enters an appearance, the court shall declare  
19 the property abandoned.

20 If that determination is made, notice shall be sent by  
21 certified or registered mail to all persons having an  
22 interest of record in the property, including tax purchasers  
23 and beneficial owners of any Illinois land trust having title  
24 to the property, stating that title to the property will be  
25 transferred to the county unless, within 30 days of the  
26 notice, the owner of record enters an appearance in the  
27 action, or unless any other person having an interest in the  
28 property files with the court a request to demolish the  
29 dangerous or unsafe building or to put the building in safe  
30 condition.

31 If the owner of record enters an appearance in the action  
32 within the 30 day period, the court shall vacate its order  
33 declaring the property abandoned. In that case, the county  
34 may amend its complaint in order to initiate proceedings

1 under subsection (a).

2 If a request to demolish or repair the building is filed  
3 within the 30 day period, the court shall grant permission to  
4 the requesting party to demolish the building within 30 days  
5 or to restore the building to safe condition within 60 days  
6 after the request is granted. An extension of that period  
7 for up to 60 additional days may be given for good cause. If  
8 more than one person with an interest in the property files a  
9 timely request, preference shall be given to the person with  
10 the lien or other interest of the highest priority.

11 If the requesting party proves to the court that the  
12 building has been demolished or put in a safe condition  
13 within the period of time granted by the court, the court  
14 shall issue a quitclaim judicial deed for the property to the  
15 requesting party, conveying only the interest of the owner of  
16 record, upon proof of payment to the county of all costs  
17 incurred by the county in connection with the action,  
18 including but not limited to court costs, attorney's fees,  
19 administrative costs, the costs, if any, associated with  
20 building enclosure or removal, and receiver's certificates.  
21 The interest in the property so conveyed shall be subject to  
22 all liens and encumbrances on the property. In addition, if  
23 the interest is conveyed to a person holding a certificate of  
24 purchase for the property under the Property Tax Code, the  
25 conveyance shall be subject to the rights of redemption of  
26 all persons entitled to redeem under that Act, including the  
27 original owner of record.

28 If no person with an interest in the property files a  
29 timely request or if the requesting party fails to demolish  
30 the building or put the building in safe condition within the  
31 time specified by the court, the county may petition the  
32 court to issue a judicial deed for the property to the  
33 county. A conveyance by judicial deed shall operate to  
34 extinguish all existing ownership interests in, liens on, and

1 other interest in the property, including tax liens.

2 (d) Each county may use the provisions of this  
3 subsection to expedite the removal of certain buildings that  
4 are a continuing hazard to the community in which they are  
5 located.

6 If a residential building is 2 stories or less in height  
7 as defined by the county's building code, and the official  
8 designated to be in charge of enforcing the county's building  
9 code determines that the building is open and vacant and an  
10 immediate and continuing hazard to the community in which the  
11 building is located, then the official shall be authorized to  
12 post a notice not less than 2 feet by 2 feet in size on the  
13 front of the building. The notice shall be dated as of the  
14 date of the posting and shall state that unless the building  
15 is demolished, repaired, or enclosed, and unless any garbage,  
16 debris, and other hazardous, noxious, or unhealthy substances  
17 or materials are removed so that an immediate and continuing  
18 hazard to the community no longer exists, then the building  
19 may be demolished, repaired, or enclosed, or any garbage,  
20 debris, and other hazardous, noxious, or unhealthy substances  
21 or materials may be removed, by the county.

22 Not later than 30 days following the posting of the  
23 notice, the county shall do both of the following:

24 (1) Cause to be sent, by certified mail, return  
25 receipt requested, a notice to all owners of record of  
26 the property, the beneficial owners of any Illinois land  
27 trust having title to the property, and all lienholders  
28 of record in the property, stating the intent of the  
29 county to demolish, repair, or enclose the building or  
30 remove any garbage, debris, or other hazardous, noxious,  
31 or unhealthy substances or materials if that action is  
32 not taken by the owner or owners.

