



NOVEMBER MEETING

Tuesday, November 21, 2017

The Eviction Process

Cost: FREE for members, \$15.00 for non-members

Networking 6:30 P.M.

General Meeting 7:00 P.M.

Meeting Location

RAAR

6776 East State Street
Rockford, IL 61108

JOIN THE RAA!

Members enjoy . . .

- ✓ 8 monthly meetings with guest speakers covering a variety of property management topics
- ✓ Winter Member Mixer
- ✓ Spring Banquet
- ✓ A Web link or page advertising your units on the RAA Web site
- ✓ Member networking with current tips, bargains and referrals
- ✓ Knowledge of State and local political issues affecting property managers and owners
- ✓ Monthly newsletter

A one-year membership is \$99.

To join or e-mail RAA, go to

www.rockfordapartmentassociation.org

**Follow RAA
on Facebook!**



Letter from the President

If you missed our October meeting you missed one of our best meetings ever! We covered the very important topic of Tenant Screening. We had almost 90 members and guests in attendance. A big thanks to Paul Arena who shared with the group the different methods of screening and the screening service that is offered through the Rental Housing Professionals website. We also had outstanding member participation that spurred on that great tool of information and idea sharing. Undoubtedly the most important thing we can do in operating our rentals is screening prospective tenants and what we have always known, to insure getting the best tenant, screening is the only possible way! What we learned at our October 2017 meeting, are the many ways to screen, and the most important aspects of the screening process. We learned how to ask the right questions, spot red flags, and decipher all the information gathered to make an informed decision whether to accept or reject an applicant. Thanks again to Paul and all the members that shared with the group.

Coming up at our November 21st 2017 meeting, the topic will be "The Eviction Process." Even though we have screened tenants the best way we know how, all of us will eventually have to go through this process. There are many reasons we end up in eviction court but it is primarily for none payment of rent. You have done everything correctly screening your tenant but when that tenant loses their income, the rent will stop coming, and you will be forced to file for eviction. If you have been through the eviction process you know how stressful it can be. None of us want to go through the eviction process more often than we can help it. No one wins in an eviction. You have lost time and money and your tenant now has a permanent record that will make it difficult for them to acquire another rental for many years. Many of us hire legal counsel to represent us because we either don't have time to do it ourselves, we are not familiar with the process, or we have our business set up as a corporation. Many of us who are not incorporated handle the process ourselves except for the service of the Summons.

Join us November 21, 2017 as we discuss in great detail the eviction process. When should you file, how to do it yourself, how to start the process, what forms you need and how to fill them out, how much it costs, what to expect when you appear before the judge, who to hire to represent you, how to communicate with your tenant, and how to avoid it all together. This should be as informative as lasts months meeting and equally important. Hope to see you all there!

—Karl Fauerbach, RAA President

RAA rental forms for members only

Forms are available at the following locations.

Please call in advance to be sure someone will be available to help you.

RAA Meetings

6776 E. State St.
1-800-RAA-6676

Asset Protection Insurance

124 North Water St., Suite 208
1-815-708-7445

Come to a meeting!

Join and save!

Free to RAA members

\$15 non-members

Rockford Area Association Of Realtors

6776 East State Street
Rockford, IL

Meet Charles Finney

by Jerri Cole

I first met Charles Finney at our last RAA meeting in October. My first impression of him is he is friendly, outgoing and fun. With everything that is going on in the world today, we need fun people who lift our spirits. Positive people! Don't change, Charles Finney, we need you!



I am single, never married. I have dated in the past but I have no girlfriend at this time. The last one just moved too far away. I like to stay at home and work around the house. I'm outgoing and opinionated, but like to tell a good joke when needed. I like to go out to eat with some friends and family or just cook for them.

I'm an Executive Chef by trade and like cooking all kinds of foods from all over the world. I work at places like Executive Chef for Sunstrand UTC and Food service director for Woodward Governor. I have a degree in nutrition from Rock Valley College. I know a lot about dieting and healthy eating and I incorporate that into my own daily life.

I like working on cars and keeping them up and running, from tune up to brakes and whatever it takes, the faster the better.

I'm a people person and can get along with most anyone unless you're a jerk. Well then, no one can get along with you.

I became a landlord about 15 years ago because a friend got me into it. The thing I like best about being a landlord is providing clean working apartments and getting paid. Plus I just like the title LANDLORD, LOL What I don't like is kicking people to the curb or having to chase them down for the rent.

