

[Fraud Alert: Scam “Hearing Notice” Impersonating Circuit Court of Cook County.](#)



[State of Illinois](#)

[Circuit Court of Cook County](#)

[Honorable Charles S. Beach II, Chief Judge](#)

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GENERAL ADMINISTRATIVE ORDER 2021-02: Residential eviction proceedings, procedures

The governor of the State of Illinois having issued Exec. Order No. 2021-13 (June 11, 2021), rescinding aspects of the statewide moratorium on residential eviction proceedings,

IT IS HEREBY ORDERED that, effective June 25, 2021, eviction proceedings are governed as follows:

1. Residential evictions pursuant to 735 ILCS 5/9-101, *et seq.*

a. Proceedings that may be filed.

- The tenant or defendant either earned more than \$99,000 in annual income for Calendar Year 2020 or more than \$198,000 if filing a joint tax return;
- The tenant or defendant poses a direct threat to the health and safety of other tenants or an immediate and severe risk to property;

b. Enforcement of orders of eviction by state, county, and local law enforcement officers. The following orders may be enforced:

- Orders entered before March 20, 2020, and stayed pursuant to Cook County Cir. Ct. G.A.Os. 2020-02 (original and amendments), 2020-07 (original and amendments); the time period in which such orders must be enforced pursuant to 735 ILCS 5/9-117 is extended 120 days from the date of this order;
- Orders entered against persons described in subsections l(a)(i, ii) of this order;

c. Pending proceedings

Pending cases in which the tenant or defendant provides or has provided a form declaration made available by the Illinois Housing Development Authority (or a similar declaration), under penalty of perjury, shall be deemed stayed, except for proceedings on any motion brought by a landlord or plaintiff challenging the validity of the declaration. If the declaration is challenged and the court determines the declaration to be valid, all proceedings must either be stayed or dismissed without prejudice.

d. Prohibited proceedings. The following proceedings are prohibited:

- The tenant or defendant either (1) earned no more than \$99,000 in annual income for Calendar Year 2020 or no more than \$198,000 if filing a joint tax return, (2) was not required to report any income for 2019 to the U.S. Internal Revenue Service, or (3) received an Economic Impact Payment pursuant to Section 2001 of the CARES Act;
- The tenant or defendant is unable to make a full rent or housing payment due to a COVID-19 related hardship, including, but not limited to, substantial loss of income, loss of compensable hours of work or wages, or an

increase in out-of-pocket expenses directly related to the COVID-19 pandemic;

iii. The tenant or defendant is using best efforts to make timely partial payments that are as close to the full payment as the circumstances of the tenant or defendant may permit, taking into account other nondiscretionary expenses; and

iv. Eviction would likely render the tenant or defendant homeless or force the tenant or defendant to move into and live in close quarters in a new congregate or shared living setting, because the individual has no other available housing options.

v. Enforcement of orders of eviction by state, county, and local law enforcement officers is prohibited for:

1. Orders entered on or after March 20, 2020, unless the tenant or defendant poses a direct threat to the health and safety of other tenants or an immediate and severe risk to property;

2. Orders entered against a person who did not owe rent, unless that person poses a direct threat to the health and safety of other tenants or an immediate and severe risk to property.

2. Residential evictions in mortgage foreclosure proceedings

a. The Presiding Judge shall establish procedures for hearing all matters concerning foreclosure proceedings, including, but not limited to scheduling by administrative order, as long as such procedures are consistent with this order;

b. All mortgage foreclosure actions may proceed to judgment of foreclosure. Consistent with Ill. Exec. Order 2021-13 (June. 11, 2021), residential and commercial foreclosure actions shall be immediately stayed upon entry of a judgment of foreclosure until further order of the court; notwithstanding the foregoing provision, vacant or abandoned properties may proceed to sale based upon sufficient proof as determined by the court;

3. Evictions in tax deed proceedings

a. The Presiding Judge shall establish procedures for hearing all matters concerning tax deed proceedings, including, but not limited to. scheduling by administrative order, as long as such procedures are consistent with this order;

b. Except as to unimproved, abandoned, or vacant property, neither an order directing the County Clerk to issue a tax deed nor an order for possession may be entered in any tax deed proceeding under the Property Tax Code, 35 ILCS 200/22-40, until further order of the court;

IT IS FURTHER ORDERED that, nothing in this order shall prevent any pending, impending, dismissed, or potential case from being referred to the Early Resolution Program;

IT IS FURTHER ORDERED that nothing in this order shall be construed as relieving any individual of the obligation to pay rent or comply with any other obligation that an individual may have pursuant to a lease, rental agreement, mortgage, or tax assessment

IT IS FURTHER ORDERED that, to the extent this order conflicts with Cook County G.A.O. 2020-07 (as amended), this order shall supersede G.A.O. 2020-07.

Dated this 25th day of June, 2021.

Order Type
Special Order
Issued By Chief Judge
Issued by Chief Judge

Website Footer

Circuit Court of Cook County

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