33 (2) Cause to be published, in a newspaper published  
34 or circulated in the county where the building is



1 located, a notice setting forth (i) the permanent tax  
2 index number and the address of the building, (ii) a  
3 statement that the property is open and vacant and  
4 constitutes an immediate and continuing hazard to the  
5 community, and (iii) a statement that the county intends  
6 to demolish, repair, or enclose the building or remove  
7 any garbage, debris, or other hazardous, noxious, or  
8 unhealthy substances or materials if the owner or owners  
9 or lienholders of record fail to do so. This notice  
10 shall be published for 3 consecutive days.

11 A person objecting to the proposed actions of the county  
12 board may file his or her objection in an appropriate form in  
13 a court of competent jurisdiction.

14 If the building is not demolished, repaired, or enclosed,  
15 or the garbage, debris, or other hazardous, noxious, or  
16 unhealthy substances or materials are not removed, within 30  
17 days of mailing the notice to the owners of record, the  
18 beneficial owners of any Illinois land trust having title to  
19 the property, and all lienholders of record in the property,  
20 or within 30 days of the last day of publication of the  
21 notice, whichever is later, the county board shall have the  
22 power to demolish, repair, or enclose the building or to  
23 remove any garbage, debris, or other hazardous, noxious, or  
24 unhealthy substances or materials.

25 The county may proceed to demolish, repair, or enclose a  
26 building or remove any garbage, debris, or other hazardous,  
27 noxious, or unhealthy substances or materials under this  
28 subsection within a 120-day period following the date of the  
29 mailing of the notice if the appropriate official determines  
30 that the demolition, repair, enclosure, or removal of any  
31 garbage, debris, or other hazardous, noxious, or unhealthy  
32 substances or materials is necessary to remedy the immediate  
33 and continuing hazard. If, however, before the county  
34 proceeds with any of the actions authorized by this

1 subsection, any person has sought a hearing under this  
2 subsection before a court and has served a copy of the  
3 complaint on the chief executive officer of the county, then  
4 the county shall not proceed with the demolition, repair,  
5 enclosure, or removal of garbage, debris, or other substances  
6 until the court determines that that action is necessary to  
7 remedy the hazard and issues an order authorizing the county  
8 to do so.

9       Following the demolition, repair, or enclosure of a  
10 building, or the removal of garbage, debris, or other  
11 hazardous, noxious, or unhealthy substances or materials  
12 under this subsection, the county may file a notice of lien  
13 against the real estate for the cost of the demolition,  
14 repair, enclosure, or removal within 180 days after the  
15 repair, demolition, enclosure, or removal occurred, for the  
16 cost and expense incurred, in the office of the recorder in  
17 the county in which the real estate is located or in the  
18 office of the registrar of titles of the county if the real  
19 estate affected is registered under the Registered Titles  
20 (Torrens) Act. The notice of lien shall consist of a sworn  
21 statement setting forth (i) a description of the real estate,  
22 such as the address or other description of the property,  
23 sufficient for its identification; (ii) the expenses incurred  
24 by the county in undertaking the remedial actions authorized  
25 under this subsection; (iii) the date or dates the expenses  
26 were incurred by the county; (iv) a statement by the official  
27 responsible for enforcing the building code that the building  
28 was open and vacant and constituted an immediate and  
29 continuing hazard to the community; (v) a statement by the  
30 official that the required sign was posted on the building,  
31 that notice was sent by certified mail to the owners of  
32 record, and that notice was published in accordance with this  
33 subsection; and (vi) a statement as to when and where the  
34 notice was published. The lien authorized by this subsection

1 may thereafter be released or enforced by the county as  
2 provided in subsection (a).

3 (e) In any case where a county has obtained a lien under  
4 subsection (a), the county may also bring an action for a  
5 money judgment against the owner or owners of the real estate  
6 in the amount of the lien in the same manner as provided for  
7 bringing causes of action in Article II of the Code of Civil  
8 Procedure and, upon obtaining a judgment, file a judgment  
9 lien against all of the real estate of the owner or owners  
10 and enforce that lien as provided for in Article XII of the  
11 Code of Civil Procedure.

