

Getting Started

Eviction Complaint

IMPORTANT: This getting started guide and the instructions are not legal advice. They are only meant to help you learn how to ask the court to evict a tenant from your property. Your use of the forms does not guarantee you will be successful in court.

To learn how to fill out the forms and file them with the court, read the *HOW TO FILE & PRESENT AN EVICTION CASE* instruction sheet and the instructions on the forms.

<p>Names of forms:</p>	<p>You will probably need to give written notice to the tenant or occupant first. Which notice you use depends on the facts in your case:</p> <ul style="list-style-type: none"> • <i>Notice of Termination for Non-Payment of Rent;</i> • <i>Notice of Termination for Lease Violation (Other than Non-Payment of Rent);</i> • <i>Notice of Non-Renewal of Lease or Termination of Tenancy;</i> OR • <i>Demand for Immediate Possession.</i> <p>After a <i>Notice</i> or <i>Demand</i> is served, you should complete:</p> <ul style="list-style-type: none"> • <i>Affidavit of Service of a Demand or Notice.</i> <p>After the notice period expires (if applicable), the required forms are:</p> <ul style="list-style-type: none"> • <i>Eviction Complaint;</i> AND • <i>Summons.</i> <p>Optional forms depending on the facts in your case are:</p> <ul style="list-style-type: none"> • <i>Affidavit – Supporting Documents Not Attached to Eviction Complaint;</i> • <i>Letter to Sheriff (Serving an Eviction Summons & Eviction Complaint);</i> • <i>Affidavit for Service by Posting;</i> AND • <i>Notice by Posting Requiring Appearance in a Pending Eviction Action.</i>
<p>Purpose of the forms:</p>	<p>Use these forms when you want to evict a person from your property. The forms will help you:</p> <ul style="list-style-type: none"> • Notify a tenant that the lease was violated or will not be renewed; • Notify a squatter or trespasser that they have to leave immediately; • Ask a judge to evict a person from your property; AND • Notify the person about an eviction case.
<p>Types of cases the forms CAN be used for:</p>	<p>Residential evictions.</p>
<p>Types of cases the forms CANNOT be used for:</p>	<p>These forms are not meant to be used in the following types of eviction cases: commercial, post-foreclosure, mobile homes, condominium actions against owners, public and project based subsidized housing, and contracts for deed (also called rent to own agreements or installment sales agreements).</p>
<p>Special information or papers needed to complete the forms:</p>	<p>You will need your address, the names of the known occupants, the address of the property including any unit number, the lease, how much rent is due, if any, and details about violations of the lease.</p>
<p>Statutes covering the forms:</p>	<p>735 ILCS 5/9, section 101 through section 307 Illinois Supreme Court Rule 139</p>
<p>Where to find the forms and instruction sheet:</p>	<p>illinoiscourts.gov/Forms/approved/</p>
<p>For more information:</p>	<p>Read the <i>HOW TO FILE & PRESENT AN EVICTION CASE</i> instructions that come with these forms. You may also find more information, resources, and the location of your local legal self-help center at illinoislegalaid.org.</p>