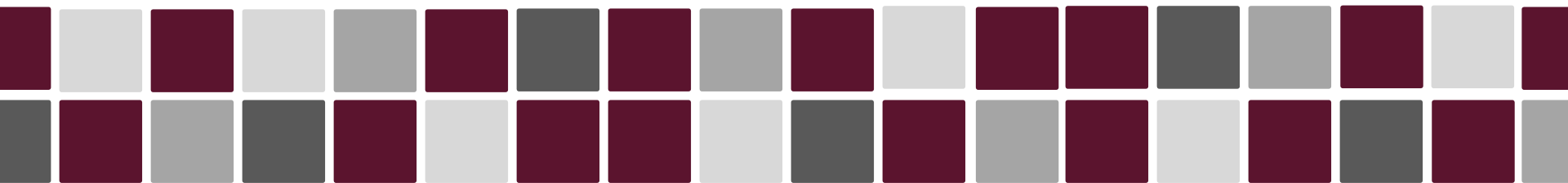


CIC LEGAL UPDATE 2020: What you need to know NOW
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LEGAL UPDATE 2020: INTRODUCTION

- COVID-19
- JUST HOUSING
- EMOTIONAL SUPPORT ANIMALS

COVID-19: CARES ACT

- Federal Law
- Only applies to “Covered Properties”
- Moratorium on service of 5-day notices for non-payment, filing of eviction, and physical evictions through July 25, 2020

COVID-19: CARES ACT

- No late charges
- 10-day notices and evictions for cause
- 30 day notice required after the expiration of the moratorium period in order to move forward with a non-payment of rent case

COVID-19: GOVERNOR PRITZKER'S EXECUTIVE ORDER NO.39

- Effective May 29, 2020 through June 27, 2020
- Incorporates all requirements of Executive Order No. 30
- Moratorium on “commencement” of eviction “proceedings” for non-payment of rent
- Sheriffs’ Departments are not executing evictions orders

COVID-19: GOVERNOR PRITZKER'S EXECUTIVE ORDER NO.39

- Unclear if the Order applies to the *service of 5-Day notices*
- Does **not** appear to include the service of 10-Day notices or the filing of evictions for certain activity
- The language from the order provides: “...*unless a tenant poses a direct threat of the health and safety of other tenants, an immediate and severe risk to property, or a violation of any applicable building code, health ordinance, or similar regulation.*”

COVID-19: GOVERNOR PRITZKER'S EXECUTIVE ORDER NO.39

- Does not waive rent and it does not waive late charges
- Applies to commercial evictions

COVID-19: New Chicago Ordinance

- 5 Day Notice Requirements
- Additional 7 Day Negotiation Period
- Proof of Compliance
- Affirmative Defense
- Retroactive to March 21

COVID-19: LOCAL COURT OPERATIONAL STATUS

- No re-opening dates yet
- Even if a case is filed under one of the expectations, there is no way of knowing what the court date will be
- Cases filed now versus cases filed on a later date
- Execution of orders by the Sheriffs' Departments

COVID-19: HANDLING EVICTIONS – ATTORNEY V. PRO SE

- Understanding and applying the exceptions
- Emergency Motions
- Electronic filings
- Re-opening information
- Zoom Hearings
- Consequences for filing improperly

JUST HOUSING: INTRODUCTION

- Amendment to the Cook County Human Rights Ordinance
- Applies to screening any residential tenant in Cook County
- Covered criminal history as new basis for discrimination
- Pre-qualification, Individualized Assessment, Sex offenders
- Denial based a demonstrable risk to personal safety and/or property
- Confidentiality Requirement

JUST HOUSING: PROCEDURE

- Notice prior to Application Fee
- Pre-Qualification
- Notice after Pre-Qualification
- Run Criminal Background Check

JUST HOUSING: PROCEDURE

- Notice of Criminal Background
- Wait 5 Days
- Applicant's Documentation to dispute the accuracy or relevance of a conviction
- Individualized Assessment

JUST HOUSING: PROCEDURE

- Determination after Individualized Assessment
- Denial Notice
- Apartment Hold

JUST HOUSING: EFFECT ON LANDLORDS AND RENTAL PROPERTIES

- Procedural changes are very significant
- Screening companies bifurcating background and credit checks
- Revising documents and notices
- Decision not to run criminal background checks at all

EMOTIONAL SUPPORT ANIMALS

- Background
- Reasonable accommodation
- Requirements for accommodation request
- Illinois Assistance Animal Integrity Act



Thank You

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