IL HOA & Condo Quick Reference

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A board member's plain-English cheat sheet for the two statutes that run Illinois communities. Condos: Condominium Property Act (765 ILCS 605). HOAs and townhomes: Common Interest Community Association Act (765 ILCS 160). The numbers are not the same — read the column that matches your community.

Meetings and notice

CPA §18

Condo board meets at least 4 times a year. Open to any owner except a listed closed-session list. Owners may record. Notice to board members, and posting in entranceways / elevators / a conspicuous place, at least 48 hours. Special board meeting: president or 25 percent of the board. Board terms no more than 2 years.

CICAA §1-40

HOA member meeting notice: 10 to 30 days, with time, place, and purpose. Quorum defaults to 20 percent. Annual meeting required. Board meetings: 48 hours by prescribed delivery or posting. Budget / assessment board meetings also need 10 to 60 days prescribed-delivery notice. Members may comment.

CICAA §1-25

HOA board election at least once every 24 months. Terms no more than 4 years (condo terms are 2). Vacancy: two-thirds of the remaining board, or members holding 20 percent of the votes petition for a meeting within 30 days.

NP §108.21

Incorporated HOA or residential co-op: board meetings open, 48-hour mail-or-delivery plus posting, and members may record. CICAA itself does not grant a recording right — this section does, for corporations.

Budget, assessments, the 115 percent cap

CPA §18

Condo proposed annual budget to every owner at least 25 days before the board adopts it. If the year's regular plus special assessments would exceed 115 percent of last year, owners with 20 percent of the votes may petition within 21 days; meeting within 30 days. The budget stands unless a majority of all votes reject it.

CICAA §1-45

HOA proposed annual budget 30 to 60 days before adoption. Same 115 percent cap, but the petition window is 14 days (not 21). Meeting within 30 days. Emergency or legally mandated separate assessments are not subject to that veto.

CPA §9

Condo common expenses follow the declaration's percentage of ownership. Budgets must fund reasonable reserves unless two-thirds of all votes waive them. Unpaid assessments, fines, interest, late charges, and collection attorney fees are a lien that can be foreclosed like a mortgage. A foreclosure purchaser other than the mortgagee owes up to six months of the prior owner's unpaid assessments.

CPA §12

Condo master policy: replacement-cost property, $1,000,000 general liability, fidelity bond (6 or more units) in the full amount of funds and reserves, and directors-and-officers coverage. Association policy is primary.

Records, and which Act you are under

CPA §19

Condo records at the principal office: instruments, rules, 7 years of minutes, current insurance and contracts, the voting list, 12 months of ballots, books for the current year plus 10 prior years, and any reserve study. Written request that names the records: 10 business days or it is a deemed denial. Prevailing owner recovers attorney fees on the main list.

CICAA §1-30

HOA records (instruments, chronological receipts and expenses, contracts, 7 years of minutes, ballots on a proper-purpose statement, any reserve study) available at convenient weekday hours. Board may fine after notice and an opportunity to be heard. Self-dealing contracts need member notice within 20 days; 20 percent may petition to vote it down.

CICAA §1-75

Small HOA opt-out: a nonprofit corporation with 10 units or fewer, or annual budgeted assessments of $100,000 or less, is outside CICAA unless a majority of directors or members opt in. That is why not every Illinois HOA is in this Act.

CPA §2.1

A property is one or the other. Condos are CPA. Non-condo common interest communities are CICAA (unless exempt). Do not read a condo number across to an HOA, or the other way around — the 115 percent petition window alone is 21 days vs. 14.

Meeting notice & deadlines

Condo board

At least 48 hours to board members, plus posting in a conspicuous place (§18). Open except the closed-session list. Owners may record. Four meetings a year minimum.

HOA board

At least 48 hours by prescribed delivery or posting (§1-40). Budget / assessment meetings also need 10-to-60-day prescribed-delivery notice. Members may comment. Four meetings a year (§1-30).

HOA members

10 to 30 days, with time, place, and purpose (§1-40). Special meeting: president, the board, or 20 percent of the membership.

Condo budget

Proposed annual budget at least 25 days before the board adopts it (§18). 115 percent cap: 20 percent petition within 21 days.

HOA budget

Proposed annual budget 30 to 60 days before adoption (§1-45). 115 percent cap: 20 percent petition within 14 days.

Official records

Condo inspection

Written request that names the records. 10 business days or it is a deemed denial (§19). Minutes 7 years; books current year plus 10. Prevailing owner recovers attorney fees on the main list.

HOA inspection

Convenient weekday hours (§1-30). Minutes 7 years; ballots and proxies 1 year on a proper-purpose statement. Incorporated HOAs also have the nonprofit-act records right in 805 ILCS 105/107.75.

Resale packet

Condo: board must give the seller the §22.1 packet (instruments, unpaid assessments, planned capital work, reserves, financials, suits, insurance). HOA: same idea under §1-35(d).

Ombudsperson

Both Acts require compliance with 765 ILCS 615 (complaint process, not a registry). Repeal date currently 1 January 2029 (P.A. 104-0377, effective 15 August 2025).

Quorum & voting

Condo (CPA)

- Board quorum: majority unless the bylaws set a different percentage (§18)
- Open to owners except the closed-session list; owners may record
- Board terms no more than 2 years; at least one-third of seats expire each year
- Vacancy: two-thirds of the remaining board, or owners with 20 percent of the votes petition

HOA (CICAA)

Member quorum: 20 percent unless the instruments set a lesser amount (§1-40)
Annual membership meeting required
Board election at least every 24 months; terms no more than 4 years (§1-25)
Two-thirds of the membership may remove a board member at a special meeting (§1-35)