One time I rented to a lady. She kept begging me to have a little dog. She said it was just a small terrier breed, so I said o.k. Once I saw the dog, I could see it was a pit bull terrier. She said it would be fine; she had trained dogs in the past. About a year goes by and I could see she really was not training the dog, but the dog had her trained. She would take the dog for a walk, but the dog was really taking her for a walk! I finally told her it was not working anymore and that other tenants felt threatened by the dog and she was not controlling the barking. She had to choose the apartment or the dog, so she left. I WAS HAPPY!! The End!!

I am a member of RAA and the YMCA. I like to maintain good health with diet and exercise.

One of my pet peeves is when someone says they are going to do something or be someplace at a certain time and don't do it and they don't call and let you know there has been a change in plans.

I would like to see Rockford help landlords by lowering taxes and making it easier to get rid of dead beat tenants. My best advice for new landlords is to screen your tenants really good with credit and background criminal checks. Rent and retain your tenants by providing good service for them when needed. Fix things that need to be fixed and you will have low turn overs and happy tenants.

I work part time doing all the managing and maintenance for 30 units plus a few side jobs. If anyone needs work done, let me know. I believe anything can be fixed with the right part and instructions.

If I could have anything in the world, it would be WORLD PEACE. 🏠



A husband and wife were going through a rocky phase and were giving each other the silent treatment. One day at the height of hostilities, he realized that he needed his wife to wake him at 5 am so that he could catch an early morning business flight. Not wanting to be the first to break the silence, he wrote on a piece of paper: "Please wake me at 5am."

The next morning he woke to discover that it was 9 am and that he had missed his flight. Furious, he was about to confront his wife when he noticed a piece of paper on his pillow.

The paper read, "It is 5 am. " Wake up."

At the height of an argument, the husband said: "Admit it, Cheryl, the only reason you married me was because my grandfather left me ten million dollars."

"Don't be ridiculous," she said. "I don't care who left it to you!"

A motorist was pulled over by a traffic cop. "Excuse me, sir," said the cop, "Do you realize your wife fell out of the car about 2 miles back?"

"Thank God," he said. "I thought I'd gone deaf!"

How Evictions Work: Rules for Landlords and Property Managers

<https://www.nolo.com/legal-encyclopedia/evictions-landlord-rules-29740.html>

By Marcia Stewart

A landlord can't begin an eviction lawsuit without first legally terminating the tenancy. This means giving the tenant written notice, as specified in the state's termination statute. If the tenant doesn't move (or reform -- for example, by paying the rent or finding a new home for the dog), you can then file a lawsuit to evict. (Technically, this is called an unlawful detainer, or UD, lawsuit.)

State laws set out very detailed requirements to end a tenancy. Different types of termination notices are required for different types of situations, and each state has its own procedures as to how termination notices and eviction papers must be written and delivered ("served").

Notice for Termination With Cause

Although terminology varies somewhat from state to state, there are basically three types of termination notices for tenancies that landlords terminate due to tenant misbehavior:

- Pay Rent or Quit Notices are typically used when the tenant has not paid the rent. They give the tenant a few days (three to five in most states) to pay the rent or move out ("quit").
- Cure or Quit Notices are typically given after a tenant violates a term or condition of the lease or rental agreement, such as a no-pets clause or the requirement to refrain from making excessive noise. Usually, the tenant has a set amount of time in which to correct, or "cure," the violation. A tenant who fails to do so must move or face the possibility of an eviction lawsuit.
- Unconditional Quit Notices are the harshest of all. They order the tenant to vacate the premises with no chance to pay the rent or correct a lease or rental agreement violation. In most states, unconditional quit notices are allowed only when the tenant has:
 - repeatedly violated a significant lease or rental agreement clause
 - been late with the rent on more than one occasion

**Unbeatable
Rental
Property
Rates**

Actual Cash Value
Functional Replacement Cost
Replacement Cost

eckburg.com

**Compare
Rates Today!**

Nick Verstraete
Nick@Eckburg.com
815-877-4100



continued on page 4

Ken Becker

Broker - GRI, CRS, CRB
Closed Over 100 Million Dollars

Becker

REALTORS®

Residential Investments Commercial

1720 Rural St. • Rockford, IL 61107

E-Mail: KBecker39@aol.com



Office (815) 399-8000
Eves. (815) 226-4800
Cell. (815) 670-3300
Fax (815) 399-7733

seriously damaged the premises, or engaged in serious illegal activity, such as drug dealing on the premises.

However, in some states, landlords may use Unconditional Quit Notices for transgressions that would require Pay or Quit Notices or Cure or Quit Notices in other, more tenant-friendly states. In these strict states, landlords may extend second chances if they wish, but no law requires them to do so.

Even after receiving notice, some tenants won't leave or fix the lease or rental agreement violation. If you still want the tenant to leave, you must begin an unlawful detainer lawsuit by properly serving the tenant with a summons and complaint for eviction.

