

The Eviction Procedure of the Sheriff of Cook County, Illinois

1. When an order for possession has been entered by the court, it may be placed with the Sheriff's department, provided the stay of enforcement has passed.
2. The Sheriff's department will not enforce an order for possession if a tenant files a post trial motion pursuant to 735 ILCS 5/2-1203 or 5/2-1202. Once a definitive ruling on that motion is made denying the motion, the eviction may proceed and no subsequent motions will stop an eviction. However, a motion that is simply stricken, as opposed to being denied, has not had a definitive ruling and subsequent motions will stop an eviction from proceeding.
3. If a tenant files for bankruptcy, the Sheriff will not enforce an order of possession until the automatic stay of the Bankruptcy Court has been lifted.
4. Additional procedural information as well as a schedule of the next day's evictions are listed on the Sheriff's Webpage: www.cookcountysheriff.org Questions can be directed to the Eviction Unit at (312) 603-3365. No information will be disseminated regarding an eviction without a district and receipt number.
5. Evictions begin at approximately 8:00 a.m. and end at approximately 2:00 p.m. On the date an eviction is scheduled a receiver must be present at the eviction site to meet the deputy sheriff. The deputy sheriffs will be in a marked Sheriff's vehicle. The receiver must approach the Sheriff's car as they are not required to locate the receiver.
6. If the receiver has keys, the deputy sheriffs will attempt to use them. The deputy sheriff will not go through an unreasonably large number of keys to find the proper key. If there is no working key the deputy sheriff will force entry. Locksmiths are not allowed as they may be exposed to danger while trying to open the door.
7. The deputy sheriffs will attempt to verify who is on the premises and compare the occupants with the names listed on the order for possession. The deputy sheriffs want to determine that all persons who are 18 or over and are occupying the premises are named on the order, regardless of whether they are named on the lease. The deputy sheriffs will usually determine if a person occupies the premises by looking at a person's ID to see if it shows the address of the premises. The deputy sheriffs will also look at mail brought to their attention that is addressed to a person not named on the order for possession, but mailed to that person at the premises. Unless the order carries the safe-harbor language "and any and all unknown occupants," the Sheriff will not carry out the order for possession if the order does not name all the persons occupying the premises.
8. Once the deputy sheriffs determine the eviction may proceed, they will move the people out of the unit and off of the building property. They will place a large sticker on the door to the premises, which provides information about the court order and warns those evicted not to return because they will be trespassing.
9. Once the deputy sheriff posts the notice on the door, possession of the premises has been turned over to the landlord. The Sheriff's department is no longer arranging to move the occupant's possessions out of the premises, and does not have any involvement with removing the items from the premises.
10. The deputy sheriffs will remain on site if the people who have been evicted have not left the premises and are posing a threat. The owner should contact the local police department if the tenants come back.

DISCLAIMER: This document was prepared by the Neighborhood Building Owners Alliance and the Chicago Association of REALTORS based upon discussions with the Cook County Sheriff's Office. It should not be taken as legal advice and anyone using the information contained in this document should consult with a licensed attorney. The procedures set forth in the document may be changed without notice. If you have specific question regarding the eviction procedure of the Sheriff of Cook County, you should contact your attorney or the Sheriff's Office.

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