

Insights

Illinois Eviction Moratorium: Relief Extended to Non-Residential Tenants

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On April 23, 2020, Illinois Governor J.B. Pritzker signed Executive Order 2020-30 (“Order”), which, among other things, extended relief previously provided by Executive Order 2020-10 prohibiting law enforcement from enforcing eviction orders for residential properties, and broadened this relief to non-residential evictions. Specifically, the Order provides that all law enforcement officers must cease enforcing any eviction orders for non-residential premises, unless the non-residential tenant has been found to “pose a direct threat to the health and safety of other tenants, an immediate and sever risk to property, or a violation of any applicable building code, health ordinance, or similar regulation.”[1] However, tenants of non-residential premises still are required to pay rent pursuant to any lease agreement. The Order further provides relief to residential tenants by barring any landlord or property manager from filing an eviction action pursuant to 735 ILCS 5/9-101, *et seq.* ., “unless a tenant poses a direct threat to 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”.[2] Like non-residential tenants, residential tenants still are required to pay rent.

The Order is effective April 23, 2020, and for the remainder of the Illinois Gubernatorial Disaster Proclamations.[3]

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[1] Available at <https://www2.illinois.gov/government/executive-orders>

[2] *Id.*

[3] *Id.*