Notice for Termination Without Cause

Landlords may usually use a 30-Day or 60-Day Notice to Vacate to end a month-to-month tenancy when the tenant has not done anything wrong. Many rent control cities, however, do not allow this; they require the landlord to prove a legally recognized reason for eviction ("just cause") of tenants.

Tenant Defenses

If the tenant decides to mount a defense, it may add weeks -- even months -- to the process. A tenant can point to mistakes in the notice or the eviction complaint, or improper service (delivery) of either, in an attempt to delay or dismiss the case. The way that you have conducted business with the tenant may also affect the outcome: If your rental unit is uninhabitable or the tenant thinks you are retaliating, this may excuse or shift attention away from the tenant's wrongdoing and diminish your chances of victory.

Removal of the Tenant

If you win the unlawful detainer lawsuit, you will get a judgment for possession of the property and/or for unpaid rent. But you can't just move the tenant and his things out onto the sidewalk -- trying to remove a tenant yourself can cause a lot of trouble. (For more information, see Nolo's article Don't Lock Out or Freeze Out a Tenant -- It's Illegal.)

Be Careful Removing Tenants' Abandoned Property

A few states allow landlords to freely dispose of property a tenant leaves behind after moving out. Even in

**Dennis Roop**

Senior Vice President
droop@illinoisbank.com

☎ 815.637.7008 | 📠 815.637.7010 | 📞 815.621.6885
6855 East Riverside Boulevard | Rockford, IL 61114
www.illinoisbank.com

**Nicholson
Hardware**

(815)963-4821
1131 2nd Ave

**Nicholson
Lawn & Garden**

(815)963-5150
1009 3rd Ave

Rockford, IL → Since 1945

GARY W. PORTER

Private and Confidential
Process Service**G. W. Porter & Associates**

SUBURBAN PATROL SERVICE
Corporation Of Rockford

Phone 815-961-8100

1015 5th Avenue
Rockford, Illinois 61104

BANEY
Construction & Restoration, Inc.

WATER • WIND • FIRE
INTERIOR • EXTERIOR • ROOFING • SIDING

Dan Peterson - dan.p@baneyconstruction.com
C: 815-319-3333 O: 815-623-3644 F: 815-623-3645
330 E Main St, Ste 400, Rockton, IL 61072

Brent Versendaal
President

6813 Elm Ave.
Loves Park, IL 61111
Office: 815.399.8690
Cell: 815.509.9641
brent@allseasonscarpetcleaning.com

www.allseasonscarpetcleaning.com

The most thorough carpet cleaning ever ... or it's free

these states, this is legal only if it is quite clear that the tenant has left permanently, intending to turn the place over to the owner. In many states, landlords must follow storage and notification procedures.

Typically, you must give the court judgment to a local law enforcement officer (sheriff or marshal), along with a fee that is charged to the tenant as part of your costs to bring suit. The sheriff or marshal gives the tenant a notice that the officer will be back within a number of days to physically remove the tenant if he isn't gone by then.

Rationale for the Rules

Landlords often chafe at the detailed rules that they must follow. There is a reason, however, why most states have insisted on strict compliance. First of all, an eviction case is, relatively speaking, a very fast legal procedure. (How many other civil cases are over and done with after a few weeks?) The price to pay for this streamlined treatment is unwavering adherence to the rules.

Second, what's at stake here -- a tenant's home -- is arguably more important than a civil case concerning money or business. Consequently, legislators have been extra careful to see to it that the tenant gets adequate notice and an opportunity to respond. 🏠

Mention this ad to receive \$10 off any used appliance

Don's
APPLIANCE SERVICE
"House of a Million Parts"

We Sell Reconditioned Washers, Dryers and Ranges!
Huge Selection of New, Used & Hard-to-Find Older Parts
Service on Most Major Brands

www.DonsApplianceService.com

VISA DISCOVER

815-877-2553

5517 N 2ND ST • LOVES PARK, IL
5 Blocks South of Riverside Blvd., Between Merrill Ave. & River Lane

SKV CONSTRUCTION
General Contractor Since the '60s

STAN VORGIAS

Foundation & Structural Repairs
CONCRETE RESTORATION / CRACKS REPAIRED

10005 Fair Lane
Union, Illinois 60180
skvconst@foxvalley.net
www.skv-construction.com

UNION: (815) 923-2521
ELK GROVE: (847) 364-0161
Fax: (815) 923-4590
Cell: (815) 245-6098

Dean Impey Hours: Mon. - Sat. 7:30-6 & Sun. 9-3

TRI-B Hardware & Supply
A Veteran Owned / Full Service Hardware Store
Big enough to serve you, small enough to care.

