

Tenant Declaration Form Overview

TAKE ACTION: Sign the Tenant Declaration Form to protect yourself and your household from eviction for nonpayment of rent. Under Governor Pritzker's [Executive Order 2020-72](#), as amended by [Executive Order 2020-74](#), eviction protections are now limited to specific households. If you owe rent, your landlord may not file an eviction action against you if you provide your landlord with a declaration stating that you meet the following 4 criteria:

1. **INCOME:** At least one of the following applies to me:
 - (i) I expect to earn no more than \$99,000 in annual income for Calendar Year 2020 (or no more than \$198,000 if filing a joint tax return), or
 - (ii) I was not required to report any income in 2019 to the U.S. Internal Revenue Service (IRS), or
 - (iii) I received an Economic Impact Payment (i.e., the stimulus check) pursuant to Section 2001 of the CARES Act.
2. **INABILITY TO MAKE PAYMENT DUE TO COVID-19:** I am unable to make a full rent or housing payment due to a COVID-19 related hardship including, but not limited to, substantial loss of income, loss of compensable hours of work or wages, or an increase in out-of-pocket expenses directly related to the COVID-19 pandemic; and
3. **BEST EFFORTS:** I am making my best efforts to make timely partial payments that are as close to the full payment as my circumstances permit, taking into account other expenses that I must pay (e.g., food, utilities, phone and internet access, school supplies, cold-weather clothing, medical expenses, child care, and transportation costs, including car payments, maintenance, and insurance); and
4. **AT RISK:** If evicted, I would likely become homeless, or be forced to move into and live in close quarters in a new shared living setting because I have no other available housing options.

Anyone with a legal right to evict you, including your landlord, is required to provide a copy of this 2-page declaration form to every tenant on the lease at least 5 days before your landlord can give you a notice of termination of your tenancy. If you are a tenant who fits the criteria listed above, **you must sign the declaration form under penalty of perjury and return it to your landlord to be protected under the Executive Order.** You should also retain a copy of the signed declaration for yourself.

If a landlord has reason to believe that a tenant poses a direct threat to the health and safety of other tenants or an immediate and severe risk to property, they can file an eviction action against that person, even if they have completed a declaration.

Please note that, when Executive Order 2020-72 is no longer in effect, your landlord may require full payment of rent.

For any additional questions, view our FAQ or reach out to one of our Community Partners for additional support, [here](#).

**[FORM] DECLARATION UNDER PENALTY OF PERJURY FOR
STATE OF ILLINOIS EXECUTIVE ORDER 2020-72**

This declaration is for tenants, lessees, sub-lessees, and residents of residential properties who are covered by State of Illinois Executive Order 2020-72 (“EO 2020-72”) temporarily halting residential evictions (not including foreclosures on home mortgages) to prevent the further spread of COVID-19. Pursuant to EO 2020-72, you must provide a copy of this declaration to your landlord, owner of the residential property where you live, or any other person or entity who has a right to have you evicted or removed from where you live in order to invoke the protections of EO 2020-72. Each adult listed on the lease, rental agreement, or housing contract should complete this declaration. EO 2020-72 prohibits any person who submits this declaration from being evicted or removed from their residence through December 12, 2020, unless the person poses a direct threat to the health and safety of other tenants or an immediate and severe risk to property. EO 2020-72 may be amended or extended. EO 2020-72 does not relieve you of the obligation to pay rent or comply with any other obligation that you may have pursuant to your lease or rental agreement. This declaration is sworn testimony, meaning that you can be prosecuted, go to jail, or pay a fine if you lie, mislead, or omit important information.

I certify under penalty of perjury, pursuant to 720 ILCS 5/32-2, that the foregoing are true and correct:

- I either expect to earn no more than \$99,000 in annual income for Calendar Year 2020 (or no more than \$198,000 if filing a joint tax return), was not required to report any income in 2019 to the U.S. Internal Revenue Service, or received an Economic Impact Payment pursuant to Section 2001 of the CARES Act;
- I am unable to make a full rent or housing payment due to a COVID-19 related hardship including, but not limited to, substantial loss of income, loss of compensable hours of work or wages, or an increase in out-of-pocket expenses directly related to the COVID-19 pandemic;
- I am using best efforts to make timely partial payments that are as close to the full payment as my circumstances may permit, taking into account other non-discretionary expenses;¹ and
- If evicted, I would likely become homeless, or be forced to move into and live in close quarters in a new congregate or shared living setting because I have no other available housing options.
- I understand that I must still pay rent or make a housing payment, and comply with other obligations that I may have under my tenancy, lease agreement, or similar contract. I further understand that fees, penalties, or interest for not paying rent or making a housing payment on time as required by my tenancy, lease agreement, or similar contract may still be charged or collected.
- I further understand that at the end of this temporary halt on evictions, my landlord, the owner of the residential property where I live, or any other person or entity who has a right to have me evicted or removed from where I live, may require payment in full for all payments not made prior to and during the temporary halt and failure to pay may make me subject to eviction pursuant to state laws and local ordinances.

I understand that any false or misleading statements or omissions may result in criminal and civil actions for fines, penalties, damages, or imprisonment.

Signature of Declarant

Date

¹ “Non-discretionary expenses” include, but are not limited to, food, utilities, phone and internet access, school supplies, cold-weather clothing, medical expenses, child care, and transportation costs, including car payments, maintenance and insurance.

_____)
)
)
 Plaintiff/Petitioner)
)
 vs.)
)
)
 _____)
 Defendant/Respondent

Gen No. _____

Affidavit of Service

I, _____, served the foregoing **Tenant Declaration Form** on the
 ___ day of _____, 20__ on the tenant(s) named herein: _____:

- By delivering a copy to the tenant _____;
- By delivering a copy to _____, a person above the age of 13 years residing on or in charge of the described premises;
- By sending a copy of Tenant Declaration Form to the tenant by certified/registered mail, with return receipt from the addressee; or
- By posting a copy on the property because no one is in actual possession of the property.

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure the undersigned certifies that the statements set forth in this instrument are true and correct.

 Signature