

Tenants in Foreclosure Project: How to Find Foreclosure Information for Tenants

NOTE TO NON-ATTORNEYS: This Manual shows Lawyers' Committee for Better Housing ("LCBH") Staff and Volunteers how to find public record and legal information for Tenants. LCBH Staff and Volunteers should state that "this public record and legal information does not constitute legal advice."

If Tenant requires more assistance after this Brief Service, the Tenant should be referred through the LCBH intake process or directed to seek other legal assistance.

Part I finds building information for Tenants in order to determine if their building is in foreclosure.

Part II provides Tenants with information as to what their rights are at each stage of the foreclosure.

Part III answers other simple questions that Tenants may have about their rights.

In circumstances where a Tenant's situation does not neatly fit within the guidelines outlined in this packet, seek the assistance of a Tenants in Foreclosure Intervention Project ("TFIP") attorney who can assist with completing the Brief Service and/or authorize taking the client for legal services.



Part I. Retrieving Building Information in Cook County: “Is My Building in Foreclosure”?

If Tenant has already received mailings/postings with a Chancery (CH) case number, **SKIP to STEP 3.**

STEP 1: Find the property’s Property Identification Number (PIN)

Go to the City News Chicago’s Community Information Technology website at <http://www.newschicago.org/>.

- If Tenant lives in the City of Chicago: Under the “Search By Address” section, fill in Tenant’s Street No., Direction, and Street name and click on **“Find Property!”**
- If Tenant lives outside of Chicago but still in Cook County: Click on the **“Single Building”** link on the left-hand column under “Cook County Data” before entering address information, including the City Name. In this example below, the search will locate the PIN and other property information for the Adler Planetarium:

The screenshot shows the 'Single Building Search' page on <http://www.newschicago.org/>. The search form includes fields for Street No. (1300), Dir. (S), Street (lake shore), and Suffix (Optional). A 'Find Property!' button is at the bottom. The sidebar on the left shows 'Cook County Data' with 'Single Building' selected, indicated by an arrow and the text 'STEP 1'.

On the search results page, you will see the PIN, as well as the address for the building. Write down the PIN for the building:

General Description of Property (Harris File)			
1200 S Lake shore Chicago, IL 00000			
ADDRESS	PIN	STRUCTURE ID	
1200-1200 S LAKE SHORE	17-22-110-003	01722110003000	
UNITS	STORIES	LAND AREA (100S OF SQUARE FT.)	FLOOR SPACE (100S OF SQUARE FT.)
1	1	15382	1492

If Tenant lives in a condo, lookup the address on the **Cook County Assessor's Office** website: <http://cookcountyassessor.com>. If you click on the "Search" tab at the top of the page, you can choose "Property Search" from the dropdown.



On the next page, scroll down and click "Search by Address"

