



# Crime Free Housing

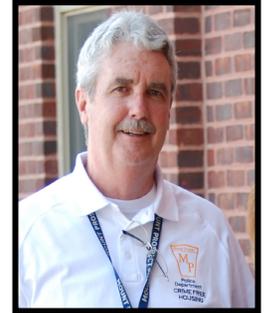
## Newsletter



August 2015

### Message from the Coordinator

The encouraging statistical trends over the past few years continue. Since the Village Board established the Crime Free Housing Program in March of 2007, police calls for service (CFS) Village wide and at apartment properties continue to decrease. Great cooperation and communication between the Village and the rental community continue to be the driving force behind these positive trends. In March of 2010, and again in 2013, many of you attended our Mount Prospect Landlord/Manager EXPOS where we were able to provide free access to the latest resources, technology and information including excellent presentations on discrimination, evictions and gang/drug enforcement. In our continuing efforts to keep the rental community informed and up to date with current trends we are hosting a **Landlord/Manager Special Presentation** to be held on Thursday evening, October 8th. The primary focus of this two hour presentation will be legal updates and the positive (and negative) impact of social media on the rental communities. For many of you it has been nearly **EIGHT** years since completing the seminar, so we strongly encourage you to attend. Please add the date to your calendar.



Patrick M. Lyons

## The Mount Prospect Crime Free Housing Program

Presents

### Landlord & Property Manager **SPECIAL PRESENTATION**



#### Legal Updates

**Kovitz Shifrin Nesbit Law Firm**

- Concealed Carry Laws
- Medical Marijuana
- Evictions
- Discrimination



#### Social Media Effects

- Advertising
- Communication
- Background Checks
- Scams (Craig's List)
- Gangs

## Thursday - October 8, 2015

Village Hall, 50 S. Emerson 7 to 9 PM

Police, Human Services and Code Personnel will be **available at 6 PM** for consultations/questions.

**To Register:** call or email Pat Lyons at  
847-818-5301 or [plyons@mountprospect.org](mailto:plyons@mountprospect.org)

## SPECIAL REPORT— Significant Changes in Rental Property Ownership

In the past two years there have been significant changes in ownership throughout the rental community. **APM Management LLC, and BWIP MP Owner LLC**, Cleveland, Ohio based companies have purchased the following properties:

- Alpine Apartments
- Cottonwood Apartments
- Mount Prospect Greens Apartments
- Redwood Town Homes
- Timberlake Apartments

**Home Properties Inc.**, current company managing the Colony Apartment complex near Oakton and Elmhurst Roads, has added the Mansions at Mount Shire Apartment Complex (now called Park Grove Apartments) located at the west end of town on Golf Road.

**TLC Management Co.**, based in Chicago has purchase the Forest Cove Apartment complex on south Busses Road.

We look forward to a great working relationship with these new companies who **now manage nearly 50% of all rental units in Mount Prospect!!**



## CRIME FREE AND CRIME PREVENTION on Facebook and Twitter

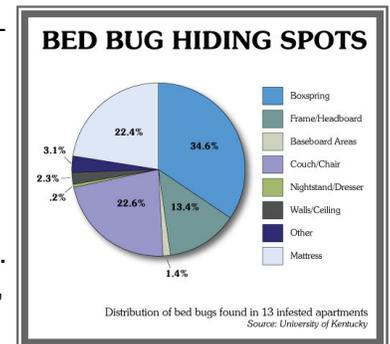
Follow the Mount Prospect Police Department on Facebook ([www.facebook.com/mountprospectpolice](http://www.facebook.com/mountprospectpolice)) and Twitter (@Mountprospectpd) for updates on news, safety and crime prevention tips.

Follow the Crime Free Program on Facebook ([www.facebook.com/mountprospectcrimefree](http://www.facebook.com/mountprospectcrimefree)) and Twitter (@Mppdcrimefree) for updates on criminal activity, news and notifications at rental properties.

## FROM COMMUNITY DEVELOPMENT —

Orkin has claimed Chicago is the top city in the U.S. for bedbugs. Obviously these pests have no borders and it is likely at some time you will have to deal with the problem. When an infestation does occur, it can frighten some tenants who experience the itchy, bloody welts they leave. Effective, prompt control is needed to calm and assure your residents, and keep your pest control costs to a minimum.

Tackling the job on your own can be fruitless. Bedbugs are hard to find. They are not just in mattress seams or the bed. They can be in chair cushions, sofas, behind electrical outlets, cracks and crevices around baseboards, or even behind picture frames. Bedbugs can withstand a wide range of temperatures from nearly freezing to 122 degrees Fahrenheit. Once bedbugs are in a building, they can spread from room to room. Bedbugs, unlike cockroaches, are not associated with filth. Pesticides and other measures are effective, but if misapplied (too much, wrong place, wrong pesticide) can be toxic and ineffective. **For these reasons inspection and treatment is best done by professional pest control companies.**



The following are available to download from the **Environmental Health Division** section of the Village website ([www.mountprospect.org](http://www.mountprospect.org))  
"Landlord/Tenant Rights"  
"Property Maintenance Guide"  
"Property Maintenance Video"

To prevent bedbugs, encourage your tenants not to use second-hand furniture and to render furniture for disposal unusable. When returning from a trip, tenants should check their belongings and clothing, and wash and dry the clothes using hot settings. If you find furniture at the common garbage area make it unusable so a problem is not brought into your building or next door.

