

Rule 139. Practice and Procedure in Eviction Cases

(a) Applicability of the Rule. This Rule supplements, but does not replace, the requirements set forth in article IX of the Code of Civil Procedure (735 ILCS 5/9-101 *et seq.*) and applies only to eviction actions filed on or after the effective date of July 17, 2020.

(b) Supporting Documents for Eviction Complaints.

(1) At the time of filing, the plaintiff shall attach a copy of the eviction notice or demand upon which the action is based, including any affidavits or other proof of service, to the eviction complaint. If the plaintiff does not have the eviction notice or demand, the plaintiff may attach an affidavit instead, using [the standardized form approved for use by the Illinois Supreme Court](#).

(2) When an eviction action is based on a breach of a written lease and brought pursuant to section 9-210 of the Code of Civil Procedure (735 ILCS 5/9-210), the plaintiff shall also attach a copy of the lease, or the relevant portions of the lease, to the eviction complaint at the time of filing. If the plaintiff does not have the lease or if there is no written lease, the plaintiff may attach an affidavit instead, using [the standardized form approved for use by the Illinois Supreme Court](#).

Adopted July 17, 2020, eff. immediately.

STATE OF ILLINOIS, CIRCUIT COURT _____ COUNTY	AFFIDAVIT - SUPPORTING DOCUMENTS NOT ATTACHED TO EVICTION COMPLAINT	<i>For Court Use Only</i>
Instructions ▼ Directly above, enter the name of the county where you will file the case. Enter your name as Plaintiff. Below "Defendants," enter the names of the people you are trying to evict. The sheriff will only evict unknown occupants if the "Unknown Occupants" box is checked. Enter the case number given by the Circuit Clerk.		
Plaintiff (For example, the landlord or owner): _____ _____ _____ v. Defendants (First, middle, last name): _____ _____ _____ <input type="checkbox"/> Unknown Occupants (Check this box only if you checked Unknown Occupants on the Eviction Complaint and Eviction Summons.)		_____ Case Number

NOTE: You only need to fill out and attach this *Affidavit* to the Eviction Complaint if you do not attach the Notice, Demand, affidavit or proof of service of a Notice or Demand, or Lease.

In **1**, check the box that states why you did not attach a Notice or Demand.

In **2**, check the box that states why you did not attach the affidavit or proof of service of a Notice or Demand.

In **3**, check the box that states why you did not attach a written lease.

If you need more information, read *How to File & Present an Eviction Complaint*.

Check all that apply:

- 1.** I did not attach a Notice or Demand to the Eviction Complaint because:
 - I cannot find or did not save my copy.
 - A Notice or Demand is not required in this case.
 - Other reason: _____

- 2.** I did not attach a copy of an affidavit or proof of service of a Demand or Notice because:
 - I cannot find or did not save my copy.
 - A Notice or Demand is not required in this case.
 - Other reason: _____

- 3.** I did not attach a copy of a written lease to the Eviction Complaint because:
 - I am not required to attach a written lease.
 - I did not have a written lease with Defendants.
 - I cannot find or did not save a copy of the written lease.
 - Other reason: _____

Under the Code of Civil Procedure, [735 ILCS 5/1-109](#), making a statement on this form that you know to be false is perjury, a Class 3 Felony.

If you are completing this form on a computer, sign your name by typing it. If you are completing it by hand, sign and print your name.

I certify that everything in this *Affidavit* is true and correct. I understand that making a false statement on this form is perjury and has penalties provided by law under [735 ILCS 5/1-109](#).

 /s/ _____
 Your Signature

 Street Address, Unit #

 Print Your Name

 City, State, ZIP

 Telephone