

Condo Legislative Watch

Something for Everyone

by Sheldon Atovsky



Here's a brief summary of new laws in effect this year. Just a reminder that we are not legal beagles, so the language will be plainspoken.

Legislation from the State of Illinois

The *Illinois Condominium Property Act* (765 ILCS 605/1 et. seq. and referred to as "Condo Act") is the Illinois legislation that governs all things condo. It was originally passed by the General Assembly in 1963 with many subsequent updates. The *Common Interest Community Association Act* went into effect in 2010. Both documents supersede existing condominium association declarations and by-laws, but the two are still in need of reconciliation and therein lie potential problems. Full text of the two acts may be found through internet searches and at the websites of ACTHA and CAI-Illinois.

Public Act 099-0627 (Sen. Haine) ERRORS AND OMISSIONS CORRECTIONS UNDER CICAA

This act amends the *Common Interest Community Association Act* (the Act) so that if a provision of an association's governing documents does not conform to the act or to another applicable law because of an error, omission, or inconsistency in the document of the association, then the association may correct the error, omission, or inconsistency to conform to the community instruments to the act or to another applicable law by an amendment adopted by vote of two-thirds of the board of directors, without a membership vote. The effective date was January 1, 2017.

(Sen. Haine) EXECUTIVE SESSION/CLOSED PORTION OF MEETINGS.

This act details that boards may discuss, in private and without prior notice to association members, engagement of new employees, interviewing and dismissal of employees, independent contractors, agents or providers of goods and services, and meet with their legal counsel. While these discussions may be held in private, boards must still vote on these matters in an announced, open meeting. The effective date was January 1, 2017.

Public Act 099-0612 (Rep. Cassidy) AMENDMENT TO DEFINITION OF ACCEPTABLE TECHNOLOGY

This act amends the definition of "acceptable technological means" to include "any generally available technology that, by rule of the association, is deemed to provide reasonable reliability, identification and verifiability." This Public Act thus allows closed meetings of the board to be conducted by phone, email, face-to-face private gatherings, or board workshops. The effective date was January 1, 2017.

Chicago Gets Into The Act Recycling in Chicago Condo Buildings

The City of Chicago passed a new recycling act earlier this year. This act requires that materials to be recycled must be deposited separately from waste, as we already do at Park Tower. Recycling bins must be marked as such, have a description of what is accepted for recycling, be emptied on a regular basis, and be free from odor.

The act defines a required education program and includes very hefty fines for disobeying the ordinance. To avoid such fines, other cities with similar ordinances have hired trash inspectors to look for items wrongly added to regular trash.

Here at Park Tower, those fines will be passed on to the offending residents if they can be identified. **IT**

Condo Rules & Etiquette

Electronic Locks OK, but Check the Specs

by Nathaniel Cook

Electronic home locks offer a range of features that add convenience and control for homeowners. Products on the market today are far more advanced than earlier



electronic locks. For instance, smartphones are able to remotely control the lock from anywhere in the world; and homeowners can grant 'guest access' to friends, family, or even allow deliveries all from their phone while maintaining a log of who came and went.

In addition, installation has become a breeze and often requires nothing more than a screwdriver. Many brands fully integrate with your existing lock hardware, no modifications required. Here are brands to consider: Kwikset Kevo, August, Sesame, Friday, and Nuki.

Electronic locks are permitted in Park Tower. If you are interested, please keep in mind the parameters set forth by the Board for these kinds of devices.

Electronic locks should still have key access, with a key and/or combination provided to the office for emergency access. Levers are OK but not required. On the hall facing side, they may not be more than 6 inches tall and 4 inches wide, should not glow or be permanently backlit, and must have a silver-toned, brushed metal finish.

Finally, before purchasing an electronic lock, provide the management office with a color picture of the device selected, along with its specifications. Formal approval is required prior to installation.

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Nathaniel is a member of the Newsletter Committee. **IT**