12 (Source: P.A. 90-14, eff. 7-1-97; 90-517, eff. 8-22-97;  
13 91-533, eff. 8-13-99; 91-561, eff. 1-1-00.)

14 (55 ILCS 5/5-12017) (from Ch. 34, par. 5-12017)

15 Sec. 5-12017. Violations. In case any building or  
16 structure is erected, constructed, reconstructed, altered,  
17 repaired, converted or maintained or any building, structure  
18 or land is used in violation of this Division or of any  
19 ordinance, resolution or other regulation made under  
20 authority conferred thereby, the proper authorities of the  
21 county or of the township in which the building, structure,  
22 or land is located, or any person the value or use of whose  
23 property is or may be affected by such violation, in addition  
24 to other remedies, may institute any appropriate action or  
25 proceedings in the circuit court to prevent such unlawful  
26 erection, construction, reconstruction, alteration, repair,  
27 conversion, maintenance or use, to restrain, correct, or  
28 abate such violation, to prevent the occupancy of said  
29 building, structure or land or to prevent any illegal act,  
30 conduct, business, or use in or about such premises.

31 Any person who violates the terms of any ordinance  
32 adopted under the authority of this Division shall be guilty  
33 of a petty offense punishable by a fine not to exceed \$500,

1 with each week the violation remains uncorrected constituting  
2 a separate offense.

3 (Source: P.A. 86-962.)

4 Section 10. The Township Code is amended by adding  
5 Section 85-50 as follows:

6 (60 ILCS 1/85-50 new)

7 Sec. 85-50. Demolition, repair, or enclosure of  
8 buildings.

9 (a) The township board of any township may formally  
10 request the county board to commence specified proceedings  
11 with respect to property located within the township but  
12 outside the territory of any municipality as provided in  
13 Section 5-1121 of the Counties Code. If the county board  
14 declines the request as provided in Section 5-1121 of the  
15 Counties Code, the township may exercise its powers under  
16 this Section.

17 (b) The township board of each township may demolish,  
18 repair, or enclose or cause the demolition, repair, or  
19 enclosure of dangerous and unsafe buildings or uncompleted  
20 and abandoned buildings within the territory of the township  
21 and may remove or cause the removal of garbage, debris, and  
22 other hazardous, noxious, or unhealthy substances or  
23 materials from those buildings.

24 The township board shall apply to the circuit court of  
25 the county in which the building is located (i) for an order  
26 authorizing action to be taken with respect to a building if  
27 the owner or owners of the building, including the lien  
28 holders of record, after at least 15 days' written notice by  
29 mail to do so, have failed to commence proceedings to put the  
30 building in a safe condition or to demolish it or (ii) for an  
31 order requiring the owner or owners of record to demolish,  
32 repair, or enclose the building or to remove garbage, debris,

1 and other hazardous, noxious, or unhealthy substances or  
2 materials from the building. It is not a defense to the  
3 cause of action that the building is boarded up or otherwise  
4 enclosed, although the court may order the defendant to have  
5 the building boarded up or otherwise enclosed. Where, upon  
6 diligent search, the identity or whereabouts of the owner or  
7 owners of the building, including the lien holders of record,  
8 is not ascertainable, notice mailed to the person or persons  
9 in whose name the real estate was last assessed and the  
10 posting of the notice upon the premises sought to be  
11 demolished or repaired is sufficient notice under this  
12 Section.

13 The hearing upon the application to the circuit court  
14 shall be expedited by the court and shall be given precedence  
15 over all other suits.

