

Capitol Conference REALTOR® LOBBY DAY

— SPRING 2023 —

# LEGISLATIVE ISSUES



ILLINOIS  
REALTORS®



## **HOUSING ISSUES AND BILLS** *(Discuss in the House and Senate)*

Illinois needs housing of all kinds (single family and small multifamily, condos, townhomes, large rental), for ALL income levels, throughout ALL of Illinois.

There are many contributing factors (some within our control, some not) that led us to our current low inventory situation, and it will take a concerted, ongoing effort to restore a healthy housing sector, which has and continues to be **the largest single component of the state's GDP**.

- ✓ Having safe, decent housing for ALL of our citizens is, of course, the most basic housing need to address. As such, we **SUPPORT** Governor J.B. Pritzker's "Home Illinois" budget initiative to take on the multi-faceted issues surrounding homelessness, backed up by a total of \$350 million for a variety of policies and programs to address the entry-level rung on the housing ladder.
- ✓ We **SUPPORT** House Bill 2831 (Rep. LaPointe, D-19th, Chicago), which creates the Illinois Interagency Task Force on Homelessness. *(Discuss only in the Senate)*
- ✓ We **SUPPORT** a discussion of ensuring that our housing plan covers all rungs on the housing ladder, through homeownership. Otherwise, we risk limiting upward mobility and the opportunity for wealth creation.

Several other states have established "Workforce Housing" task forces, **which we would support and participate in** to look particularly at the "working but barely making it" segment of the population, who are in the 80 percent and above AMI bracket.

- ✓ We **SUPPORT** legislation to explore policy options on a variety of housing development approaches. House Bill 3152 (Rep. Evans, D-33rd, Chicago) and Senate Bill 2413 (Sens. Hunter, D-3rd, Chicago and Castro, D-22nd, Elgin) proposes a revised First-Time Homebuyer Program and addresses regulatory and zoning barriers to affordable housing.

*Of Note: Both House Bill 3152 and Senate Bill 2413 contain a suggested program Illinois REALTORS® has discussed with Governor Pritzker, establishing a new housing construction incentive to create "workforce housing" around Electric Vehicle Oriented manufacturing facilities, which are proliferating under the Reimagining Electric Vehicles Act (REV). One of several benefits of such a pilot program would be exploring the kinds of environments and incentives that will attract and promote **new housing development**, which we so need.*

- ✓ We **SUPPORT** Senate Bill 1476 (Sen. Gillespie, D-27th, Arlington Heights and Rep. Rashid, D-21st, Berwyn), which reorganizes, updates and strengthens the Affordable Housing Planning and Appeals Act, which requires and monitors the establishment of affordable housing plans by certain local governments.

## **FAIR HOUSING/OTHER REGULATORY** *(Discuss in the Senate)*

- ✓ **OPPOSE** Senate Bill 664, Senate Amendment #1, as currently drafted (Sen. Ventura, D-43rd, Joliet) This legislation is a statewide version of the "Just Housing" ordinance that was enacted in

**Cook County.** The bill sets up a specific written review landlords must do in assessing whether to rent to a formerly incarcerated person. After this formal written dialogue between the landlord and prospective tenant, the landlord may either enter a lease, or deny the applicant in writing, along with a notice that the applicant may file a complaint with the Department of Human Rights. Our concern is that this law puts brokers/landlords/housing providers in the position of rendering a decision in writing about a person's past criminal history suitability for tenancy without any guidance or knowledge of criminal justice offenses and issues.

**The Illinois Re-Entry Council, of which we are a member,** is looking at this issue in the context of the multi-disciplinary, multi-agency approaches of supportive services (Department of Corrections, Health and Human Services, Housing Services, Probation Department, Prisoner Review Board) that offer the best chance of success for returning individuals. Perhaps the successful completion of these supportive processes can provide brokers/landlords/housing providers guidance on applicant readiness. We look forward to continuing the dialogue. **Senate Bill 664 remains in the Senate, but its deadline was extended to April 28, 2023.**

- ✓ **SUPPORT House Amendment #5 to House Bill 1020 (Rep. Flowers, D-31st, Chicago),** which removes any references or changes to the Real Estate License Act. Initially, this bill amended the Real Estate License Act to treat broker price opinions (BPOs) or comparative market analyses (CMAs) as if they were appraisals, and would have established a new civil, or Attorney General's cause of action for engaging in illegal discrimination in preparing a BPO or CMA.