2811 Charles Street Phone 815-399-2828
Rockford, IL 61108 Fax 815-399-8717

Visit us at: www.facebook/tribhardware
www.tribhardware.doitbest.com



EVICCTIONS

The first step towards obtaining an eviction is to have a "Landlord's Notice." There are various types of landlord notices depending on the particular situation. The Winnebago County Law Library has self-help manuals available that can explain the different types of notices and what steps must be taken in the eviction process.

Once the Sheriff's Office receives the signed sealed Order from the Judge, a date and time can be set for Sheriff's personnel to meet the plaintiff at the eviction address. The Sheriff's Office will set the eviction date within three (3) business days after your possession date. This date can be set further out if requested since the eviction order is valid for one hundred-twenty (120) days from the date it is signed by the Judge. The Sheriff's role at the eviction address is to enforce the Order and keep the peace.

The plaintiff is responsible for the manpower along with things like garbage bags and boxes that may be necessary to move the possessions to the nearest public property (normally the curb).

Fees for Service of Civil Papers
\$18.50 per service plus \$1.00 per mile

Fees for Enforcement of an Eviction Order
EFFECTIVE AUGUST 1, 2011

Sheriff's fee for serving or attempting to serve an order of judgment for the possession of real estate in an action of ejectment or in any other action, or for restitution in an action of forcible entry and detainer without aid in the County are as follows:

\$74.00 Fee for restoring possession
\$ 5.00 Return
\$79.00**

Fee payable in advance, prior to scheduling.

**Mileage will be charged and added to the total, from the place of holding court to the place of residence of the defendant or witness, \$.50 per mile each way. Additional Civil Process Fee Information

If an eviction is cancelled by notifying the Sheriff's Civil Process no less than one hour prior to the date and time set, a \$5.00 non-refundable fee will be charged and the remaining eviction order fees will be refunded.

All requests for service shall be paid in advance.
Make checks payable to the Winnebago County Sheriff.

If you have any questions regarding the eviction process or fee schedule; or to cancel an eviction please call 815-319-6150.

The Eviction Process: From the Landlord's View

<http://www.realpropertymgt.com/the-eviction-process-from-the-landlords-view/>

This is 1 of 3 in a series on the eviction process. Follow the link above to read more.

by Kelli Wheelwright

Whether a renter has defaulted on rent, is in breach of contract, or otherwise; Eviction procedures can be a daunting and confusing subject. Eviction is defined as "the action of expelling someone, especially a tenant, from a property." But what does that mean and how does the process actually play out? If the required notice has been delivered to a resident and they do not voluntarily vacate, the landlord can move to evict them. There are several steps to expect with an eviction.

Unlawful Detainer. The landlord would first need to file an unlawful detainer lawsuit in superior court. An unlawful detainer is a summary court procedure and in most cases, court action moves along quickly. The landlord would be listed as the "plaintiff" whereas the resident would be listed as the "defendant".

Resident Response. Residents are given the opportunity to respond to the unlawful detainer notification. Essentially this is their initial opportunity to share their

side of the story. They can note the condition of the housing and any points they deem valid to the case. **Hearing.** The court will hold a hearing where both parties can present their evidence and explain their case. The judge will then decide the verdict and rule in favor of either the landlord or resident.

Writ of Possession. If the court rules that the landlord is victorious and the resident needs to vacate, a writ of possession will be issued to the local sheriff's office and a lock out date will be scheduled. If the resident does not vacate, they will still be locked out of the home. **OR Resident Wins.** If the court rules in favor of the resident, they will not be evicted, and the landlord may have to pay the resident's attorney fees.

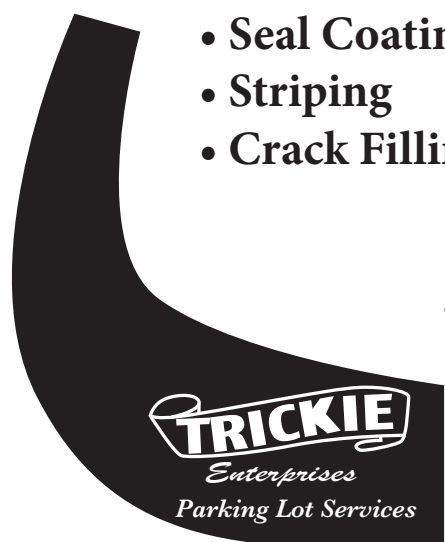
There are many important factors to consider before filing an unlawful detainer with the court. It may be advised that the resident file a Motion to Quash Service of Summons or a Demurrer instead of a simple response.

