



# Office of the City Clerk

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## Legislation Text

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### **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:**

SECTION 1. Section 5-12-020 of the Municipal Code of the City of Chicago is hereby amended by inserting the language underscored, as follows;

#### **5-12-020 Exclusions.**

Rental of the following dwelling units shall not be governed by this chapter, unless the rental agreement thereof is created to avoid the application of this chapter:

- a) Dwelling units in owner-occupied buildings containing six units or less; provided, however, that the provisions of Section 5-12-160 shall apply to every rented dwelling unit in such buildings within the City of Chicago:
- b) Dwelling units in hotels, single-room occupancy buildings, motels, inns, bed-and breakfast establishments, roominghouses and boardinghouses, but only, until such time as the dwelling unit has been occupied by a tenant for 32 or more continuous days and tenant pays a monthly rent, exclusive of any period of wrongful occupancy contrary to agreement with an owner. Notwithstanding the above, the prohibition against interruption of tenant occupancy set forth in Section 5-12-160 shall apply to every rented dwelling unit in such buildings within the City of Chicago. No landlord shall bring an action to recover possession of such unit, or avoid renting monthly in order to avoid the application of this chapter. Any willful attempt to avoid application of this chapter by an owner may be punishable by criminal or civil actions;
- c) Housing accommodations in any hospital, convent, monastery, extended care facility, asylum or not-for-profit home for the aged, temporary overnight shelter, transitional shelter, or in a dormitory owned and operated by an elementary school, high school or institution of higher learning; student housing accommodations wherein a housing agreement or housing contract is entered into between the student and an institution of higher learning or student housing wherein the institution exercises control or supervision of the students; or student housing owned and operated by a tax exempt organization affiliated with an institution of higher learning;
- d) A dwelling unit that is occupied by a purchaser pursuant to a real estate purchase contract prior to the transfer of title to such property to such purchaser, or by a seller of property pursuant to a real estate purchase contract subsequent to the transfer of title from such seller;
- e) A dwelling unit occupied by an employee of a landlord whose right to occupancy is conditional upon employment in or about the premises; and
- f) A dwelling unit in a cooperative occupied by a holder of a proprietary lease.

SECTION 2. This amendatory ordinance of 2015 shall be applied and construed retroactively to the

original effective date of the Residential Landlord and Tenant Ordinance of the City of Chicago.

SECTION 3. This ordinance shall be in full force and effect from and after its passage and approval.

Alderman Brookins (21)

Alderman Burnett (27)

Alderman Cappicman (46)

Alderman Zalevski (23)

Alderman Moore (49)

Alderman Mitts (37)

CHICAGO September 24, 2015

**To the President and Members of the City Council:**

**Your Committee on Finance having had under consideration**

A proposed ordinance amending Section 5-12-020 of the Municipal Code of Chicago authorizing exclusions to the Residential Landlord and Tenant Ordinance.

02015-5394

**Having had the same under advisement, begs leave to report and recommend that your Honorable Body Re-Refer the proposed Ordinance Transmitted Herewith to the Committee on Housing.**

**This recommendation was concurred in by  
of members of the committee with**

**(a ^tjvjTvoce vote**

**dissenting vote(s).**

**(signed**

**Respectfully submitted**

**Chairman**