



# Office of the City Clerk

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## Legislation Details (With Text)

**File #:** R2017-821  
**Type:** Resolution  
**Status:** Adopted  
**File created:** 10/11/2017  
**In control:** City Council  
**Final action:** 11/8/2017  
**Title:** Call for Director of Illinois Department of Insurance to issue rules ensuring home insurance policyholders are not at risk of policy cancellation or renewal due to conditions pending city service request  
**Sponsors:** Burke, Edward M., Lopez, Raymond A.  
**Indexes:** ILLINOIS, STATE OF  
**Attachments:** 1. R2017-821.pdf

Date	Ver.	Action By	Action	Result
11/8/2017	1	City Council	Adopted	
11/8/2017	1	City Council		Pass
11/6/2017	1	Committee on Finance	Recommended to Pass	
10/11/2017	1	City Council	Referred	

### RESOLUTION

**WHEREAS, the City of Chicago is the third largest city in the United States, with 237 square miles of land and an estimated 2,695,598 residents; and**

**WHEREAS, according to Harvard's Joint Center for Housing Studies' annual report, "The State of the Nation's Housing 2017," American homeownership rate was 63.4% 2016; and**

**WHEREAS, Chicago's homeownership rate was 63.6% in 2016; and**

**WHEREAS, owning a home not only provides shelter but is also the most significant investment for most of Americans, essential to building wealth and moving into the middle class; and ,**

**WHEREAS, homeowners with mortgages must purchase insurance to satisfy the requirements under their contract; and**

**WHEREAS, even homeowners without mortgages find it financially advantageous to have insurance so that the property can be fixed or replaced in the event of a loss; and**

**WHEREAS, among many reasons insurance companies use to cancel homeowner policies, one is failure to maintaining a home in proper order; and**

**WHEREAS, having an overhanging tree that touches the home or the roof of the property is generally regarded as failure to maintain a home; and**

**WHEREAS, if the tree is on the homeowner's property, the resolution is as simple as having the tree trimmed, however, if the tree is on City-owned property, such as parkways and vacant lots, the homeowner may be in a precarious position of having to wait for the City to respond to his or her request for service; and**

**WHEREAS, homeowners awaiting City services should not be penalized by having their insurance canceled or not renewed for circumstances that are not in their control, and enforcing such policy provisions under these circumstances is unjust and unfair; and**

**WHEREAS, the homeowner's insurance industry in Illinois is statutorily regulated by the Illinois Insurance Code, 215 ILCS 5/1 et al., which creates of a Director of the Department of Insurance; and**

**WHEREAS, under the Illinois Insurance Code, the Director of the Department of Insurance may issue rules that specify prohibited policy provisions if he or she opines that it was unjust or unfair; and**

**WHEREAS, homeowners who have taken steps to have their homes maintained and are waiting for service from the City should not have their policies negatively affected; now therefore,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHICAGO: That the Members of this City Council urge the Director of the Illinois Department of Insurance issue rules to ensure that home insurance policy holders who are awaiting requested City services not risk having their policies canceled or not renewed due to conditions that the City is authorized to address.**

**BE IT FURTHER RESOLVED:**

**That a suitable copy of this resolution be presented to the Director of the Illinois Department of Insurance.**

**Edward M. Burke**  
**Alderman, 14<sup>th</sup> Ward**