

FAX TRANSMITTAL

ARNSTEIN & LEHR
120 SOUTH RIVERSIDE PLAZA - SUITE 1200
CHICAGO, ILLINOIS 60606-3913
(312) 876-7199

FAX (312) 876-0288

TO: Mel Metts
FROM: Robert D. Butters
DATE: 12/17/02
RE: City of Waukegan Rental Licensing Program

Number of Pages ____
(including this one)

FAX #: 847-837-0687

Mel:

Attached is the correspondence and regulations, cover letter, and Rental License Property Information all of which arrived by regular mail today.

Obviously, we need to discuss this at everyone's earliest convenience.

IF THERE IS A PROBLEM WITH THIS TRANSMISSION, PLEASE CALL (312) 876-7110

This facsimile contains privileged and confidential information intended only for the use of the addressee(s) named above. If you are not the intended recipient of this facsimile, or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any dissemination or copying of this facsimile is strictly prohibited. If you have received this facsimile in error, please immediately notify us by telephone and return the original facsimile to us at the above address via the U.S. Postal Service. Thank you.

Anne Conzelman Linn

915 North Sheridan Road
Post Office Box 232
Waukegan, Illinois 60079-0232
Phone: (847) 662-1316 — Fax: (847) 623-7960

December 12, 2002

Robert D. Butters, Esq.
Arnstein & Lehr
120 South Riverside Plaza, Suite 1200
Chicago, IL 60606-3910

RE: City of Waukegan rental licensing program

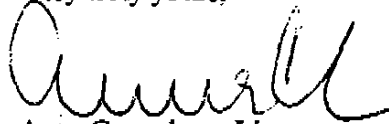
Dear Mr. Butters:

I enclose a copy of the rules and regulations of the City of Waukegan concerning the residential rental licensing program, as we discussed. I also enclose, for your information, form notification of inspection, and the rental license property information sheet, which is the check-off sheet based on applicable codes that will be used in each inspection.

I believe this all the information that I told you we would forward to you as soon as it became available.

If you have any questions please feel free to give me a call at the above number, or e-mail me at alinn@interaccess.com.

Very truly yours,



Anne Conzelman Linn

cc: Charles Perkey, Building Commissioner
Robert Masini, Esq.

RULES AND REGULATIONS CONCERNING ISSUANCE OF RENTAL PROPERTY LICENSES

These rules and regulations are promulgated by the Code Official/Building Commissioner and the License Official of the City of Waukegan in accordance with Section 14.2(a)(7) of the Code of Ordinances of the City of Waukegan, and may be amended from time to time as necessary.

It is the policy of the City of Waukegan that its staff will work cooperatively with landlords, tenants, and other interested individuals and groups to help ensure safe, decent and sanitary rental properties pursuant to the requirements as set forth in the ordinances of the City of Waukegan.

1. Owners of residential rental properties will make application for a residential rental license as provided in Chapter 14 of the Code of Ordinances of the City of Waukegan. Application for such license shall be upon forms provided by the City for such purpose.
2. Included in the information to be provided under Section 14-2 of the City Code, shall be a street address of the business or individual making application for the residential rental license. A post office box shall not be sufficient as a business address.
3. Following the application as above, an inspection of the rental property shall be scheduled by the Code Official. The Code Official shall notify the owner of the date for the inspection of the property. Upon receipt of this notification, the property owner shall notify the tenant of each unit to be inspected of the date and time of the inspection by placing a form stating this information under or on the door of the unit at least seventy-two (72) hours prior to the time for the inspection. The owner shall request permission of the tenant to provide access to the rental unit in the event the tenant or occupant is not at home when the inspector arrives. In the event that the tenant is not at home, but does grant permission for the inspection, the owner or owner's representative shall accompany the City inspector at the time of the inspection.
4. If the tenant/occupant of a residential rental unit fails or refuses to consent to free access and entry to the property or a dwelling unit for any inspection scheduled under the provisions of these rules and regulations and the Code of Ordinances of the City of Waukegan, the Code Official or his designee may apply to the Circuit Court for an administrative warrant to conduct the inspection. No inspection shall be conducted without an administrative warrant in the event that the tenant/occupant of the unit fails or refuses to consent to the inspection.
5. Upon a failure or refusal of the tenant/occupant to consent to an inspection of the rental unit, the inspector shall return to the office and inform his or her supervisor that he or she could not conduct the inspection due to such failure or refusal. The supervisor shall consult with the Code Official and Department Attorney to proceed for an administrative warrant. Following this, if a warrant is obtained, the owner or owner's representative shall accompany the City inspector at the time of the inspection, in addition to the occupant if the occupant desires to be present during the inspection.
6. **SECTION 14-4 (d) (iv) When a licensing inspection of a rental residential property reveals any violations of applicable codes, a compliance period will be set by the code official, based on the minimum reasonable amount of time necessary to correct all violations given their number and severity. This compliance period shall in no event exceed thirty (30) days. We will interpret this section to apply only to occupied units and common areas. Exterior items such as painting, hard surfacing or cement work on chimneys or foundations may be postponed until weather conditions will allow their repair. Except as noted above, no initial compliance period shall exceed thirty (30) days and a re-inspection shall be completed within this compliance period. The inspector will make a determination as to whether or not the owner is making a good faith attempt to comply and whether or not to grant an additional compliance extension. Except for weather related violations as noted above, no extension beyond a total of sixty (60) days will be granted without written permission from the code enforcement supervisor.**

