Illinois Collection Policy Worksheet

Seven required elements under Public Act 104-0734

Public Act 104-0734 takes effect January 1, 2027. It requires a written policy governing the collection of unpaid assessments that must, at a minimum, specify the seven items below. In that Public Act, the list is added to Section 1-45 of the Common Interest Community Association Act (765 ILCS 160/1-45(j)(1)) and to Section 18.4 of the Condominium Property Act (765 ILCS 605/18.4(t)(1)). The wording is the same in both.

ASSOCIATION NAME

_____

Association type

- ☐ Condominium (Condo Property Act)
- ☐ Common interest community (CICAA)

BOARD ADOPTION DATE

mm/dd/yyyy

Use this page to gather what the policy must specify. Where the Act says "the entity," that includes a holder or assignee of the association's debt. Fill the lines from your declaration, bylaws, and adopted rules. Do not invent fees, timelines, or remedies those documents and Illinois law do not allow. This worksheet is not the policy itself. Local review is required before the board adopts a policy.

DOES THIS LAW APPLY TO US?

This worksheet does not decide whether Public Act 104-0734 covers your association. Use the points below to find the statute, then confirm against that text and your governing documents.

- If your association is a **condominium**, look at the Condominium Property Act, as amended by Public Act 104-0734. The small-association exemption in 765 ILCS 160/1-75(a) is a CICAA rule; it does not apply to condominiums.
- If your association is a **common interest community** — and not a condominium, cooperative, or master association — look at the Common Interest Community Association Act (CICAA), as amended by Public Act 104-0734. See the definition in 765 ILCS 160/1-5.
- If that association is organized under the General Not for Profit Corporation Act of 1986 and has 10 units or less, or annual budgeted assessments of $100,000 or less, it **may be exempt** from CICAA unless it has elected to be covered by a majority of its directors or members. See 765 ILCS 160/1-75(a).

Do not treat a checkbox or this short description as a decision.

A Payment due date and when an assessment is delinquent

The policy must specify "the date on which common expenses must be paid to the entity and when an assessment is considered delinquent."

Common expenses must be paid on _____

An assessment is considered delinquent _____

B Late fees and interest

The policy must specify "any late fees and interest the entity is entitled to impose on a delinquent unit owner's account." If the association is not entitled to impose a late fee or interest, write that.

Late fees and interest the association is entitled to impose _____

C Returned-check charges

The policy must specify "any returned-check charges the entity is entitled to impose." If none, write that.

Returned-check charges the association is entitled to impose _____

D Payment plans, if any

The policy must specify "the circumstances, if any, under which a unit owner is entitled to enter into a payment plan with the entity and the minimum terms of the payment plan."

Circumstances, if any _____

Minimum terms of the plan _____

E When an account is referred for legal action

The policy must specify "the amount or duration of time before the entity refers a delinquent account to an attorney for legal action."

Amount or duration of time before referral to an attorney _____

F How payments are applied

The policy must specify "the method by which payments may be applied on the delinquent account of a unit owner."

Method of applying payments on a delinquent account _____

G Legal remedies available to collect

The policy must specify "the legal remedies available to the entity to collect on a unit owner's delinquent account pursuant to the governing documents of the entity and Illinois law." List only remedies those sources actually provide.

Remedies under the governing documents and Illinois law

I am not a lawyer. This is a worksheet to help a board gather the seven items Public Act 104-0734 says a written collection policy must, at a minimum, specify. It is not a collection policy, not legal advice, and not a substitute for the association's declaration, bylaws, or local review. It does not promise that a completed policy will be enforceable. Beginning January 1, 2027, the association (or a holder or assignee of its debt) may not take legal action to collect common expenses unless it has adopted, and follows, such a written policy.

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