We appreciate Rep. Flowers' agreement to remove the Real Estate License Act provisions. **House Bill 1020** now deals exclusively with adding fair housing provisions within the Appraisal Licensing Act. As amended, the bill passed the House, and we will continue to monitor further discussions on the bill in the Senate.

- ✓ **SUPPORT House Bill 2098 (Rep. Tarver, D-25th, Chicago, Sen. Preston, D-16th, Chicago)** Agreed technical clean-up bill regarding the Residential Real Property Disclosure Act. Passed the House.
- ✓ **SUPPORT House Bill 2207 (Rep. Moylan, D-55th, Des Plaines) and Senate Bill 1866 (Cervantes, D-1st, Chicago)** Illinois REALTORS®-supported omnibus License Law bill making various updates to the real estate professions under IDFPR. **Both bills passed and are pending in the opposite chamber.**

## **RENTAL HOUSING LEGISLATION** *(Discuss in the House and Senate)*

- ✓ We **OPPOSE** all rent control bills, which either established rent control outright or authorized local governments to do so by repealing the Rent Control Pre-Emption Act, that were advanced this legislative session.
- ✓ We **OPPOSE House Bill 1569 (Rep. Ford, D-8th, Chicago).** Illinois REALTORS® appreciates the thorough debate that occurred over two legislative hearings regarding this renewed attempt to pass a bill to **seal eviction records.** Several members of the House Judiciary Committee shared our concern of how this legislation might hurt especially small, community landlords who could be devastated by just one or two tenants not paying rent, and the sealing of records would leave landlords unable to properly assess whether a tenant represents a good risk. There was also a general concern about "hiding" public court records. **We appreciate Rep. Ford's ongoing dialogue on the bill, which was held in committee.**

- ✓ **OPPOSE House Bill 2727 (Rep. Moeller, D-43rd, Elgin) – Rent Control – Mobile Home Parks** While the main rent control bills were held, a less sweeping bill that still provided for a form of rent control was approved at the committee level. **House Bill 2727** requires mobile home park owners who increase lot rent by over 3 percent, to provide written justification for the increase, document why the increase is needed and explain how the increase will be spent. Illinois REALTORS® is a member of a coalition which has opposed rent control measures philosophically, regardless of the scope. **House Bill 2727 remains in the House Rules Committee.**

## **ENERGY AND ENVIRONMENT**

- ✓ **OPPOSE House Bill 2217 (Rep. Ann Williams, D-11th, Chicago)**  
Creates the Tenant Radon Protection Act to allow tenants to test for radon and break the lease if radon is found in their rental unit. We **OPPOSE** this legislation and continue to work with both the House and Senate sponsors and the American Lung Association to make acceptable changes. **House Bill 2217** passed the House 109-0-0 in March. **(Discuss in the Senate)**
- ✓ **NEUTRAL, AS AMENDED on Senate Bill 40 (Sen. Feigenholtz, D-6th, Chicago)**  
Creates the Electric Vehicle Charging Act. As originally proposed, this legislation would have mandated that developers provide all residential single family and multi-family dwelling parking spaces with a fully wired, specific circuit electric vehicle charging receptacle for possible future use, which would have increased housing costs significantly at a time when housing costs are at an all-time high and supply is extraordinarily low. Illinois REALTORS® strongly **opposed** this legislation as introduced. After years of negotiations, the proponents accepted our amendment making it clear: 1) that developers will not be required to install wire from an electrical panel through the conduit and 2) requiring a developer converting property from rental building to a condominium association to make EV ready or EV capable if it necessitates excavation in order to retrofit the parking lot. **With our amendment, Senate Bill 40 passed in the Senate and has been sent to the House for consideration. (Discuss in the House)**

## **CHANGES TO TAX ASSESSMENT OF COMMERCIAL PROPERTY IN COOK COUNTY**

- ✓ **OPPOSE House Bills 1287 and 1288 (Rep. Will Davis, D-30th, East Hazel Crest) as currently drafted.** Illinois REALTORS® is part of a coalition of 16 other business organizations that have expressed concerns with this bill as an ongoing proposal being spearheaded by Cook County Assessor Fritz Kaegi. **We pledge to continue to work with our coalition to discuss this proposal with the sponsors and the Cook County Assessor with the goal of working out an agreed bill.**