7. **SECTION 14-4 (d) (vi) Individual units in a licensed premises that become vacant during the course of a license year may not be reoccupied until they are re-inspected and approved for occupancy. Such re-inspection shall be conducted by the City at no charge.** Units that are initially vacant on an initial inspection do not have to be inspected during the initial inspection. This inspection will be at the owners/managers discretion during the initial inspection, but the unit may not be occupied until an occupancy inspection is completed and the unit is approved by the inspector for occupancy. If a unit is vacant during the initial inspection and the owner/manager requests that the unit be inspected, the inspector will comply. However, if the unit is vacant for a period greater than 180 days after the initial inspection the City will require another occupancy inspection before the unit may be occupied. This inspection will be performed at no charge.

8. Prior to the issuance of a residential rental license the license applicant shall attend the one-day Landlord Training Class offered by the Waukegan Police Department. A copy of the certificate of completion following attendance at this class shall be presented to the License Official as part of the license application process, under Sections 14.2 and 14.4 of the Code of Ordinances of the City of Waukegan.

December 10, 2002

RE: _____
Waukegan, IL 60085

Dear rental property owner,
An inspection date and time of _____ has been set for the above
referenced property.

Per the City of Waukegan Rules & Regulations, the property owner shall notify the tenant of each unit to be inspected of the date and time of the inspection by placing a form stating this information under or on the door of the unit at least seventy-two (72) hours prior to the time for the inspection. The owner shall request permission of the tenant to provide access to the rental unit in the event the tenant or occupant is not at home when the inspector arrives. In the event that the tenant is not at home, but does grant permission for the inspection, the owner or owner's representative shall accompany the City inspector at the time of the inspection.

You and/or a property manager **MUST** be present at the time of inspection and be prepared to allow access to every rental unit on your property (if your property is a multi unit building, inspections could run consecutively until they are finished starting from the above date and running from 8:30-4:30 everyday after until completion).

If you have any questions regarding this inspection, please contact the Code Enforcement Office at (847) 625-6860.

Sincerely,

_____, # _____, (847) _____.

Code Enforcement Inspector
City of Waukegan
rentinsp1.doc

RENTAL LICENSE PROPERTY INFORMATION SHEET

(TO BE COMPLETED ON INITIAL INSPECTION AND SUBMITTED TO CLERICAL STAFF FOR UPDATES)

ADDRESS: _____ NUMBER OF UNITS: _____

OWNER NAME: _____

OWNER ADDRESS: _____

APARTMENT #: _____

COMMENTS: _____

<input type="checkbox"/> YES	<input type="checkbox"/> NO	(CA1) Has landlord granted permission?
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COMMON AREAS / HALLWAYS & STAIRS

