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## Controversial Amendments to The Illinois Condominium Property Act are Under Attack at Both State and Local Levels

### SUMMARY

Changes to Section 19 of the Illinois Condominium Property Act that took effect on January 1, 2018 require that associations include every unit owner's email address and phone number on the unit owner contact list that is available to the association's owners. The amendment also relaxed the requirements for obtaining access to the unit owner contact list by eliminating the requirement that the requesting owner state a proper purpose in order to examine and copy the list. These changes resulted in an outcry from both unit owners and association boards. However, it appears that some local and state officials are listening.

On January 24, 2018, Senator Kwame Raoul introduced legislation in Springfield that would eliminate the requirement that unit owner contact lists include owners' email addresses and telephone numbers.

This comes just one week after two Chicago aldermen, Brian Hopkins (2nd Ward) and Brendan Reilly (42nd Ward), introduced an ordinance in the Chicago City Council that would create different record inspection rules for condominium associations located in Chicago. If passed, the proposed Chicago ordinance would not eliminate email addresses or phone numbers from the unit owner list, but would instead provide that "no unit owner, with the exception of those on the board of managers of the association, shall have the right to inspect, examine, or make copies" of the unit owner list. The proposed ordinance would also completely eliminate ballots and proxies from the records available for inspection and copying by unit owners. Associations that wish to be subject to the records examination provisions of Section 19 of the state condominium law would be allowed to "opt-out" of the proposed ordinance by a 2/3 vote of unit owners.

Unless and until corrective legislation is enacted in Springfield or by the Chicago City Council, associations remain obligated to maintain and provide access to unit owner lists containing both phone numbers and email addresses. Whether either of these efforts to undo some of the damage done by the January 1, 2018 changes to the Act will be successful remains to be seen.

Saul Ewing Arnstein & Lehr will continue to monitor this issue and keep you informed. Please contact us with any questions about the content of this Alert or other condominium

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