

ARBORS OF BUFFALO GROVE  
CONDOMINIUM ASSOCIATION

**AMENDED & RESTATED  
CRIME FREE LEASING RESOLUTION**

WHEREAS, the Arbors of Buffalo Grove condominium Association (“Association”) is an Illinois not-for-profit corporation, organized and operating for the purpose of administering and maintaining the common elements at the property commonly known as the Arbors; and

WHEREAS, Association is administered by a duly elected Board of Directors in accordance with a certain Declaration of Condominium Ownership and By-Laws; and

WHEREAS, the Board of Directors is charged with the responsibility of maintaining the property and acting in the best interests of the members of the Association;

WHEREAS, the Board of Directors has previously deemed it to be in the best interests of the Association to adopt the rules implementing a Crime-Free Leasing Program;

WHEREAS, on April 25, 2019 the County of Cook amended Chapter 42 Human Relations, Section 42-38 of the Cook County Code (the “Just Housing Amendment”) to implement restrictions on the consideration of criminal history in the housing process, and

WHEREAS, the Board of Directors, for purposes of ensuring compliance with the Just Housing Amendment deems it necessary to revise and update its Crime Free Leasing Program.

NOW, THEREFORE, BE IT RESOLVED:

The rules and regulations of the Arbors of Buffalo Grove Condominium Association are amended to include the following provisions:

**LEASES, TENANTS AND NON-RESIDENT UNIT OWNERS**

It is the owner’s responsibility to comply with the following:

Provide the Association with a copy of the lease, executed lease rider, Crime Free Lease Addendum, signed Certification of Compliance with the Just Housing Amendment, and proof of homeowner’s insurance (a certificate of insurance or a binder will be acceptable) no less than ten days prior to occupancy. The lease must include names of all the residents. All tenants must be provided a copy of the Declaration, By-Laws, Rules and Regulations upon executing a lease for the unit. All leases must be in writing and for a period of not less than one year. All leases must be in conformance with, and make specific reference to, the legal documents of the Association. All Owners shall pay a **New Tenant Registration Fee** of \$50.00 to the Association for each new lease. This charge will include a copy of the Declaration, By-Laws, Rules and Regulations and new parking passes for the new tenant(s). (This fee does not include a criminal background check).

During the terms of the lease, no new roommate may move in without a new lease being generated, containing the name of all tenants residing in the unit, (A new roommate is someone staying longer than 30 days). A copy of the new lease, new lease rider and **Crime Free Lease Addendum** must be sent to the management office. A background criminal check must be done on the new person(s) prior to moving in. All moving rules must be followed during this time.

There are several important items that every investor-owner must consider before leasing his/her unit. The Arbors is a Crime Free Community and has implements this program:

- A. Owners must notify prospective tenants that the Arbors is a **Crime Free Community**.
- B. Owners must show prospective tenants the **Crime Free Lease Addendum**. This addendum must be initialed by prospective tenants to indicate that they have seen it prior to completing the application.
- C. Owners must get a completed application from prospective tenants.

ARBORS OF BUFFALO GROVE  
CONDOMINIUM ASSOCIATION

- D. Owners must do a criminal background check on prospective tenants over the age of eighteen (18) who pass the preemptive inquiry required by the Just Housing Amendment prior to their move into a unit. This must be done for everyone residing in the unit. Owners must submit proof to the management company that this was done prior to the tenant moving into the unit. The following name is a suggested provider of these services, however, it is not mandatory that you use either, so long as the information received is from a reputable search company and the information provided conforms to the specifications of the Association's Crime Free Leasing Program:

Tenant Background Search

[www.tenantbackgroundsearch.com](http://www.tenantbackgroundsearch.com)

SHOULD ANY OWNER FAIL TO COMPLY WITH SECTION I, A, B C OR D ABOVE, THEY WILL BE FINED \$100.00 PER MONTH **UNTIL DOCUMENTATION IS RECEIVED.**

- E. All leases must be in writing and for a period of not less than one year unless the Board consents in writing to the contrary. No unit owner may lease less than the entire unit. The unit may not be leased for transient or hotel purposes. All leases must be in conformance with, and make specific reference to, the legal documents of the Association. Owner must get the **Crime Free Lease Addendum** and the Lease signed by all tenants and must make it a part of their lease. The Owner is also required to submit a signed copy of the Addendum to the Arbors' property management company prior to leasing their premises, along with the Resident Information form stating their number and name of all tenants, including children, who will be residing at their unit. This information will also include the phone number of the unit, all work numbers, emergency contact information, make and model of vehicles used by the occupants.
- F. All leases must be current. The management office must be sent a copy of all updated leases and lease riders 10 days prior to the effective date of renewal. Failure to do so will result in a \$100.00 fine. Additionally, unless otherwise provided by law, any Unit Owner who fails to provide such information shall be deemed to have waived the right to receive notices at any address other than the address of the Unit, the Association shall not be liable for any loss, damage, injury or prejudice to the rights of any such Unit Owner caused by any delays in receiving notice resulting therefrom.
- G. Discrimination on the basis of age, race, color, religion, national origin, ancestry, sexual orientation, marital status, sex, or covered criminal history, as such is defined in the Just Housing ordinance, is not allowed.
- H. If a tenant violates the documents or rules and regulations, the Owner shall also be held responsible.
- I. Any violation of the Declarations, By-Laws or these Rules and Regulations may result in a flat or daily fine or in more serious situations, barring a tenant from moving in or initiating eviction proceedings. All fines, costs and legal fees will be charged to the unit owner.
- J. Sub-leasing is not allowed.
- K. Owners may not rent their units to any person or persons who: (a) have a current sex offender registration requirement pursuant to the Sex Offender Registration Act (or similar law in another jurisdiction); (b) a current child sex offender residency restriction; (c) have a criminal conviction, provided that the owner conducts an individualized assessment, and the individualized assessment shows that denial based on the criminal conviction is necessary to protect against a demonstrable risk to personal safety and/or property of others affected by the transaction.