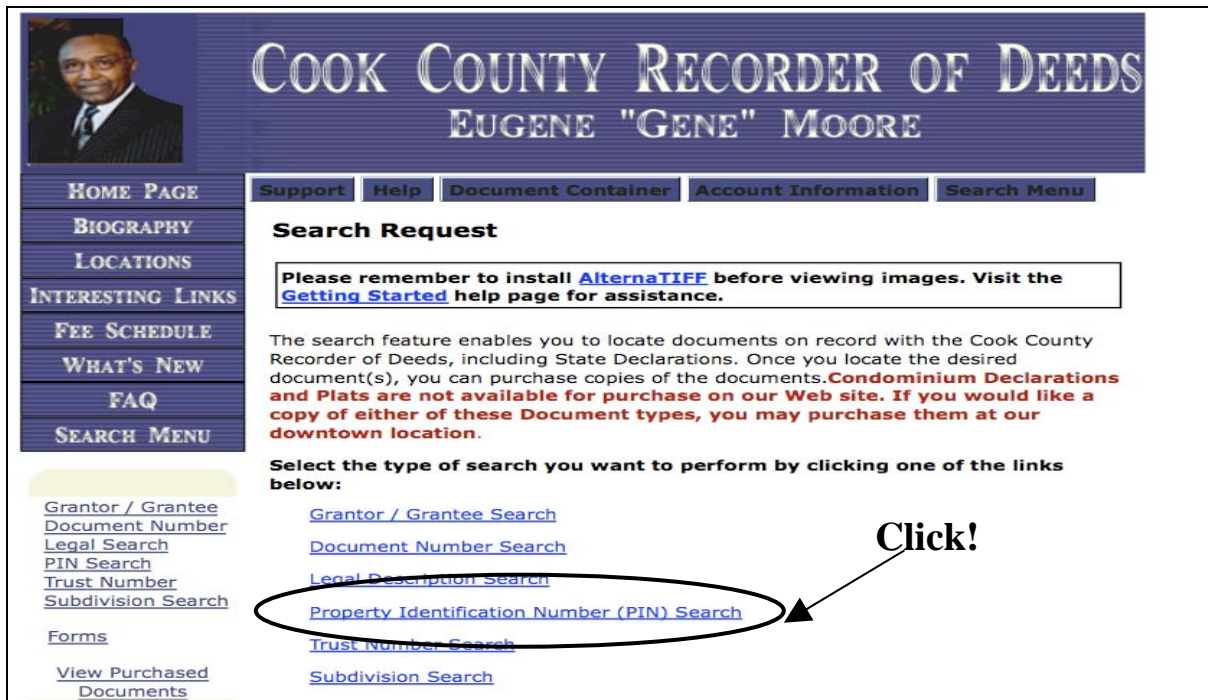
Choose Non-Residential Class -->

On the following page you can enter the address and then click the “Search” button. The PIN will be listed directly under the address on the next page.



STEP 2: Look up document recordings by PIN at the Cook County Recorder of Deed’s Website

Go to the Cook County Recorder of Deeds website located at www.ccrd.info and click the link labeled “Property Identification Number (PIN) Search”:



On the search page, fill in the PIN number only, and then click “**Search >>**”. (If you have a 10 digit PIN, then fill in “0000” for the final four digits):

Property Query Search

Please select either the PIN. Please be sure to enter any required information for the item selected. When finished, press “Search”.

Search Criteria

Property Identification Number (PIN) ← **Enter your PIN here**

- - - -

Subdivision

Subdivision Short Name (required) **Block No.** **Lot No.** **Part of Lot No.**

Condominium

Declaration of Condo No. (required) **Building No.** **Unit No.**

Acreage

No. of Acres **3rd Quarter** **2nd Quarter** **1st Quarter** **Part 1 Code** **Part 2 Code** **One Half Code**

[Search >>](#)

Look for a document type called “LIS PENDENS”

In the example below, Chicago has given notice of Lis Pendens that may affect title to the Adler Planetarium property:

[Back One Page](#)

Add To Document Container

Documents for PIN:17-22-110-003-0000 Result Matches:[1 - 20 of 23][[Next](#)]

Document No.	Document Type	Date Recorded	Grantor/Trust No.	Grantee/Trust No.	Prior Document
0704609342	FINANCING STATEMENT	02/15/2007	IWERKS ENT INC	WF FUND II LTD PS	
0635341031	NOTICE	12/19/2006	CHICAGO	CHICAGO PK DIST	
0504518121	RELEASE	02/14/2005	CONCRETE STRUCTURES MIDWEST INC	TURNER CONST CO	
0425232075	RELEASE	09/08/2004	TOR CONST CO INC	TURNER CONST CO	0021444332
0416032207	RELEASE	06/08/2004	FORMING CONCEPTS INC	CONCRETE STRUCTURES MIDWEST	
0328244007	WARRANTY DEED	10/09/2003	MP TOWER LLC	CARLSON JOSEPH	
0325932107	RELEASE	09/16/2003	PRAIRIE MATERIAL SALES INC	TURNER CONST CO	0021246018
0317642476	LIS PENDENS	06/25/2003	CHICAGO	SHEDD AQUARIUM SOC	

NOTE: A Lis Pendens is a public notice filed against a specific property that a legal action is pending that may affect the title to the property. If a Lis Pendens was filed by a Bank or Mortgage Company (look under heading “Grantor/Trust No.”), it is a sign that this notice may be related to a pending foreclosure suit. Click the “**Document No**” link to the left of the “Document Type” to open detailed information on the Lis Pendens:

Take note of the Grantor, Grantee and dates Executed and Recorded- these will be used in Step 3.