<input type="checkbox"/>	(CA2) Smoke detectors not maintained. (Note 1 & 2 family may have battery operated in residence built prior to 1987).
<input type="checkbox"/>	(CA3) Exit signs not properly maintained (Life Safety Code 31-2.10).
<input type="checkbox"/>	(CA4) Illumination not provided in all corridors/stairwells. Life Safety Code 31-2.8.
<input type="checkbox"/>	(CA5) Apartment numbers not provided on all unit entry doors. Fire prevention Bureau Requirements.
<input type="checkbox"/>	(CA6) Emergency lights not maintained in operating condition. LSC 31.2.9.
<input type="checkbox"/>	(CA7) Business license not visible
<input type="checkbox"/>	(CA8) Ceilings not in good repair
<input type="checkbox"/>	(CA9) Walls not in good repair
<input type="checkbox"/>	(CA10) Floors not in good repair
<input type="checkbox"/>	(CA11) Stairways not in good repair
<input type="checkbox"/>	(CA12) Handrails not in good repair - missing
<input type="checkbox"/>	(CA13) Landings not in good repair
<input type="checkbox"/>	(CA14) These areas are not kept clean
—	(CA15) Insects/rats present?

INDICATE THE FLOOR # THAT THE VIOLATION EXISTS ON (EX. 1ST FLOOR) IN THE SPACE TO THE RIGHT OF THE VIOLATION

BASEMENT

<input type="checkbox"/>	(B1) NFPA54 – Gas shut off valve.
<input type="checkbox"/>	(B2) P.M. 603.4 – Flues in attic. 2" x 2" vent secured?
<input type="checkbox"/>	(B3) Storage around furnace/Water Heater minimum 3"?"
<input type="checkbox"/>	(B4) Emergency Discharge Pipe of proper length?
<input type="checkbox"/>	(B5) Hanging Wiring?
<input type="checkbox"/>	(B6) Clearance of 3' in front of electrical panel and meters. Use of 30 amp fuses (20 amp max).
<input type="checkbox"/>	(B7) G.F.I. outlets?
<input type="checkbox"/>	(B8) Is basement kept clean?
<input type="checkbox"/>	(B9) Stairs & handrails?
<input type="checkbox"/>	(B10) Slab condition?
<input type="checkbox"/>	(B11) Foundation Condition?
<input type="checkbox"/>	(B12) Evidence of dampness?
<input type="checkbox"/>	(B13) Floor to ceiling height 7 FT?
<input type="checkbox"/>	(B14) Rooms in basement?
<input type="checkbox"/>	(B15) Used for sleeping?

DENSITY

<input type="checkbox"/>	(D1) Apparent Density Violation?
<input type="checkbox"/>	(D2) Follow up required?

ATTIC SPACE

<input type="checkbox"/>	(A1) Used for sleeping?
<input type="checkbox"/>	(A2) Follow up required?

ZONING

<input type="checkbox"/>	(Z1) House not in compliance with zoning regulations?
<input type="checkbox"/>	(Z2) Follow up required?
<input type="checkbox"/>	(Z3) Driveway needs to be hardsurfaced?
<input type="checkbox"/>	(Z4) Dumpster not screened?

