

ARTICLE XIV. RENTAL UNIT REGISTRATION*

***Editor's note:** Ord. No. 14-1-C-4030, § 2, adopted Jan. 6, 2014, supplied provisions to be added to this Code as Art. IX, §§ 22-500--22-518. In order to maintain the existing numbering style, at the discretion of the editor, this article has been included as Art. XIV, §§ 22-500--22-518.

Sec. 22-500. Definitions.

For the purposes of this Article, the following definitions shall apply:

1. *Common Exterior:* The open space and exterior of a building on the premises and on adjoining property under the control of the property Owner. The premises or property shall include the principal building, accessory structures, driveways, parking areas and all improvements to the property. Such common areas may serve, in whole or in part, one or more Multi-Unit Building.
2. *Common Interior:* Any portion or part thereof of a Multi-Unit Building having communal areas (laundry, furnace, storage rooms, hallways, stairways, meeting rooms, etc.) and all other areas, but not including a Dwelling. Interior common areas shall also include structural, mechanical and other elements or areas of a Multi-Unit Building for which the Owner is directly responsible for the proper maintenance thereof.
3. *Dwelling:* Any rooms or group of rooms located within a building and forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, cooking, bathing and eating.
4. *Multi-Unit Building:* A structure that is designed and built with two (2) or more Dwellings.
5. *Operator:* Any person who has charge, care, control or management of a rental unit or building, in which rental units are let, including but not limited to building managers, managing agents, brokers or superintendents.
6. *Owner:* Any person who alone, jointly or severally with others has legal title to any Multi-Unit Building, or Dwelling unit, with or without accompanying actual possession thereof; or is an executor, administrator, trustee or guardian of the estate of the Owner; is a mortgagee in possession, or is a senior officer or a trustee of the association of unit Owners of a homeowners' association. Owner shall also mean any homeowners' association or other legal entity having the charge, care or control of any common area which serves in whole or in part one or more Multi-Unit Buildings.
7. *Person:* Any individual, firm, association, partnership, corporation, trust or any other legal entity.
8. *Residential Rental Unit:* A Dwelling, whether in a Multi-Unit Building, single-family home, townhouse, co-op or any other structure that is occupied by individuals

other than the Owner, pursuant to Section 22-505 of the Skokie Village Code, or is vacant, that is being advertised to rent or is rented, through the exchange of money, goods, or services.

9. *Tenant*: Any occupant of a Residential Rental Unit.
10. *Neighborhood Standards Officer*: A Village Officer trained in the Crime Free Housing Program, including the Crime Prevention Through Environmental Design Program, as well as other types of property management and standards training, and working under the supervision of the Police Department and in cooperation with the Property Standards Division. In addition, the Neighborhood Standards Officer shall complete training regarding fair housing statutes and domestic violence education.

(Ord. No. 14-1-C-4030, § 2, 1-6-2014)

Sec. 22-501. Residential rental unit registration.

All Owners of a Residential Rental Unit must register each and all of their Residential Rental Units owned and operated in the Village. A Residential Rental Unit must be registered with the Village of Skokie in order to have Tenants.

- A. Residential Rental Unit Registration shall not be required for residential units in a Multi-Unit Building with more than four (4) Dwellings organized and owned pursuant to the Illinois Condominium Act 765 ILCS 605, et seq.

(Ord. No. 14-1-C-4030, § 2, 1-6-2014)

Sec. 22-502. Registration prior to rental.

Each and every Residential Rental Unit must be registered prior to it being offered for rent in any manner, including but not limited to listing with a leasing agent, print advertisement or signs posted on property.

(Ord. No. 14-1-C-4030, § 2, 1-6-2014)

Sec. 22-503. Method of registration and fee.

To obtain a Residential Rental Unit Registration the Owner must file the prescribed application with the Property Standards Division of the Community Development Department of the Village containing all of the required information to include but not be limited to property Owner, management name and contact information for both. Applications to register a Residential Rental Unit shall be obtained from the Property Standards Division of the Community Development Department. Any fee required for the Residential Rental Unit Registration shall be submitted with the application, as set forth in Section 46-135 of the Skokie Village Code and the date of a completed application submission with fee and confirmation of compliance with Section 22-508 of the Skokie Village Code, shall be the date of Residential Rental Unit Registration. Should the Owner decide not to rent or lease the Residential Rental Unit within ninety (90) days of Residential Rental Unit Registration, the Owner may apply for a refund of the registration fee.

