

5 DAY EVICTION NOTICE WITH PROOF OF SERVICE AND INSTRUCTIONS

Purpose

The 5 Day Eviction Notice is given to a tenant for nonpayment of rent only. It is not used for any other tenant violation. It must state the amount of rent due and give five days for the tenant to pay the rent. Serving the 5 Day Eviction Notice on your tenant is the first step in bringing an eviction action against the tenant for failure to pay rent.

What You Have to Do

Complete this form. Print two copies and keep one. Sign both copies of the Notice. Choose one of the service methods to serve the Notice on your tenant. After you have done this, have the Proof of Service on the copy you keep signed and stamped by a notary public. Bring the second copy of the Notice and the notarized Proof of Service with you when you go to court.

How to Complete this Document

You have two choices. You can fill in the form on your computer and then print the form. Or, you can print the form from your computer and fill in the form with a pen or typewriter.

To use your computer to fill in the form, move the cursor to where the blank line starts and delete the line. Then fill in the necessary information.

Do not type in any spaces where your signature is required. Additionally, you will need to have this form signed and stamped by a notary public. Do not write or type in the spaces that the notary should complete.

Each numbered instruction corresponds to the same number on the 5 Day Eviction Notice.

- (1) Insert the tenant's name.
- (2) Insert the tenant's street address.
- (3) Insert the tenant's city, state, and zip code.
- (4) Insert the amount of rent due from the tenant.
- (5) Insert the city that the rental property is located in.
- (6) Insert the county that the rental property is located in.
- (7) Insert the street address of the property.
- (8) Insert the city, state, and zip code of the property.
- (9) Insert the day of the month that you prepared and served the Notice
- (10) Insert the month that you prepared and served the Notice.
- (11) Insert the year that you prepared and served the Notice.
- (12) Insert your name and sign on the line above this space.
- (13) Insert the name of the county where the form is notarized.
- (14) Insert the name of the person serving the Notice. If you serve the Notice, insert your name in this space.

- (15) Insert the day of the month that the Notice was served.
- (16) Insert the month that the Notice was served.
- (17) Insert the year that the Notice was served.
- (18) Insert he or she depending on the gender of the person who served the Notice.
- (19) Check *only one* of the boxes depending on how the Notice was served on the tenant. Check (19a) if it was hand delivered to your tenant. Check (19b) if it was hand delivered to someone over 13 years of age living in the rental property. Check (19c) if it was sent to the tenant by certified mail with a return receipt requested. Check (19d) if no one is living at the rental property and it was posted on the door of the property.
- (20) The notary public will insert the day of the month that he/she certifies the Proof of Service.
- (21) The notary public will insert the month that he/she certifies the Proof of Service.
- (22) The notary public will insert year that he/she certifies the Proof of Service.
- (23) The notary public will sign this space.
- (24) The notary public will insert the date that his/her commission expires.

5 DAY NOTICE

TO: (1) _____
(2) _____
(3) _____

YOU ARE HEREBY NOTIFIED THAT there is now due and owing the undersigned landlord in the sum of (4) _____, being rent for the premises situated in the City of (5) _____, County of (6) _____, and State of Illinois, being described as follows:
(7) _____
(8) _____

And you are further notified that payment of said sum has been and is demanded of you, and that unless payment thereof is made on or before the fifth day after receipt of this notice unless the fifth day falls on a Saturday or Sunday or holiday, then on or before the following weekday, your possession of the premises will be terminated.

ONLY FULL PAYMENT OF THE RENT DEMANDED IN THIS NOTICE, WITHIN FIVE DAYS OF THE DATE OF SERVICE OF THIS NOTICE, WILL WAIVE THE LANDLORD'S RIGHT TO TERMINATE THE LEASE UNDER THIS NOTICE, UNLESS THE LANDLORD AGREES IN WRITING TO CONTINUE THE LEASE IN EXCHANGE FOR RECEIVING PARTIAL PAYMENT.

Dated this (9) _____ of (10) _____, (11) _____.

By: _____
(12)

PROOF OF SERVICE

STATE OF ILLINOIS)
) SS
COUNTY OF (13) _____)

(14) _____, being duly sworn, on oath deposes and says that on the (15) _____ of (16) _____, (17) _____, (18) _____ served the above notice on the tenant named above as follows:

(19a) _____ 1) by delivering a copy thereof to the above named tenant;

(19b) _____ 2) by delivering a copy thereof to a person above the age of 13 years, residing on or in charge of the above described premises

(19c) _____ 3) by sending a copy thereof to said tenant by certified mail, with request for return of receipt from the addresses

(19d) _____ 4) by posting a copy thereof on the main door of the above described premises, no one being in actual possession thereof.

Subscribed and sworn to me this (20) _____ of (21) _____, (22) _____.

(23) _____
NOTARY PUBLIC

My commission expires: (24) _____