

## **AMENDED 09-22-2020**

### **IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS FIRST MUNICIPAL DISTRICT GENERAL ORDER 2020-23 (AMENDED 09-22-2020)**

**Procedure of Service of Summons in commercial eviction cases and cases where a tenant poses a direct threat to the health and safety of other tenants, an immediate and severe risk to property, or a violation of any applicable building code, health ordinance, or similar regulation**

**WHEREAS**, In light of the COVID-19 pandemic, Chief Judge Evans' order, and the order of the Governor of the State of Illinois (extending the eviction moratorium until October 17, 2020), and to protect the health and safety of the public and court personnel, eviction proceedings are now occurring only in the categories of Commercial and in Emergency cases where a tenant poses a direct threat to the health and safety of the tenants, an immediate and severe risk to property, or a violation of any applicable building code, health ordinance, or similar regulation.

**WHEREAS**, Landlords may file an eviction in commercial cases and in residential cases where a tenant poses a direct threat to the health and safety of the tenants, an immediate and severe risk to property, or a violation of any applicable building code, health ordinance, or similar regulation.

**WHEREAS**, In residential actions, landlords shall file an affidavit with the summons describing the building code, health ordinance, or similar regulation violation(s) the tenant has allegedly made, or how the tenant has posed a direct threat to the health and safety of other tenants, or how the tenant poses an immediate and severe risk to property. In commercial actions, landlords shall file an affidavit with the summons describing the commercial property.

**WHEREAS**, The Sheriff of Cook County shall attempt to serve a tenant(s) with summons in an eviction case where the summons is accompanied by an affidavit that describes the property as commercial, or the summons is accompanied by an affidavit describing the building code, health ordinance, or similar regulation violation(s) the tenant has allegedly made, or how the tenant has posed a direct threat to the health and safety of other tenants or how the tenant poses an immediate and severe risk to property.

**WHEREFORE, IT IS HEREBY ORDERED:**

1. That a landlord may file an eviction action for a commercial lease termination and an eviction action where a tenant poses a direct threat to the health and safety of the tenants, an immediate and severe risk to property, or a violation of any applicable building code, health ordinance, or similar regulation.
2. That a landlord in residential actions, landlords shall file an affidavit with the summons describing the building code, health ordinance, or similar regulation violation(s) the tenant has allegedly made, or how the tenant has posed a direct threat to the health and safety of other tenants, or how the tenant poses an immediate and severe risk to property. In commercial actions, landlords shall file an affidavit with the summons describing the commercial property.
3. That the Sheriff of Cook County, when presented with an eviction summons accompanied by an affidavit describing the property in commercial actions, with proper fees paid, the Sheriff shall attempt to serve summons on the tenant(s) named. Also, when the Sheriff of Cook County is presented with an eviction summons accompanied by an affidavit describing the building code, health ordinance, or similar regulation violation(s) the tenant has allegedly made, or how the tenant has posed a direct threat to the health and safety of other tenants, or how the tenant poses an immediate and severe risk to property, with proper fees paid, the Sheriff shall attempt to serve the summons on the tenant(s) named.
4. This order is effective September 22, 2020 and expires October 17, 2020.

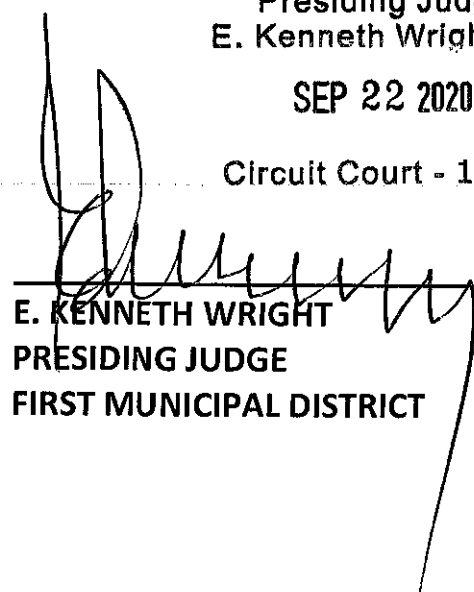
**DATED THIS 22<sup>nd</sup> DAY OF SEPTEMBER, 2020 AND EFFECTIVE SEPTEMBER 22-  
EXPIRES OCTOBER 17, 2020.**

**ENTERED:**

Presiding Judge  
E. Kenneth Wright, Jr.

SEP 22 2020

Circuit Court - 1624

  
E. KENNETH WRIGHT  
PRESIDING JUDGE  
FIRST MUNICIPAL DISTRICT