EXTERIOR CHECKLIST

DATE: _____

INSPECTOR # _____

ADDRESS: _____

<u>CHIMNEYS</u>	<u>PORCH/PATIOS/ENCLOSURES/COVERS</u>
<input type="checkbox"/> (EX1) Chimney kept in sound condition.	<input type="checkbox"/> (EX28) Patio or porch is deteriorating.
<input type="checkbox"/> (EX2) Missing portions of brick.	<input type="checkbox"/> (EX29) Peeling, faded, flaking paint.
<u>ROOFS</u>	<input type="checkbox"/> (EX30) Roof or covering is deteriorating.
<input type="checkbox"/> (EX3) Roof damaged/in disrepair.	<u>FOUNDATION WALLS</u>
<u>DOWNSPOUTING/GUTTERING</u>	<input type="checkbox"/> (EX31) Repair foundation
<input type="checkbox"/> (EX4) Missing gutters & downspouts.	<u>WALKS/STEPS</u>
<input type="checkbox"/> (EX5) Gutters/downspouts need repair.	<input type="checkbox"/> (EX32) Faded or flaking paint.
<input type="checkbox"/> (EX6) Gutters/downspouts need paint.	<input type="checkbox"/> (EX33) Holes, cracks, & breaks.
<u>OVERHANG EXTENSIONS</u>	<u>HANDRAILS/GUARDS</u>
<input type="checkbox"/> (EX7) All canopies, awnings in a sound	<input type="checkbox"/> (EX34) Provide handrails/guardrails.
<input type="checkbox"/> (EX8) Wood or metal needs paint.	<input type="checkbox"/> (EX35) Poor condition/not firmly fastened.
<u>WALL/SIDING/TRIM</u>	<u>SHEDS/CARPORTS</u>
<input type="checkbox"/> (EX9) Walls need repair.	<input type="checkbox"/> (EX36) Fading/flaking paint.
<input type="checkbox"/> (EX10) Broken trim/corner boards.	<input type="checkbox"/> (EX37) Deteriorating door/windows.
<input type="checkbox"/> (EX11) Deteriorated/damaged shutters.	<input type="checkbox"/> (EX38) Deteriorating roof/siding.
<input type="checkbox"/> (EX12) Deteriorated/rotten siding.	<u>GARAGES</u>
<input type="checkbox"/> (EX13) Deteriorated fascia/soffit boards.	<input type="checkbox"/> (EX39) Fading/flaking paint.
<input type="checkbox"/> (EX14) Painted surfaces cracked or peeling.	<input type="checkbox"/> (EX40) Deteriorating door/windows.
<u>HOUSE NUMBERS</u>	<input type="checkbox"/> (EX41) Deteriorating roof/siding.
<input type="checkbox"/> (EX15) Install street address numbers.	<u>DRIVEWAYS</u>
<input type="checkbox"/> (EX16) Repair street address numbers.	<input type="checkbox"/> (EX42) Driveway in disrepair.
<input type="checkbox"/> (EX17) Numbers not visible from the street.	<u>FENCE/RETAINING WALLS</u>
<u>WINDOWS/SCREEN</u>	<input type="checkbox"/> (EX43) Fading, flaking paint.
<input type="checkbox"/> (EX18) Repair screens.	<input type="checkbox"/> (EX44) Not properly anchored to ground.
<input type="checkbox"/> (EX19) Repair window frames.	<input type="checkbox"/> (EX45) Leaning or inadequate supports.
<input type="checkbox"/> (EX20) Provide screens.	<u>YARD AREAS</u>
<input type="checkbox"/> (EX21) Broken/cracked glass.	<input type="checkbox"/> (EX46) Accumulation of rubbish and garbage.
<input type="checkbox"/> (EX22) Deteriorated frame/sash.	<input type="checkbox"/> (EX47) Overgrown weeds or grass.
<input type="checkbox"/> (EX23) Frames need paint.	<input type="checkbox"/> (EX48) Exterior Storage
<input type="checkbox"/> (EX24) Missing glass.	<input type="checkbox"/> (EX49) Other:
<u>DOORS/DOORFRAMES</u>	
<input type="checkbox"/> (EX25) Doors and doorframes maintained.	<input type="checkbox"/> (EX26) Broken/missing glass.
	<input type="checkbox"/> (EX27) Damaged hinges/latches.

INTERIOR CHECKLIST

DATE: _____ INSPECTOR # _____

ADDRESS: _____

APT: _____

<input type="checkbox"/> YES	<input type="checkbox"/> NO	(I1) Has landlord notified tenant?
<input type="checkbox"/> YES	<input type="checkbox"/> NO	(I2) Has tenant refused access?

BATHROOM

<input type="checkbox"/> (I3) Toilet in working order?
<input type="checkbox"/> (I4) Bathtub/shower good repair?
<input type="checkbox"/> (I5) Water pressure adequate?
<input type="checkbox"/> (I6) Drains functioning?
<input type="checkbox"/> (I7) 1 Elec. Light fixtures in good repair?
<input type="checkbox"/> (I8) 1 Outlet/Receptacle in good repair? G.F.I.'s?
<input type="checkbox"/> (I9) Ventilation Adequate?
<input type="checkbox"/> (I10) Windows in good repair?
<input type="checkbox"/> (I11) Screens/storm windows in good repair?
<input type="checkbox"/> (I12) Doors in good repair?
<input type="checkbox"/> (I13) Walls in good repair?
<input type="checkbox"/> (I14) Ceiling in good repair?
<input type="checkbox"/> (I15) Floor in good repair?

