

OPPOSE HB 5519 (MAH) and SB 3103 (CASTRO)

The Chicagoland Apartment Association stands in opposition to HB 5519 and SB 3103, similar bills intended to protect tenants from being evicted based on their immigration status or being retaliated against by apartment owners who use their undocumented status against them. The legislation prohibits landlords from inquiring about a tenant's immigration status and threatening to disclose illegal immigration status to authorities.

Industry best practice dictates that apartment owners do not inquire about a resident or applicant's immigration status. Routine background checks required of tenant applicants prior to entering into a lease agreement do not include information about immigration status. Once a tenant applicant is approved and a lease is signed, so long as the resident does not breach the terms of the lease agreement, it's in the landlord's best interest to keep the resident in their unit and maintain tenancy and renewal.

CAA opposes the provision in both bills that creates a new legal cause of action with the threat of money damages for tenants, as well as statutory third-party standing for injunctive relief for non-profit advocacy groups, money damages and recovery of attorney's fees. While well intentioned, we believe this new private cause of action will result in unnecessary and costly litigation, and that adequate legal remedies already exist.



KEY FACTS ON IMMIGRANT TENANT PROTECTIONS

- **STATUS ISN'T ASKED NOW.** Apartment owners do not inquire about a resident or tenant applicant's immigration status as part of the leasing process.
- **UNNECESSARY LITIGATION.** The new legal cause of action for third parties or "organizational plaintiffs" will result in unnecessary and costly litigation.
- **STATUTE WOULD BE REDUNDANT.** Legal remedies already exist for cases of harassment and improper removal or eviction of residents in good standing.