

TENANTS – KNOW YOUR RIGHTS

COVID-19 EVICTION PROTECTION ORDINANCE

IMPORTANT: If tenants notify their landlords in writing that they are unable to pay rent because they were financially impacted by the COVID-19 pandemic, a 7-day cooling period is triggered, during which a landlord must try to work out a plan with the tenant to avoid eviction before they can file for non-payment.

Starting August 1, 2021, Illinois landlords can again file for eviction due to non-payment of rent, although eviction orders will not be enforced until after October 3, 2021.

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 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. This message can be as simple as *"I have been unable to pay rent because I have been financially affected by the COVID-19 pandemic."* A more formal template is available at www.chicago.gov/eviction.

Once tenants provide this notice, the landlord has 12 days to contact the tenant and try to work out a plan with the tenant to avoid eviction. This 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.

Additionally, all landlords who have received a Tenant Notice of COVID-19 Impact **and** who have not applied to an emergency rental assistance program must, no later than the end of the five-day notice period, register with the City of Chicago's Department of Housing's Emergency Rental Assistance Program (ERAP). The online form to register available at www.chicago.gov/EvictionRegistry.

The ordinance does not require that the landlord and tenant reach an agreement, but that they make a good faith effort to do so. Tenants may have a defense against eviction if their landlord has not made this effort.

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.