Eviction can be a difficult process and in the end, nobody really wins. Legal fees, loss of rent, and moving expenses are just a few of the consequences suffered on both sides of an eviction. At Real Property Management, our goal is to provide you, the property owner, with a quality tenant to hopefully avoid such issues in the future. If eviction is unavoidable, whether you are a landlord or a resident, it is best to contact an attorney for guidance and assistance through the eviction process. 🏠

Complete Blacktop Services

- Seal Coating
 - Sweeping
 - Striping
 - Patching
 - Crack Filling
 - Asphalt Repair
- Commercial & Residential

Year Round Services Including
Show Plowing & Lawn Maintenance
In Business for 35 Years



Fully Insured

9200 N. 2nd. St., Machesney Park, IL

815-637-6524

Fax# (815) 654-9650

Trickieent@aol.com

October Meeting

Paul Arena Speaks to the Membership about Screening Tenants ▼



RAA members listen to speaker Paul Arena ▲



Board members Lynn Olson and Debbie Chamberlain find seats in in the back of the room ▼



▲ *Paul Gorski, Candidate for Winnebago County Clerk Shares his vision of the county clerks job.*



Standing room only for the October 2017 meeting on Screening Tenants

Rockford Apartment Association Directory

RAA SERVICE DIRECTORY

All Seasons Carpet Cleaning	815-399-8690
Asset Protection Ins.	815-708-7445
Baney Construction	815-319-3333
Don's Appliance	815-877-2553
Eckberg Insurance Group	815-877-4100
G.W. Porter , Process Service	815-961-8100
IL Bank & Trust , Dennis Roop	815-637-7008
Ken Becker Realtors	815-399-8000
Nicholson Hardware	815-963-4821
SKV Construction	815-245-6098
TRI-B Hardware & Supply	815-399-2828
Trickie Enterprise	815-637-6524

RAA BOARD MEMBERS

President	Karl Fauerbach	815 877-6077
Vice President	Mary O'Sullivan-Snyder	815-988-2755
Secretary	Ken Opperman	815-248-4248
Treasurer	Mike Cavataio	815-397-3320
Nominating Com.	Ken Becker	815-399-8000
Newsletter Advertising	Lynn Olsen	815-222-0606
Vendor Table	Mary O'Sullivan-Snyder	815-988-2755
	John Kirschbaum	815-871-0696
Bus. Forms	Allen Much	815-963-4123
Membership	Debbie Chamberlain	815-871-4713
Programs Director	Larry Mills	815-289-1607
Events Photographer	Jerri Cole	779-537-4257
	Lynn Olsen	815-222-0606
Marketing	Katty Roggensack	815-222-0324
Web Site	Steve Lantow	815-543-9992
Newsletter Editor	Karl Fauerbach	815-877-6077
	Jerri Cole	779-537-4257
Government and Public Affairs Director		
	Paul Arena	815-243-2924
IRPOA Rep	Paul Arena	815-243-2924

*Legal Counsel (Board Advisor) Tom Wartowski 815 978-1572

Rockford Apartment Association Code of Ethics

We, the members of the RAA, recognizing our duty to the public and the intimate nature of the relationship between the apartment resident and the owner, or manager, and being aware of the vastly increasing role of the apartment industry in providing the home of the future, and in order to provide the apartment-residing public with the maximum in quality and service upon the highest standards of honest and integrity, do hereby bind ourselves, with each and every member, together and alone, agreeing that, so long as we remain members of the RAA and so long as nothing contained herein shall be unlawful, we shall:

- Promote, employ and maintain a high standard of integrity in the performance of all rental obligations and services in the operation of our apartment communities.
- Maintain and operate our apartment communities in accordance with fair and honorable standards of competition, ever mindful of the purposes of the Rockford Apartment Association and in compliance with the bylaws thereof.
- Strive continually to promote the education and fraternity of the membership and to promote the progress and dignity of the apartment industry in creating a better image of itself in order that the public may be better served.
- Seek to provide better values, so that an even greater share of the public may enjoy the many benefits of apartment living.
- Establish high ethical standards of conduct within the apartment industry in the business relationship between the owner, managers and suppliers of products and services to the apartment industry.
- Maintain property standards of the appropriate governmental authority.
- Ensure that every qualified individual, regardless of that individual's race, color, religion, gender, disability, familial status or national origin is afforded the same opportunity to rent an apartment and enjoy the benefits of apartment living.

Financial statement available upon request to members in good standing.

The content and opinions expressed in the RAA newsletter do not necessarily reflect the views of, nor are they necessarily endorsed by, the Rockford Apartment Association or its board.