# **What To Expect From the Sheriff After Obtaining a Court Order of Possession (Page 1)**

The Order for Possession grants the landlord the right to retake possession of rental property from the tenant. Once the stay of eviction has expired, the Sheriff of Cook County may enforce the Order and the physical eviction takes place.

Eviction actions are strictly governed by the Forcible Entry and Detainer Act (735 ILCS 5/9-101). Courts expect strict compliance with the statute. After the expiration of the Notice of Termination, the landlord may file a Complaint with the clerk of the circuit court to begin the eviction process. The complaint should name each tenant that appears on the lease that either signed the lease or is named as an occupant and is over the age of eighteen (18). Also, unknown occupants must be named on the original complaint and summons. If unknown occupants are not named in the initial summons and complaint there may be a delay in the eviction process later down the road. Specifically, when a judgment for possession in favor of the plaintiff is entered but the order does not include unknown occupants, when the sheriff executes the eviction, the eviction may be delayed up to seven (7) days to allow unknown occupants to file a motion upon the court to stay the eviction and state a legal claim to possession of the premises.

Once the complaint has been filed, the clerk of the circuit court will issue summons to be served on the defendant. In Cook County, service of the summons must be placed with the Sheriff of Cook County first before using a licensed process server. If the sheriff is unable to serve the summons on the tenant/defendant, the landlord/plaintiff may request, by motion of the court, service by a court appointed special process server. Once the judge grants the motion, service may be attempted by the special process server. At this point, the summons is called an Alias Summons, signifying an additional attempt of service.

In some cases, the process server is unable serve the alias summons on the tenant/defendant. Upon proof to the court that attempts have been made, but service has not been obtained, the court may allow constructive service upon the tenant/defendant. This manner of service is known as Notice by Posting or Publication (735 ILCS 5/2-206 and 735 ILCS 5/9-107). The notice must provide for at least ten (10) days of publication. The Sheriff of Cook County will post the notice in three public places and send a copy of the Notice with the pending case information to the tenant/defendant. If the tenant/defendant does not appear in court, the court may rule only on the portion of the complaint which seeks judgment for possession. If the tenant/defendant appears, a judgment for rent can be entered against the defendant if the defendant submits to jurisdiction of the court.



Once the complaint has been filed, the process can take anywhere from two to eight weeks for the matter to have an initial hearing. Assuming the case is uncontested and all documentation and notices have been prepared and presented correctly, a judge will usually enter an Order for Possession and then stay the eviction usually seven (7) to fourteen (14) days. However, if the tenant/defendant contests the matter, the procedure can be delayed. All defendants are allowed a week continuance to obtain counsel and answer or otherwise plead. Additionally, a defendant has the right to file a jury demand. If the matter is transferred to the jury calendar in courtroom 1404, the process can be delayed for several weeks to months.

# What To Expect From the Sheriff After Obtaining a Court Order of Possession (Page 2)

Once the stay date for the eviction expires, the order can be placed with the sheriff of Cook County for eviction. The entire process can take at a minimum of about two and a half to three months and can sometimes take much longer. The length of this process can sometimes be the source of the landlord's frustration, however, knowing what to expect with the eviction process can sometimes ease a landlord's anxiety and expectations.

If the tenant/defendant fails to vacate the premises upon the expiration of the order for possession, the order can be placed with the Sheriff of Cook County to effectuate the eviction. Current evictions are taking anywhere from 3 to 4 weeks for the actual eviction to take place. When the order has been placed, a deputy from the sheriff's office will contact the landlord or the landlord's agent to give the date and a block of time for the eviction. Due to office safety, the landlord may not inform the tenant of the date and time that the sheriff will be coming to effectuate the eviction. If the tenant has been informed, when the sheriff arrives to do the eviction, the sheriff will leave the premises and the actual eviction will be scheduled for another time.

It is important to inform the Sheriff whether there are elderly persons residing in the unit, children, persons with disabilities and in some instances, animals. If the sheriff knows what to expect during the actual eviction, then the sheriff will be better prepared and have the proper agencies there to assist with the eviction. The landlord should have a locksmith there to change the locks immediately once the eviction has taken place. Once the sheriff has removed any occupants from the premises, they will make a general sweep of the unit. After the unit is deemed secure, the landlord will be given the authority to enter and change the locks. The Sheriff of Cook County no longer removes items from the premises. If there are items left within the unit, the landlord should make a reasonable attempt with the tenant to remove the items at a designated time. Please note, the tenant may not allow to reenter the unit once they have been evicted unless it is supervised for the removal of their belongings. If a tenant refuses to leave the unit at a later date, the police must be called at that time to report the trespass.

There are many scenarios that make each eviction unique. It is best to speak with your attorney so that you will know what to expect when you are evicting.

*Article by Wendy Durbin, an Associate of John Bickley at the Kovitz, Shifrin and Nesbit Law Firm*

## Eviction Schedules Available at the Cook County Sheriff's Website

[www.cookcountysheriff.org/courtservices/CourtServices\\_EvictionSchedule.html](http://www.cookcountysheriff.org/courtservices/CourtServices_EvictionSchedule.html)

