



Just Cause for Eviction

Legislative Outline

SECTION 1 Exempts Chicago Housing Authority (CHA) properties and properties covered under the Keep Chicago Renting Ordinance (KCRO), requires exempted properties to state as such on rental applications and agreements. CHA must still register their units but is exempt from paying registration fees.

SECTION 2 Adds various legal definitions pertinent to the ordinance.

SECTION 3 Removes the legal right under Chicago code for landlords to evict for reasons that are no longer allowed under the ordinance. Removes the ability of landlords to issue lease non-renewal notices.

SECTION 4 Establishes Just Cause required for evictions and lays forth the seven legally-allowable reasons for eviction under the ordinance: a) nonpayment of rent, b) material noncompliance with the lease, c) refusal of the tenant to renew the rental agreement, d) occupancy by the property owner or a qualified relative, e) condominium conversion, f) significant repairs needed to comply with court order to vacate, and g) removal or demolition of the property. Does not change a landlord's ability under state statute to seek emergency relief where drugs, firearms, or felonies on premises are involved. Sets amount of time landlords must give notice for evictions where applicable.

SECTION 5 Includes what information must be included in an eviction notice. The notice must identify the Just Cause basis, as well as the tenant's rights to relocation assistance, if applicable.

SECTION 6 Creates the relocation assistance program that will offset the moving expenses of the tenant when the landlord evicts for reasons that are of no fault of the tenant, including how much is to be paid, by whom, and under what timeframe. Relocation assistance is not required if a tenant is asked to leave for non-payment, material violation, or tenant non-renewal. (See Just Cause Relocation Assistance Framing Guide for more comprehensive information on these issues.) Sets additional assistance where the eviction involves elderly, disabled, and/or tenants with small children. Non-profit housing developers may use the relocation assistance program that they use for other obligations as long as they use a legally-defined program of some kind.

SECTION 7 Sets the amount of time landlords must give notice for rent increases based on the percentage amount of the increase. A tenant may choose to take relocation assistance and move if the landlord presents a rent increase of 10% or more. Also defines a 50 percent rent increase as unconscionable, a term of legal distinction that is currently left nebulous by current city and state statutes and thus unenforceable.



SECTION 8 Lays out legal defenses to evictions, to violations of the ordinance, as well as the scope of remedies available to the judge for those violations.

SECTION 9 Rental agreements cannot allow non-rent charges such as utility charges to be considered rent (such as for purposes of filing an eviction for non-payment of rent). Also prohibits landlords from applying rent to utilities or other charges.

SECTION 10 Prohibition on interruption of tenant occupancy by landlord. Makes minor grammatical changes to current law for clarity.

SECTION 11 Makes minor grammatical changes to current law for clarity.

SECTION 12 Establishes a rental registry. No person can rent a dwelling unit unless it is registered. Lays out cost structure, except that CHA, small landlords (defined as owner-occupied and six or fewer units), and non-profit landlords do not have to pay registration fee. Registration costs are reserved to fund the reimbursement of relocation assistance to small landlords, administration of the rental registry, and other housing programs as directed by the Department of Housing and/or City Council.

SECTION 13 Changes the relocation assistance due to tenants in units that are being converted to condos under Chicago's condominium association law from \$1,500 to the relocation assistance fee set out in this ordinance.

SECTION 14 The ordinance will be enforced immediately upon being passed.