

## GUIDELINES FOR EVICTIONS

### STEP 1: Landlord Notice

- Landlord Notices can be obtained at the following locations:  
Key Printing 111 E Court St, Kankakee, IL  
[www.kankakee.illinoislegalaid.org](http://www.kankakee.illinoislegalaid.org)  
This site gives instructions to landlord on how to fill out and complete notice
- These notices can be served by the following:
  1. Landlord
  2. Private Process Server (fee)
  3. Sheriff's Department (fee)

### STEP 2: Summons and Complaint for Forcible Entry Detainer

- This is the part of the Eviction process where you are given a date to go in front of a Judge to present your case. You must serve the tenants with this summons and complaint advising them of this date.
- This paperwork is filled out and filed at the Kankakee County Circuit Clerks Office, located at the Kankakee County Courthouse. You must bring in your completed Landlord Notice; **again you can refer to the above website.**
- These papers may be served by:
  1. Private Process Server (fee)
  2. Sheriff's Department (fee)
    - **They may not be served by Landlord**
    - For services by the Sheriff's Department you will need:
      1. 2 copies of the summons
      2. 1 copy of the complaint

*Fees are based on location of service and how many to be served*

### STEP 3: Court

- Landlord must show up to court date. This is when the Judge will issue the Court Order if eviction is granted :

### Step 4: Date for Tenant to vacate property

- The Judge will issue a court order for possession; these orders are good for 120 days from the file stamp date. Sometimes the Judge will issue a stay of eviction until after a set date and time. The court order cannot be enforced until that date and time has expired. If tenants leave in this allotted time, the Landlord may take possession of property, without a Sheriff's Deputy present. Landlord should place any left behind property out front for a reasonable amount of time (approximately 24 hours), before discarding. Landlord is not responsible for watching tenants' property. Landlord is responsible for removal of all unclaimed items, after the 24 hour time period has expired. **Landlords do not set out chemicals and take doors off of all refrigerators and freezers.** Use best judgment on what is safe for the community and kids in the area.

If tenant does not leave by the instructed date, Landlord must then schedule eviction with the Sheriff's Department. **Deputy will not stand by for eviction unless it is scheduled.**

#### **STEP 5: Set up evictions with Sheriff's Department**

- Come to the Kankakee County Sheriff's Department located at: 3000 S Justice Way, Kankakee, IL 60901
- Landlord will need to present the Civil Process Divisions with 2 sealed (Circuit Clerk) copies of the court order for eviction
- Fee for Final Eviction Notice Posting (done by Sheriff's Department) and Eviction must be paid in advance (fee based on location and \$ 86 deputy fee). Actual date of eviction will be scheduled at this time.
- Landlord will then be given an eviction date based on
  1. Judge's Court Order
  2. Availability of Officer
    - Evictions are done on set days and times
    - Evictions are not done on the following days:
      1. Holidays
      2. Saturday, and Sunday

3. The week of Christmas and the week before New Years

### **Step 6: Day of Eviction**

1. In the event the Tenant has not moved prior to the eviction date **YOU MUST** contact,
2. KanComm/Dispatch @ 815-933-3324
  1. **ONE HOUR PRIOR** to the scheduled eviction (this is to let the officer know they are still needed for eviction)
  2. If the Sheriff's Department is not called, you will be returned the \$ 86.00 deputy fee. Any eviction lasting over one hour, you will receive an additional \$ 86.fee billed to you.
3. **It is the Landlord's responsibility to provide MOVERS** (minimum of 2) (bring enough to do the job) and Change Locks.
4. **Landlords must also provide officer a way into residence:** i.e. keys locksmith, removal of lock. Office will not break in door.
  - If for any reason the landlord should cancel the eviction after it has been scheduled, it will be rescheduled only once at no extra charge.

