

TENANTS – KNOW YOUR RIGHTS

COVID-19 EVICTION PROTECTION ORDINANCE

Landlords who issue five-day notices of eviction for non-payment must include this notice informing tenants of their rights under the COVID-19 Eviction Protection Ordinance, available at www.chicago.gov/eviction.

Chicago residential tenants who have lost income as a direct or indirect result of the COVID-19 pandemic should notify their landlords in writing within five days of receiving an eviction notice in order to further protect themselves from eviction.

This written notification can take place through letter, email or text message. A text message to the landlord as simple as *"I have been unable to pay rent because I have been financially affected by the COVID-19 pandemic"* will suffice. A more formal template is available at www.chicago.gov/eviction.

Once tenants provide this notice, they will have additional protections beyond the typical five-day notice and eviction process. Further details are listed below.

Local, State and Federal Requirements

In response to the pandemic, the governor issued a disaster proclamation and eviction moratorium in March 2020. During that eviction moratorium, special rules apply to evictions based upon nonpayment of rent. The moratorium is currently scheduled to end on Nov. 14, 2020, but it could be extended again by the governor. An additional federal moratorium on evictions from the Centers for Disease Control is also in effect through Dec. 31, 2020.

When the moratorium period ends, Illinois landlords can again file for eviction due to non-payment of rent. Typically, a tenant has five days to respond to a notice of a landlord's intent to file for eviction. In June 2020, the Chicago City Council approved the *COVID-19 Eviction Protection Ordinance*, which extends that period another seven days for a total of 12 days, if the tenant writes the landlord stating that they have had a "COVID-19 Impact."

A COVID-19 Impact can be claimed when a tenant or another household member:

- Is laid-off from work
- Has their hours at work reduced
- Has to isolate or quarantine because of COVID-19 diagnosis or possible exposure
- Has to care for someone else affected by COVID-19

By City ordinance, during the 12-day period, the landlord has to contact the tenant and try to work out with the tenant a plan to avoid eviction. A plan to avoid eviction could include a repayment plan, mediation or arbitration, letting the tenant use their security deposit to cover the missed rent, an agreement for the tenant to move out without the landlord getting an eviction judgment against them, or other arrangements agreed to by the landlord and tenant.

The ordinance also requires that a repayment plan must give a tenant at least two months to re-pay each month of missed rent, but the landlord and tenant can agree to more time if they choose. The ordinance also determines what kind of interest and fees a landlord can charge on missed rent, how a tenant can show the landlord proof of a COVID-19 Impact, and what happens if the landlord and tenant decide to use the security deposit.

The ordinance does not require that the landlord and tenant reach an agreement, but that they make a good faith effort to do so. If a landlord does not use good faith to try and work out an arrangement with the tenant, but files an eviction case anyway, the court must dismiss the eviction case.

For more information on conflict resolution, contact the Center for Conflict Resolution at cm@ccrchicago.org or 312-922-6464, ext. 22. Additional information and resources are available at www.chicago.gov/eviction.



This document must be provided by Chicago landlords when serving tenants with an eviction notice.