A VIOLATION OF SECTIONS F, G, H, I, J OR K AS SET FORTH ABOVE MAY RESULT IN A MINIMUM \$100.00 FINE FOR THE FIRST VIOLATION, \$250.00 FOR THE SECOND VIOLATION, AND \$500.00 FOR THE THIRD AND EACH SUBSEQUENT VIOLATION.

Anytime a crime is committed on this property, which involves a resident, tenant, guest, or invitee of a tenant, resident or guest the following fines will be assessed to the owner of the respective unit involved.

Activities on this property such as, but not limited to, disturbing the peace, fighting, vandalism, property damage, offensive behavior, harassment, intimidation, public drunkenness (adult), party out-of-control if supported after notice and opportunity to be heard on the matter.

**ARBORS OF BUFFALO GROVE  
CONDOMINIUM ASSOCIATION**

1 <sup>st</sup> Offense	\$50.00
2 <sup>nd</sup> Offense	\$250.00
Thereafter	\$500.00

Activities on this property such as, but not limited to, domestic violence, child abuse, assault, burglary, theft, public drunkenness (minors), possession of illegal drugs, minors in possession of alcohol, DUI, possession of stolen property if supported, after notice and opportunity to be heard on the matter:

1 <sup>st</sup> Offense	\$250.00
Thereafter	\$500.00

Activities on this property such as, but not limited to, manufacturing or distributing illegal drugs, any crime related to gang activity; illegal possession of firearm or weapon; discharge of firearm, aggravated assault, arson, kidnapping, murder if supported, after notice and opportunity to be heard on the matter.

1 <sup>st</sup> Offense and thereafter	\$1,000.00 per incident
-------------------------------------------	-------------------------

This updated policy becomes effective \_\_\_\_\_, 2020. Tenants are not subject to another criminal background check at the time of lease renewal, only at the time the initial lease is affected. Owners remain responsible for providing the Association with a current Resident Information Form. The names on the Resident Information Form should be the same as those on the lease. Owners are responsible for compliance with the Just Housing Amendment and providing their tenants with all required disclosure in addition to information regarding this program and letting them know that crime will not be tolerated at Arbors of Buffalo Grove.

Fines for actions of individuals may be mitigated on a case by case basis (depending on the severity of the crime or damage and positive action taken regarding correction), with any decision made to be in the discretion of the Board and its decision shall be final and binding.

All expenses of the Association in connection with any violation under these rules shall be assessed to the account of the Unit Owner responsible.

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

**Board of Directors  
The Arbors of Buffalo Grove Condominium Association**

By: \_\_\_\_\_  
Its President, Adrian Zawadzki

ATTEST:

By: \_\_\_\_\_  
Community Manager, Jordan Schaefer













- (B) A current child sex offender residency restriction.

**Section 750.120 Prohibited Factors**

Any person conducting an individualized assessment, as defined in Section 720.130 of these rules, is prohibited from basing any adverse housing decision, in whole or in part, upon a conviction that occurred more than (3) years from the date of the housing application.

**SUBPART 760 NOTICE OF FINAL DECISION**

**Section 760.100 Decision Deadline**

A housing provider must either approve or deny an individual's housing application within three (3) business days of receipt of information from the applicant disputing or rebutting the information contained in the criminal background check.

**Section 760.110 Written Notice of Denial**

- (A) Any denial of admission or continued occupancy based on a conviction must be in writing and must provide the applicant an explanation of why denial based on criminal conviction is necessary to protect against a demonstrable risk of harm to personal safety and/or property.
- (B) The written denial must also contain a statement informing the housing applicant of their right to file a complaint with the Commission.

**Section 760.120 Confidentiality**

The housing provider must limit the use and distribution of information obtained in performing the applicant's criminal background check. The housing provider must keep any information gathered confidential and in keeping with the requirements of the Ordinance.

**SUBPART 770 EVALUATION**

**Section 770.100 Evaluation and Report**

The Commission on Human Rights shall conduct an evaluation of the rules implementing the Just Housing Amendment to the Cook County Human Rights Ordinance to determine whether the rules should be amended to better effectuate the Amendment's purpose. The evaluation shall include an analysis of whether applicants who receive a positive individualized assessment from housing providers are ultimately admitted into the unit that they applied for. This analysis will inform the Commission on Human Rights on whether it needs to modify the rules to re-instate a requirement that housing providers hold the unit open during the individualized assessment process. In addition, the evaluation should include data about complaints brought under the Just Housing Amendment. The evaluation shall be completed and made publicly available by March 31, 2021.