



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB2849

Introduced 2/6/2025, by Rep. Maurice A. West, II

SYNOPSIS AS INTRODUCED:

765 ILCS 745/6.2 new

Amends the Mobile Home Landlord and Tenant Rights Act. Provides that a park owner is prohibited from requiring a tenant to pay for utility service in which the public utility company charging for those services includes any service to common areas, other mobile homes, areas used or occupied by persons other than the individual tenant, and persons occupying the same mobile home with the tenant. Provides that a park owner may not request or cause a change in billing in metered utilities during the term of a lease (i) from a tenant to the park owner or landlord or (ii) from the park owner to a tenant. Requires the park owner to provide a minimum of 90 days' notice to each affected tenant before changing the service but no less than 90 days before the expiration of a lease. Allows the park owner and tenant to agree to amend the lease to effect such a change as long as the amendment is in writing and signed by both parties. Provides that any term or condition in a rental agreement between the park owner and the tenant that is inconsistent with the Act is void and unenforceable. Requires park owners to provide detailed copies of monthly utility bills to tenants for utilities paid by the park owner regardless of the metering arrangement.

LRB104 10944 JRC 21026 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 Mobile Home Landlord and Tenant Rights Act
5 is amended by adding Section 6.2 as follows:

6 (765 ILCS 745/6.2 new)

7 Sec. 6.2. Utility services.

8 (a) A park owner is prohibited from requiring a tenant to
9 pay for utility services, such as water, sewer, and trash, in
10 which the public utility company charging for those services
11 includes any service to common areas, other mobile homes,
12 areas used or occupied by persons other than the individual
13 tenant, or persons occupying the same mobile home with the
14 tenant.

15 (b) A park owner may not request or cause a change in
16 billing in metered utilities during the term of a lease (i)
17 from a tenant to the park owner or landlord or (ii) from the
18 park owner to a tenant. The park owner must provide a minimum
19 of 90 days' notice to each affected tenant before changing the
20 service but no less than 90 days before the expiration of a
21 lease. This subsection does not prohibit the park owner and
22 tenant from agreeing to amend the lease to effect such a change
23 as long as the amendment is in writing and signed by both

1 parties. Any term or condition in a rental agreement between
2 the park owner and the tenant that is inconsistent with this
3 Section is void and unenforceable. Upon proof by the tenant
4 that the tenant was billed an amount for service not
5 attributable to the mobile home or premises occupied by the
6 tenant, the park owner is liable to the tenant for 100% of
7 those utility bills. This must be reduced by whatever
8 percentage of use that the park owner has established to have
9 been attributable to the mobile home or premises the tenant
10 occupied during the period in which the violation continued.
11 The tenant may recover these damages by a civil action or by a
12 counterclaim in any civil action brought by the park owner
13 against the tenant. By mutual agreement, the parties may waive
14 court action and the park owner must set forth in writing the
15 amount of the proposed rent reduction, if any, that is offered
16 to compensate for the tenant's payments for utility usage
17 outside of the tenant's individual consumption, upon evidence
18 submitted by the tenant of the inconsistency to the park
19 owner.

20 (c) Park owners must provide detailed copies of monthly
21 utility bills to tenants for utilities paid by the park owner
22 regardless of the metering arrangement.