
CITY OF CHICAGO

RULES



KEEP CHICAGO

RENTING RULES

Last Updated: July 29, 2015



Mayor Rahm Emanuel

Commissioner Maria Guerra Lapacek

BY AUTHORITY VESTED IN THE COMMISSIONER OF THE DEPARTMENT OF BUSINESS AFFAIRS AND CONSUMER PROTECTION PURSUANT TO **CHAPTERS 2-25 AND 14-090**, THE FOLLOWING RULES REGARDING THE **KEEP CHICAGO RENTING ORDINANCE** ARE ADOPTED HEREIN.

By Order of the Commissioner:

Signed: 
Commissioner Maria Guerra Lapacek

Date: July 29, 2015

Published: **July 30, 2015**

Effective: **July 30, 2015**

**PROTECTING TENANTS IN FORECLOSED RENTAL PROPERTIES
CHAPTER 5-14 OF THE MUNICIPAL CODE OF CHICAGO
RULES**

DEFINITIONS.

For purposes of these Rules, the following definitions apply:

“Commissioner” means the commissioner of business affairs and consumer protection.

“Department” means the department of business affairs and consumer protection.

“Foreclosed Rental Property,” “Owner,” “Qualified Tenant” and “Rental Unit” have the same meaning ascribed to those terms in section 5-14-020 of the Municipal Code.

SECTION 1. TENANT INFORMATION DISCLOSURE FORM.

Rule KCRO 1.01 Attached hereto as Appendix A is the prescribed tenant information disclosure form. Pursuant to section 5-14-040(b) of the Municipal Code, every owner of a foreclosed rental property shall attach this form to the tenant notification required under section 5-14-040(a) of the Municipal Code.

SECTION 2. REQUIRED NOTICE FOR PAYMENT OF RELOCATION FEE OR OFFER TO EXTEND RENTAL AGREEMENT, OR REPLACEMENT UNITS.

Rule KCRO 2.01 As part of the written notice sent to a qualified tenant advising the tenant of the owner’s offer to extend the qualified tenant’s rental agreement or provide a replacement rental unit, if applicable, pursuant to section 5-14-050(a)(3) of the Municipal Code, the owner shall include the following statement in bold letters:

“As a qualified tenant, you have 21 days after receiving this notice to accept the offer to extend or renew your current rental agreement, or accept or refuse the offer to provide a replacement rental unit, if applicable. However, you have 42 days after receiving this notice to reply if:

- (1) you or another person residing in your rental unit, is disabled, or is hospitalized during the initial 21 days after receiving this notice; or**
- (2) you are continuously located outside of the State of Illinois during the entire initial 21 days after receiving this notice.**

The owner may offer you the opportunity to move to a replacement unit if you are living in an unlawful conversion unit or an unlawful hazardous unit. You have the right to accept or refuse the offer of a replacement unit. The owner must provide you the opportunity to conduct an on-site visit to the replacement rental unit no less than 10 days prior to the date you have to respond to the offer. If you reject the offer to move into a replacement unit within 21 days, or 42 days if you fall under the criteria for an extended response, after receiving this notice, you still have the right to receive \$10,600 in relocation assistance.”

Rule KCRO 2.02 Pursuant to section 5-14-050(a)(3) of the Municipal Code, a qualified tenant has 21 days after receipt of an owner's offer to extend or renew the tenant's rental agreement, or provide a replacement rental unit if applicable, to accept such offer; provided that any qualified tenant who meets any of the following criteria shall have 42 days after receipt of the notice to accept such an offer:

1. The qualified tenant, or another person residing in the rental unit, is disabled or hospitalized during the initial 21-day period after receipt of the notice; or

2. The qualified tenant is continuously located outside of the State of Illinois for the entire initial 21-day period after receipt of the notice.

SECTION 3. REPLACEMENT UNITS.

Rule KCRO 3.01 In every written notice advising the qualified tenant that the owner is offering the qualified tenant an opportunity for a replacement rental unit in accordance with Section 5-14-050(a)(2) of the Municipal Code, the owner shall include the following:

(a) A statement that the owner is paying the qualified tenant the relocation fee of \$10,600 or offering to provide the qualified tenant, at the qualified tenant's option, a replacement rental unit. The notice shall include the address of the replacement rental unit, the amount of monthly rent, a description of the replacement rental unit, including number of bedrooms and bathrooms, the number of dwelling units in the building, and whether utilities are included in the monthly rent;

(b) Provide a name and phone number of a person for the qualified tenant to contact to set up a time to conduct on-site visit to the proposed replacement rental unit. The qualified tenant must be permitted to conduct the on-site visit no less than 10 days prior to the date the qualified tenant's response is due.

