



LeRoy Police Department

110 S. East St., LeRoy IL 61752

Jason T. Williamson, Chief of Police



Emergency: 911

Non-Emergency: (309)-962-3310

www.leroyilpolice.org

Fax: (309)-962-7213

LANDLORD/TENANT DISPUTES

Landlord/Tenant disputes are typically civil issues and all parties are referred to consult their private attorneys.

Co-habitation situations turn into civil landlord tenant situations once a person establishes residency, regardless of who pays the bills, is on the lease, or owns the residence.

The following process information can be provided by officers of this department:

1. Landlords can either go to the McLean County Small Claims Division and pick up a 5 day, 10 day, or 30 day notice to vacate a premise form, or
2. Landlords can create their own notice to vacate form.
3. If the tenant refuses to vacate after being served a 5, 10, or 30 day notice to vacate, the landlord may then file a "Forcible Detainer" at the McLean County Small Claims Division Office. There is a fee for this process. In the forcible detainer the landlord may ask for possession of the property, back rent, repair costs for damages, as well as other issues.
4. The McLean County Sheriff's Department will serve the Forcible Detainer notice to the tenant. They will charge a fee for this. The LeRoy Police Department does not serve these, or any other type of civil process papers (735 ILCS 5/2-202). The alternative to the sheriff's office serving process is a licensed private detective.

5. A hearing date will be established in McLean County Small Claims Court. The tenant will be subpoenaed to the court. At the hearing, evidence will be presented and the Judge may order a tenant to vacate the premises by a specific date.

6. If the Judge orders the tenant to vacate the premises and the tenant refuses, the landlord must return to the McLean County Small Claims Court and request a final order for possession of the property. If granted, the McLean County Sheriff's Department Civil Officer may then come out and remove the tenant and their property. The LeRoy Police Department will not complete this process but may assist the Sheriff's Office at their request to provide for their safety.

7. Intentional Damage by a tenant to property of the landlord will be dealt with as a criminal damage to property investigation. Only intentional damage will be investigated by the LeRoy Police Department. Unintentional damage, or damage caused by uncleanliness, accidents, ect. is a civil matter. Unpaid rent, non-refunded security deposits, and other monetary disputes is a civil dispute and will not be addressed by the LeRoy Police Department.

8. The McLean County Small Claims Division is located at :

Law & Justice Center

104 W. Front St.

Room 404

Bloomington IL

(309)-888-5330

Email: small_claims@mcleancountyil.gov

<https://www.mcleancountyil.gov/577/Small-Claims>