16 The cost of the demolition, repair, enclosure, or removal  
17 incurred by the township, by an intervenor, or by a lien  
18 holder of record, including court costs, attorney's fees, and  
19 other costs related to the enforcement of this Section, is  
20 recoverable from the owner or owners of the real estate or  
21 the previous owner or both if the property was transferred  
22 during the 15-day notice period and is a lien on the real  
23 estate if, within 180 days after the repair, demolition,  
24 enclosure, or removal, the township, the lien holder of  
25 record, or the intervenor who incurred the cost and expense  
26 shall file a notice of lien for the cost and expense incurred  
27 in the office of the recorder in the county in which the real  
28 estate is located or in the office of the registrar of titles  
29 of the county if the real estate affected is registered under  
30 the Registered Titles (Torrens) Act. The lien becomes  
31 effective at the time of filing.

32 The notice must consist of a sworn statement setting out  
33 (1) a description of the real estate sufficient for its  
34 identification, (2) the amount of money representing the cost

1 and expense incurred, and (3) the date or dates when the cost  
2 and expense was incurred by the township, the lien holder of  
3 record, or the intervenor. Upon payment of the cost and  
4 expense by the owner of or persons interested in the property  
5 after the notice of lien has been filed, the lien shall be  
6 released by the township, the person in whose name the lien  
7 has been filed, or the assignee of the lien, and the release  
8 may be filed of record as in the case of filing notice of  
9 lien. Unless the lien is enforced under subsection (c), the  
10 lien may be enforced by foreclosure proceedings as in the  
11 case of mortgage foreclosures under Article XV of the Code of  
12 Civil Procedure or mechanics' lien foreclosures. An action to  
13 foreclose this lien may be commenced at any time after the  
14 date of filing of the notice of lien. The costs of  
15 foreclosure incurred by the township, including court costs,  
16 reasonable attorney's fees, advances to preserve the  
17 property, and other costs related to the enforcement of this  
18 subsection, plus statutory interest, are a lien on the real  
19 estate and are recoverable by the township from the owner or  
20 owners of the real estate.

21 All liens arising under this subsection (b) shall be  
22 assignable. The assignee of the lien shall have the same  
23 power to enforce the lien as the assigning party, except that  
24 the lien may not be enforced under subsection (c).

25 (c) In any case where a township has obtained a lien  
26 under subsection (b), the township may enforce the lien under  
27 this subsection (c) in the same proceeding in which the lien  
28 is authorized.

29 A township desiring to enforce a lien under this  
30 subsection (c) shall petition the court to retain  
31 jurisdiction for foreclosure proceedings under this  
32 subsection. Notice of the petition shall be served, by  
33 certified or registered mail, on all persons who were served  
34 notice under subsection (b). The court shall conduct a

1 hearing on the petition not less than 15 days after the  
2 notice is served. If the court determines that the  
3 requirements of this subsection (c) have been satisfied, it  
4 shall grant the petition and retain jurisdiction over the  
5 matter until the foreclosure proceeding is completed. The  
6 costs of foreclosure incurred by the township, including  
7 court costs, reasonable attorneys' fees, advances to preserve  
8 the property, and other costs related to the enforcement of  
9 this subsection, plus statutory interest, are a lien on the  
10 real estate and are recoverable by the township from the  
11 owner or owners of the real estate. If the court denies the  
12 petition, the township may enforce the lien in a separate  
13 action as provided in subsection (b).

14 All persons designated in Section 15-1501 of the Code of  
15 Civil Procedure as necessary parties in a mortgage  
16 foreclosure action shall be joined as parties before issuance  
17 of an order of foreclosure. Persons designated in Section  
18 15-1501 of the Code of Civil Procedure as permissible parties  
19 may also be joined as parties in the action.

20 The provisions of Article XV of the Code of Civil  
21 Procedure applicable to mortgage foreclosures shall apply to  
22 the foreclosure of a lien under this subsection (c), except  
23 to the extent that those provisions are inconsistent with  
24 this subsection. For purposes of foreclosures of liens  
25 under this subsection, however, the redemption period  
26 described in subsection (c) of Section 15-1603 of the Code of  
27 Civil Procedure shall end 60 days after the date of entry of  
28 the order of foreclosure.