(Ord. No. 14-1-C-4030, § 2, 1-6-2014)

Sec. 22-504. Change of information or ownership.

- A. Every Owner shall report to the Property Standards Division of the Community Development Department any change in information previously provided on the required Residential Rental Unit Registration application within twenty-one (21) days of such change. This information shall include, but not be limited to, the removal or change of any Owner or Operator pursuant to Section 22-500(7) of the Skokie Village Code, or a change in ownership interest of more than 50% of the building.
- B. If the ownership of a Residential Rental Unit or Multi-Unit Building changes during the registration year, the new Owner shall be required to register the Residential Rental Units anew under the new Owner's name and pay a pro rata registration fee. No refund of any registration fee shall be paid to the former Owner.

(Ord. No. 14-1-C-4030, § 2, 1-6-2014)

Sec. 22-505. Owner occupied exemption.

- A. Any Residential Rental Unit which is Owner occupied as the Owner's primary residence is exempted from the requirements of registration.
- B. All Owners must comply with and nothing in this Act shall be construed to negate or alter the provisions of the Skokie Fair Housing Act (Chapter 58, Article II, of the Skokie Village Code). However, no portion of this section shall curb the rights of an Owner as described in Section 58-37 of the Skokie Village Code.

(Ord. No. 14-1-C-4030, § 2, 1-6-2014)

Sec. 22-506. Fee waiver.

- A. Any Multi-Unit Building or Residential Rental Unit found to be substantially in compliance with all applicable ordinances, codes and regulations of the Village upon inspection, as described in Section 22-509 of the Skokie Village Code, for three (3) consecutive years shall have the Residential Rental Unit Registration Fee waived the following year and every year thereafter, unless and until noncompliance is found.
- B. Any Multi-Unit Building or Residential Rental Unit which was substantially in compliance with all applicable ordinances, codes and regulations of the Village for the most recent inspection, prior to the enactment of this Ordinance, by the Property Standards Division of the Community Development Department shall have the Residential Rental Unit Registration Fee waived the following year and every year thereafter, unless and until noncompliance is found.

(Ord. No. 14-1-C-4030, § 2, 1-6-2014)

Sec. 22-507. Owner seminar.

The Owner or Operator applying for registration shall have successfully completed the Village Residential Rental Property Landlord Seminar (hereinafter "Village Seminar") within three (3) months from the date of registration.

- A. An Owner or Operator of any Residential Rental Unit, who has successfully completed prior professional training commensurate with the Village Seminar, may apply to the Village Manager or designee for a waiver from the Seminar requirement. The Village Manager or designee, in his or her sole discretion, shall determine whether the applicant's prior professional training constitutes the substantial equivalent of the Village's Seminar.
- B. An Owner or Operator who successfully completes the Village Seminar shall not be required to attend another Village Seminar during subsequent renewal of registration. However, if an Operator who completed the Village Seminar is replaced, the Owner or the new Operator shall attend the Seminar.
- C. The Village Manager may require an Owner or Operator to re-attend and complete a Village Seminar if there are multiple code violations within an eighteen (18) month period.

(Ord. No. 14-1-C-4030, § 2, 1-6-2014)

Sec. 22-508. Compliance and certification.

- A. Every Residential Rental Unit shall be owned, operated and maintained in full compliance with all applicable ordinances, codes and regulations.
- B. An Owner that continues to meet the following standards shall be designated by the Village as a Certified Owner, may advertise as a Certified Landlord, and will receive annual proof of Certification from the Village:
 - a. All Residential Rental property has been inspected by the Property Standards Division and is in substantial compliance as of the most recent inspection.
 - b. Owner agrees to allow Property Standards Division, in addition to its regular inspections, to confirm that each Residential Rental Unit is equipped with working smoke and CO detectors, and GFI outlets where required.
 - c. Owner or Operator has successfully completed the Village Seminar.
 - d. Owner agrees to submit all Residential Rental property to a security audit performed by the Neighborhood Standards Officer and is in substantial compliance as of the most recent audit.
 - e. Owner or Operator has contact information posted in compliance with Sec. 22-512.

