On December 29, 2014, the Condominium and Common Interest Community Ombudsperson Act (the "Ombudsperson Act") was signed into law. The Ombudsperson Act establishes the Office of the Condominium and Common Interest Community Ombudsperson (the "Ombudsperson's Office") and requires that associations adopt a written policy for resolving owner complaints. It applies to all condominiums governed by the Illinois Condominium Property Act ("ICPA") and all associations governed by the Common Interest Community Association Act ("CICAA")

While the Ombudsperson Act went into effect on January 1, 2017, the deadline for associations to adopt a written policy was pushed to January 1, 2019. This deadline is approaching.

As a reminder, the written policy must be made available to all owners and include:

i. a sample owner complaint form;
ii. a description the process for delivering complaints to the association;
iii. the timeline and manner of making final
determinations in response to complaints; and

iv. a requirement that a final determination be made in writing within 180 days after receipt of the original complaint and marked "final".

Beginning July 1, 2020, owners may submit a written request to the Ombudsperson's Office to resolve a dispute with an association involving a violation of ICPA or CICAA. Note: Owners must follow the association's written policy before submitting a complaint to the Ombudsperson's Office.

There are limits to the disputes that Ombudsperson's Office can handle. In particular, the Ombudsperson's Office cannot assist with disputes (a) with community association managers; (b) where there is a pending complaint in any court or administrative tribunal; (c) where the complaining owner owes fund to the association, unless those funds are central to the dispute; or (d) which did not occur within the past two (2) calendar years.

As always, LP is ready and available to assist in drafting and adopting a written policy for owner complaints in advance of the January 1, 2019 deadline and providing any guidance to boards with regard to this or any new legislation affecting your association. To that
end, a **sample template written policy and resolution to adopt the written policy is available here**. **Note**: the template written policy should be still reconciled with the Association's existing rule enforcement policies.