KITCHEN

<input type="checkbox"/> (I16) Sink in good repair?
<input type="checkbox"/> (I17) Drains functioning?
<input type="checkbox"/> (I18) Water pressure adequate?
<input type="checkbox"/> (I19) 1 Elec. Light fixtures in good repair?
<input type="checkbox"/> (I20) 1 Wall outlet/counter receptacles in good repair?
<input type="checkbox"/> (I21) Ventilation adequate?
<input type="checkbox"/> (I22) Windows in good repair?
<input type="checkbox"/> (I23) Screens/storm windows in good repair?
<input type="checkbox"/> (I24) Doors in good repair?
<input type="checkbox"/> (I25) Walls in good repair?
<input type="checkbox"/> (I26) Ceiling in good repair?
<input type="checkbox"/> (I27) Floor in good repair?

<input type="checkbox"/>	(I28) Insects/Rats present?
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LIVINGROOM AND/OR DINING ROOM

<input type="checkbox"/> (I29) Light fixtures enclosed?
<input type="checkbox"/> (I30) 2 Elec. Outlets in good repair?
<input type="checkbox"/> (I31) Or 1/1 Switch/Outlet in good repair?
<input type="checkbox"/> (I32) Windows in good repair?
<input type="checkbox"/> (I33) Screens/storms in good repair?
<input type="checkbox"/> (I34) Doors in good repair?
<input type="checkbox"/> (I35) Walls in good repair?
<input type="checkbox"/> (I36) Ceiling in good repair?
<input type="checkbox"/> (I37) Floor in good repair?

SLEEPING ROOM (NORTH)

<input type="checkbox"/> (I100) Light fixtures enclosed?
<input type="checkbox"/> (I101) 2 Elec. Wall outlets in good repair?
<input type="checkbox"/> (I102) Or 1/1 Switch/outlet in good repair?
<input type="checkbox"/> (I103) Windows in good repair?
<input type="checkbox"/> (I104) Doors in good repair?
<input type="checkbox"/> (I105) Walls in good repair?
<input type="checkbox"/> (I106) Ceiling in good repair?
<input type="checkbox"/> (I107) Floor in good repair?
<input type="checkbox"/> (I108) Use of extension cords?

SEE ATTACHED SHEET FOR BEDROOMS 2- 4

<u>SLEEPING ROOM (SOUTH)</u>	<u>SLEEPING ROOM (EAST)</u>
<input type="checkbox"/> (I200) Light fixtures enclosed?	<input type="checkbox"/> (I300) Light fixtures enclosed?
<input type="checkbox"/> (I201) 2 Elec. Wall outlets in good repair?	<input type="checkbox"/> (I301) 2 Elec. Wall outlets in good repair?
<input type="checkbox"/> (I202) Or 1/1 Switch/outlet in good repair?	<input type="checkbox"/> (I302) Or 1/1 Switch/outlet in good repair?
<input type="checkbox"/> (I203) Windows in good repair?	<input type="checkbox"/> (I303) Windows in good repair?
<input type="checkbox"/> (I204) Doors in good repair?	<input type="checkbox"/> (I304) Doors in good repair?
<input type="checkbox"/> (I205) Walls in good repair?	<input type="checkbox"/> (I305) Walls in good repair?
<input type="checkbox"/> (I206) Ceiling in good repair?	<input type="checkbox"/> (I306) Ceiling in good repair?
<input type="checkbox"/> (I207) Floor in good repair?	<input type="checkbox"/> (I307) Floor in good repair?
<input type="checkbox"/> (I208) Use of extension cords?	<input type="checkbox"/> (I308) Use of extension cords?
<u>SLEEPING ROOM (WEST)</u>	<u>COMMENTS:</u>
<input type="checkbox"/> (I400) Light fixtures enclosed?	<input type="checkbox"/> (I500) Other:
<input type="checkbox"/> (I401) 2 Elec. Wall outlets in good repair?	<input type="checkbox"/> (I501) Other:
<input type="checkbox"/> (I402) Or 1/1 Switch/outlet in good repair?	<input type="checkbox"/> (I502) Vacant unit follow up required.
<input type="checkbox"/> (I403) Windows in good repair?	
<input type="checkbox"/> (I404) Doors in good repair?	
<input type="checkbox"/> (I405) Walls in good repair?	
<input type="checkbox"/> (I406) Ceiling in good repair?	
<input type="checkbox"/> (I407) Floor in good repair?	
<input type="checkbox"/> (I408) Use of extension cords?	