29 (d) In addition to any other remedy provided by law, the  
30 township board of any township may petition the circuit court  
31 to have property declared abandoned under this subsection (d)  
32 if:

33 (1) the property has been tax delinquent for 2 or  
34 more years or bills for water service for the property

1 have been outstanding for 2 or more years;

2 (2) the property is unoccupied by persons legally  
3 in possession; and

4 (3) the property contains a dangerous or unsafe  
5 building.

6 All persons having an interest of record in the property,  
7 including tax purchasers and beneficial owners of any  
8 Illinois land trust having title to the property, shall be  
9 named as defendants in the petition and shall be served with  
10 process. In addition, service shall be had under Section  
11 2-206 of the Code of Civil Procedure as in other cases  
12 affecting property.

13 The township, however, may proceed under this subsection  
14 in a proceeding brought under subsection (b). Notice of the  
15 petition shall be served by certified or registered mail on  
16 all persons who were served notice under subsection (b).

17 If the township proves that the conditions described in  
18 this subsection exist and the owner of record of the property  
19 does not enter an appearance in the action, or, if title to  
20 the property is held by an Illinois land trust, if neither  
21 the owner of record nor the owner of the beneficial interest  
22 of the trust enters an appearance, the court shall declare  
23 the property abandoned.

24 If that determination is made, notice shall be sent by  
25 certified or registered mail to all persons having an  
26 interest of record in the property, including tax purchasers  
27 and beneficial owners of any Illinois land trust having title  
28 to the property, stating that title to the property will be  
29 transferred to the township unless, within 30 days of the  
30 notice, the owner of record enters an appearance in the  
31 action, or unless any other person having an interest in the  
32 property files with the court a request to demolish the  
33 dangerous or unsafe building or to put the building in safe  
34 condition.



1 If the owner of record enters an appearance in the action  
2 within the 30-day period, the court shall vacate its order  
3 declaring the property abandoned. In that case, the township  
4 may amend its complaint in order to initiate proceedings  
5 under subsection (b).

6 If a request to demolish or repair the building is filed  
7 within the 30-day period, the court shall grant permission to  
8 the requesting party to demolish the building within 30 days  
9 or to restore the building to safe condition within 60 days  
10 after the request is granted. An extension of that period  
11 for up to 60 additional days may be given for good cause. If  
12 more than one person with an interest in the property files a  
13 timely request, preference shall be given to the person with  
14 the lien or other interest of the highest priority.

15 If the requesting party proves to the court that the  
16 building has been demolished or put in a safe condition  
17 within the period of time granted by the court, the court  
18 shall issue a quitclaim judicial deed for the property to the  
19 requesting party, conveying only the interest of the owner of  
20 record, upon proof of payment to the township of all costs  
21 incurred by the township in connection with the action,  
22 including but not limited to court costs, attorney's fees,  
23 administrative costs, the costs, if any, associated with  
24 building enclosure or removal, and receiver's certificates.  
25 The interest in the property so conveyed shall be subject to  
26 all liens and encumbrances on the property. In addition, if  
27 the interest is conveyed to a person holding a certificate of  
28 purchase for the property under the Property Tax Code, the  
29 conveyance shall be subject to the rights of redemption of  
30 all persons entitled to redeem under that Act, including the  
31 original owner of record.

32 If no person with an interest in the property files a  
33 timely request or if the requesting party fails to demolish  
34 the building or put the building in safe condition within the

1 time specified by the court, the township may petition the  
2 court to issue a judicial deed for the property to the  
3 county. A conveyance by judicial deed shall operate to  
4 extinguish all existing ownership interests in, liens on, and  
5 other interest in the property, including tax liens.

6 (e) This Section applies only to requests made by  
7 townships under subsection (a) before January 1, 2006 and  
8 proceedings to implement or enforce this Section with respect  
9 to matters related to or arising from those requests.

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