

PAUL BERNSTEIN, ESQ., ON CHICAGO TENANTS' RIGHTS PREFACE – PURPOSES OF THIS BOOK

Many years ago, tenants of residential housing had few, if any rights. However, the so-called “common law”, generally defined as “judge-made law” allowed the law to develop as society developed. The birth of the United States of America accelerated changes in the law so that tenants enjoyed greater and greater rights over time. Then, in the 1960s, a combination of the civil rights movement and the Vietnam war caused an accelerated interest and future revisions of tenants’ rights.

However, “judge-made law” can achieve only so much. A time came in Chicago, when the Chicago City Council decided that more was needed so as to benefit the City of Chicago and its residents. It took the concerned efforts of Mayor Harold Washington and a group of committed aldermen and alderwomen and tenants’ rights advocates, to get the Chicago “Residential Landlord and Tenant Ordinance” (in this book, that Ordinance is referred to as the “**RLTO**” or “**The Ordinance**”) passed into law in 1986. For the first time, the City of Chicago made an important statement that tenants had rights too, just as landlords have historically always had.

The Alderman of the City of Chicago were thinking very clearly when they not only provided for tenants to have rights in Chicago, but also to provide a vehicle whereby tenants could obtain representation by able and effective counsel. Provisions are made, not only for substantial damages to tenants if landlords do not follow the law, but also for the award of the attorney’s fees to the tenant’s lawyers, such legal fees to be paid by the landlord.

Even though this important legislation has been in effect for a goodly number of years, in my law practice in representing tenants both in the eviction courts of Chicago and in efforts to recover security deposits and interest on security deposits of tenants, I find that the majority of tenants do not know of their rights. Further, I find that there are a good number of landlords who are also not aware of their rights and obligations under the law.

Accordingly, one of the main purposes of this book is to provide information for both landlords and tenants about their rights, duties and obligations and to encourage cooperation between landlords and tenants so that the purposes and goals of the RLTO, as set forth by the City of Chicago in the RLTO, may be more readily realized.

Another purpose is to make tenants aware of their rights and to provide enough information and guidance so that lawyers practicing in Chicago come to know that they can recover reasonable attorney’s fees while doing good deeds for tenants.

But, in writing any book, there are always many problems. Among those problems are:

- How do you get a publisher to publish your book?
- How do you advertise and market your book?
- The law changes – How do people stay up to date on these issues?

- How can the experiences and wisdom of others contribute to this knowledge?

As one who is fascinated by the Internet and the revolution that the Internet has brought to our country and to the world, I concluded that not only would I publish this book in some form of hard copy, but that the primary vehicle for publishing this book – which will grow and grow and grow – would be to put the book and its various chapters on the Internet, and so, in its initial publication as a book, the Internet will be our main publishing vehicle.

The Internet allows for the lowest-cost publishing of this, or any, book, and allows for updating, changing, adding to, correcting and modifying, quickly and for all concerned, the content of any chapter or sentence (or any word, for that matter) in the book. As important in my view, is the opportunity for citizens of the City of Chicago, be they tenants, landlords, lawyers for landlords, lawyers for tenants, Alderman, professors, commentators, critics, other authors, judges and, in deed, anyone, to participate in these conferences and discussions. It is by such open and intense communications that the interests of all concerned will be best served.

One last point, and then, on to our text. This book is intended to be educational and is not intended as legal advice. A copy of the RLTO is provided for everyone's reading via searches on the Internet or links from one or more locations on this site and copies of court decisions can be downloaded from the Internet and key decisions will be provided this book. And, as noted frequently, I do not recommend that tenants represent themselves when having these types of legal problems – it was Abraham Lincoln who said something like “A person who represents himself has a fool for a client.” The RLTO is brilliant in that it provides a way for any tenant who has not received proper treatment by landlord in Chicago to be able to hire an attorney to represent them.

The best way to contact Paul Bernstein is via the Internet, either at my email address or the many conferences we hope to be holding on the Internet, early on. Please feel free to comment, critique, contribute, or whatever. This indeed, is your book – I am only providing the initial push to get it started.