Any use of the "Certified" designation for any purpose shall make clear that it is the Owner/Landlord that is Certified, rather than any individual building or Dwelling.

- C. Improper use of this designation shall be subject to fine.

(Ord. No. 14-1-C-4030, § 2, 1-6-2014)

Sec. 22-509. Regular property inspection.

- A. The Village shall conduct regular property inspections of every building containing a Residential Rental Unit.

- B. Inspections shall be conducted by the Property Standards Division of the Community Development Department, in consultation with or with the participation of the Neighborhood Standards Officer working under the supervision of the Skokie Police Department.
- C. The Owner or Operator shall make available at the time of inspection all leases with the Crime Free Addendum for each Residential Rental Unit.
- D. The scope of any inspections conducted pursuant to this section shall be limited to the exterior areas, Common Interior and Common Exterior of the property and upon a request by an Owner, Operator or Tenant, may include the interior of a Dwelling.
- E. Where any common area is shared by more than one Residential Rental Unit, no Residential Rental Unit served in whole or in part by such common area shall be deemed to be in compliance for the purposes of registration until the common area is in full compliance with all applicable ordinances, codes and regulations.

(Ord. No. 14-1-C-4030, § 2, 1-6-2014)

Sec. 22-510. Registration terminates upon sale.

Notwithstanding any provision contained in this Article, Residential Rental Unit Registration shall terminate upon the sale of the Multi-Unit Building or Residential Rental Unit.

(Ord. No. 14-1-C-4030, § 2, 1-6-2014)

Sec. 22-511. Inspection upon sale.

- A. Transfer Stamps shall not be issued for a Multi-Unit Building or Residential Rental Unit until an inspection has been performed by the Property Standards Division of the Community Development Department, and any and all code violations that have been identified have been corrected as verified by a subsequent re-inspection.
- B. In the event the Owner disputes the determination of code violations, the Owner may request an administrative hearing. An Administrative Hearing Officer appointed by the Village shall conduct the review within five (5) business days from the date of request. Upon completion of the hearing, the Administrative Hearing Officer will issue a final determination.
- C. After being notified of code violations, an Owner shall complete the necessary repairs and notify the Property Standards Division of the Community Development Department which shall conduct a reinspection within three (3) business days and issue a determination.
- D. The initial Inspection Upon Sale report must be dated no more than one hundred eighty (180) days prior to the date of closing and dated no later than the day of the closing on the sale of the Multi-Unit Building or Residential Rental Unit. Inspection areas shall include exterior areas, Common Interior, Common Exterior and all Dwellings.
- E. Transfer Stamps may be issued for a Multi-Unit Building or Residential Rental Unit which has code violations, identified by the Inspection Upon Sale report, when such violations are not corrected, if a cash bond is posted with the Village for 110% of the cost of the required work or proof is submitted showing that a loan is in place exclusively for such

required work If a Multi-Unit Building or Residential Rental Unit which has code violations, identified by the Inspection Upon Sale report, is intended for demolition, Transfer Stamps may be issued once a cash bond is posted and the cash bond shall be returned once the demolition is completed.

- F. The request for an Inspection Upon Sale must be made in writing, not less than twenty-eight (28) days prior to the closing for the sale and may be made prior to offering the Multi-Unit Building or Residential Rental Unit for sale.
- G. The fee required for the Inspection Upon Sale shall be as set forth in Section 46-136 of the Skokie Village Code.

(Ord. No. 14-1-C-4030, § 2, 1-6-2014)

Sec. 22-512. Owner identification posting.

- A. Owner or Operator shall post a weather proof sign with his or her name and active phone number in the Multi-Unit Building's Common Exterior or Common Interior next to the front door and accessible to the public, no smaller than eight (8) inches by ten (10) inches.
- B. Multi-Unit Buildings that are Owner occupied and contain four (4) Residential Rental Units or less are exempt from this posting.