(c) A statement describing the method and timeframe for a qualified tenant to either accept or refuse the offer of a replacement rental unit.

Rule KCRO 3.02 An owner shall provide the qualified tenant the opportunity to conduct an on-site visit to the replacement rental unit no less than 10 days prior to the date the qualified tenant's response is due.

Rule KCRO 3.03 The replacement rental unit shall be available for occupancy by the qualified tenant no later than the expiration of the qualified tenant's current rental agreement.

Rule KCRO 3.04 Any qualified tenant who fails to respond to the offer for a replacement rental unit shall be deemed to have not accepted the offer.

Rule KCRO 3.05 A qualified tenant's refusal of, or non-response to, the owner's offer for a replacement rental unit does not affect the qualified tenant's right to the payment of the relocation fee.

SECTION 4. COMPLAINTS AND INVESTIGATIONS.

Rule KCRO 4.01 (a) A tenant wishing to file a complaint against an owner for an alleged violation of Chapter 5-14 may call the City of Chicago's 311 Service Center.

(b) Upon receipt of the complaint, the Department will send the tenant a complaint affidavit form that must be completed and returned to the address on the form in order for the Department to initiate an investigation.

(c) So that the Department can investigate any complaints properly, the Tenant must update contact information with the Department and respond to all the Department's reasonable inquiries.

(d) The Department's attorneys do NOT represent the Tenants.

SECTION 5. RETALIATION PROHIBITED

Rule KCRO 5.01 It is unlawful for any Owner to take any adverse action against a tenant or any person living in the rental unit in retaliation for exercising any rights under the Protecting Tenants In Foreclosed Rental Properties Ordinance.

APPENDIX A

TENANT INFORMATION DISCLOSURE FORM

This Form is available on-line in Spanish at _____

This Form is available on-line in Polish at _____

This Form is available on-line in Chinese at _____

Your have received this Tenant Information Disclosure Form pursuant to the City of Chicago’s Protecting Tenants in Foreclosed Rental Properties Ordinance (the “Ordinance”). The information requested by this Form is needed in order to determine your rights and eligibility under the Ordinance to receive an offer to renew your current rental agreement or a relocation assistance fee of \$10,600. The tenant should complete Section 2 and return this Form to the name and address indicated in Section 1.

DATE FORM SENT TO THE TENANT: _____

SECTION 1. RETURN INFORMATION-OWNER INFORMATION.

AFTER YOU READ AND COMPLETED THIS FORM, PLEASE RETURN THE COMPLETED FORM WITHIN 21 DAYS OF RECEIVING IT TO THE NAME AND ADDRESS LISTED BELOW:

Owner’s or Agent’s Name: _____

Return Address: _____

Owner’s or Agent’s Phone number: _____

SECTION 2. TENANT INFORMATION.

1. Name and phone number of the Tenant (the person who entered into the rental agreement):

2. Address of property and unit number:

3. Were you the mortgagor (owner) of the foreclosed rental property:

Yes_____ No_____

If yes, please list the name of any adult living with you in the unit and indicated whether the adult occupant is your spouse, child, or parent.

(If more space is needed, please use the back of this Form)

4. Month and year when the Tenant first moved in to the rental unit: _____

5. Does the Tenant have a rental agreement for the dwelling unit? Yes _____ No _____

If the Tenant answered "Yes":

(a) Is the rental agreement: Written _____ Oral _____

(b) The date on which the current rental agreement expires? _____

(c) The rental agreement is:

_____ on a month-to-month basis

_____ longer than for one month (e.g., 6 months, one-year).

6. Tenant's monthly rent? _____

PLEASE NOTE THAT FAILURE OF THE TENANT TO RETURN THIS FORM DOES NOT RELIEVE THE OWNER FROM ANY OBLIGATION TO EITHER: (I) EXTEND THE TENANT'S RENTAL AGREEMENT, OR PROVIDE A RENTAL AGREEMENT OR A REPLACEMENT RENTAL UNIT, WHICHEVER IS APPLICABLE, OR (II) PAY THE RELOCATION ASSISTANCE FEE.

Tenant's signature

Date Tenant returned Form