



**Administrative Office:**

17 N State, Suite 1380

Chicago, IL 60602

Phone: (312) 999-0056

Fax: (312) 999-0076

[www.beyondlegalaid.org](http://www.beyondlegalaid.org)

Twitter: @BeyondLegalAid

May 21, 2020

Dorothy Brown  
Clerk of the Circuit Court  
50 W. Washington St., Room 1001  
Chicago, IL 60602

Honorable Timothy C. Evans  
Chief Judge of the Circuit Court  
50 W. Washington St., Room 2600  
Chicago, IL 60602

Re: Executive Order 2020-30 and Eviction Filings in the Circuit Court

Dear Clerk Brown and Chief Judge Evans:

As organizations that advocate on behalf of renters, we are writing to urge the Chief Judge's and Clerk's offices to reject eviction filings for non-payment in the Circuit Court of Cook County for the duration of the COVID-19 crisis.

Illinois Executive Order 2020-30, issued by Governor Pritzker on April 23, 2020, states that "a person or entity may not commence a residential eviction action" unless a tenant poses a threat to other tenants or property or violates a building code or similar regulation. In other words, evictions for non-payment cannot be filed in Illinois for the duration of the COVID-19 crisis.

The forcible entry and detainer statute supports this interpretation. 735 ILCS 5/9-209, for example, states that a landlord may "commence an eviction" (in other words, file the eviction complaint) only after serving a demand for rent in the form of a 5-day notice. The Illinois Code of Civil Procedure, 735 ILCS 5/2-201, also makes it clear that "every action . . . shall be commenced by the filing of a complaint." Landlords should not be allowed to commence evictions for non-payment by filing eviction complaints.

Despite the Executive Order, new evictions are being filed in the Circuit Court every day. It is clear that landlords are not abiding by the Executive Order and are attempting to remove tenants in the middle of the largest public health crisis in recent memory.

The Chief Judge's and the Clerk's offices hold the tool to fix this issue: the ability to reject filings. Eviction filings for non-payment of rent should be rejected until the COVID-19 crisis passes. It is not enough for tenants' advocates to try to get the cases dismissed after the fact – tenants may have already moved, even if the initial eviction was filed illegally. The mere fact that an eviction case

was filed – even an eviction that is dismissed in the end – makes it harder to find housing in the meantime, as many landlords perform background checks.

Living in Cook County during this pandemic can be a harrowing experience for everyone – and most especially renters. Facing the prospect of job loss, economic crisis, and disproportionate burdens from COVID-19, renters do not need the additional worry of wondering whether their landlord is going to evict them for being unable to pay. We urge the Circuit Court to reject all eviction filings for non-payment until the crisis is over.

Sincerely,

**Beyond Legal Aid**

**Autonomous Tenants Union**