(Ord. No. 14-1-C-4030, § 2, 1-6-2014)

Sec. 22-513. Tenant application and tenant information.

- A. No Residential Rental Unit shall be rented without the Owner or Operator obtaining a written application.
- B. It is recommended that the written application request, but need not require, applicants' and all potential tenants' names (first, middle and last), addresses, birth dates, social security numbers (if any), driver's license numbers (if any), work and home telephone numbers with a list of the applicant's current and past residences during the previous three (3) years, including addresses and name of landlords.
- C. A certification as to the correctness of the information being provided signed by all of the adult prospective Tenants should be part of the written application.
- D. Reserved.

(Ord. No. 14-1-C-4030, § 2, 1-6-2014)

Sec. 22-514. Occupancy.

No Owner or Operator shall permit the maximum occupancy of any Residential Rental Unit to be exceeded. The maximum occupancy of any Residential Rental Unit shall be:

TABLE INSET:

Number of Bedrooms	Maximum Number of Persons in Household
Studio	2
1	2

Number of Bedrooms	Maximum Number of Persons in Household
2	4
3	6
4	8
5	10
6	12

Owner or Operator shall also comply with Section 22-183 of the Skokie Village Code and may request additional occupancy for bedrooms which exceed one hundred (100) square feet for one (1) additional occupant for every additional fifty (50) square feet of floor area. If there is any conflict between the two sections, the more restrictive section shall apply. The decision of the Property Standards Division of the Community Development Department shall be the sole determiner as to what constitutes a bedroom for purposes of occupancy and shall be binding.

(Ord. No. 14-1-C-4030, § 2, 1-6-2014)

Sec. 22-515. Tenant rights and responsibilities.

- A. No Tenant shall commit vandalism in or upon the building in which the Tenant's Residential Rental Unit is located, and no Tenant shall permit vandalism to occur or shall violate any of the provisions of this Article or any applicable ordinance, code or regulation of the Village in the Residential Rental Unit occupied by the Tenant.
- B. Every Owner or Operator shall maintain the premises in compliance with all local, state, and federal codes and shall promptly make any and all repairs necessary to fulfill the obligation.
- C. Every Tenant shall keep that part of the premises that he or she uses in a safe, clean and healthy manner.
- D. Every Owner or Operator shall disclose to the Tenant in writing at or before the commencement of the tenancy, the name, address and telephone number of a Person authorized to manage the premises.
- E. Every Owner or Operator shall notify all prospective Tenants in writing that "The Village of Skokie prohibits discrimination of real estate transactions based on race, color, religion, sex, creed, ancestry, national origin, disability, age, marital status, presence or age of children, sexual orientation or source of income (Chapter 58, Section 58-36 of the Skokie Village Code)." Such language may be included with other printed materials.
- F. Every Owner or Operator shall attach to any lease or written rental agreement or similar document a copy of Chapter 22, Article XIV, Rental Unit Registration and Chapter 58, Article II, Discrimination and Fair Housing, of the Skokie Village Code.

(Ord. No. 14-1-C-4030, § 2, 1-6-2014)

Sec. 22-516. Registration renewal.

A Residential Rental Unit Registration shall be renewed annually. Any Residential Rental Unit and Owner that is not substantially in compliance with this Article and any and all applicable codes, including health, safety and building codes shall be required to pay double the registration fee.

(Ord. No. 14-1-C-4030, § 2, 1-6-2014)

Sec. 22-517. Administration of this article.

The Village Manager or designee shall administer this Article and may promulgate rules and regulations to carry out its enforcement.

(Ord. No. 14-1-C-4030, § 2, 1-6-2014)

Sec. 22-518. Implementation.

- A. Inspections of Residential Rental Units by the Property Standards Division of the Community Development Department and the Neighborhood Standards Officer shall be prioritized based on Nuisance Intervention and Prevention Committee findings, code violations, location, timing of last inspection, complaints and other conditions that warrant an increased level of review and intervention.
- B. Each registration shall be an annual registration, the term of which shall commence on May 1 of a given year and shall terminate on the following April 30.

(Ord. No. 14-1-C-4030, § 2, 1-6-2014)