Add To Document Container		Previous Document	Next Document		
Result For:[0317642476]					
Document No.	Executed	Recorded	Document Type	Case No.	Amount
0317642476	06/16/2003	06/25/2003	LIS PENDENS	03M1402539	\$0.00
Legal Description					
Section-Township: 22-39-14		SubDiv-Condo: ACREAGE			
Lot #:		Block #: Part of Lot:			
Property Description					
17-22-110-003-0000 UPIN					
Grantor(s)		Name: CHICAGO Trust Number:-			
Grantee(s)		Name: SHEDD AQUARIUM SOC Trust Number:-			

Write down this number

New foreclosures, specifically those filed in 2010, will be titled “Lis Pendens Foreclosure” and will often have the Case Number listed. If so, record the Case Number to be used in Step 3.

Add To Document Container					Result 1
Documents for PIN: [REDACTED]					
Document No.	Document Type	Date Recorded	Grantor/Trust No.	Grantee/Trust No.	
<input type="checkbox"/> 1017357051	ASSIGNMENT	06/22/2010	MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC	MIDFIRST BK	
<input type="checkbox"/> 1014411074	LIS PENDENS FORECLOSURE	05/24/2010	MIDFIRST BK	[REDACTED]	10CH199

NOTE: If the case number is not listed:The only way to confirm that the court case number associated with the Lis pendens is to view the Lis pendens document at the Cook County Recorder of Deeds Office. The Cook County Recorder of Deed’s downtown office is located at 118 North Clark Street, Room 120, Chicago, Illinois 60602. Inform the Tenant to ask the information desk for the public computer terminals to view the lis pendens or for the records request room to request copies of the lis pendens. Once the tenant is able to view the Lis pendens, locate the court case number associated with the lis pendens. If the lis pendens deals with a foreclosure matter, the lis pendens will state that it is about a foreclosure and the case number will contain the letters “CH.” Write down this case number and **SKIP to STEP 3.**

- OR, if Tenant believes that this is the only foreclosure case associate with Landlord, proceed with the information obtained on the Cook County Recorder of Deeds Website. Searching the names of the Grantor and Grantee on Clerk of the Circuit Court of Cook County’s website with knowledge of when the lis pendens was filed will likely lead you to the correct court case number. However, when landlords have multiple foreclosures with the same lender, it is possible that a search of the Clerk of Court website will find an incorrect case number.

SKIP to STEP 3.

STEP 3: Go to the Clerk of Circuit Court's Website

The Clerk of the Circuit Court of Cook County's website is located at <http://www.cookcountyclerkofcourt.org/>. Follow the link for "Online Case Info" and click "Full Electronic Docket Search":



If you have the Case Number: Under Division Name, select CHANCERY. Fill in the case number under "Search by Case Number" and click the search button. In the search results, you will find the most recent activity and the next court date:

Electronic Full Case Docket Search

[Please read the Terms of Agreement before proceeding.](#)

The Clerk of the Circuit Court now offers on-line access to the full electronic docket for cases filed in the Civil, Law, Probate and Domestic Relations divisions. The Electronic Docket Search includes information similar to that found on the Clerk's Public Access terminals located in the various courthouses. The cases are searchable by litigant name, case number, or filing date. Search results are limited to 1000 matches.

PLEASE NOTE – For CIVIL, Domestic Relations and Law Division case numbers, the number in the box after the division letter should contain six (6) digits. For Chancery cases with a "CH" number, you should type only five (5) digits in the box after the "CH". For additional helpful information about using the On-Line Case Info, click [HELP](#).

Enter Case Number →

Division Name

Select a Division (Civil Selected by Default)

Select "CHANCERY" →

Search by Case Number

four-digit year - Division (XX) or (X) - and Number

Case Year: Division Code: Case Number:

(YYYY) (XXXXXX)

Search Now Reset

If you do not have a Case Number: Under Division Name select CHANCERY. Scroll down to "Search by Name" directly under "Search by Case Number." Here, you will select "Defendant" and type in the "Grantee's" name you recorded from the Cook County Recorder of Deeds website:

Plaintiff: Defendant:

Name:

Select Defendant →

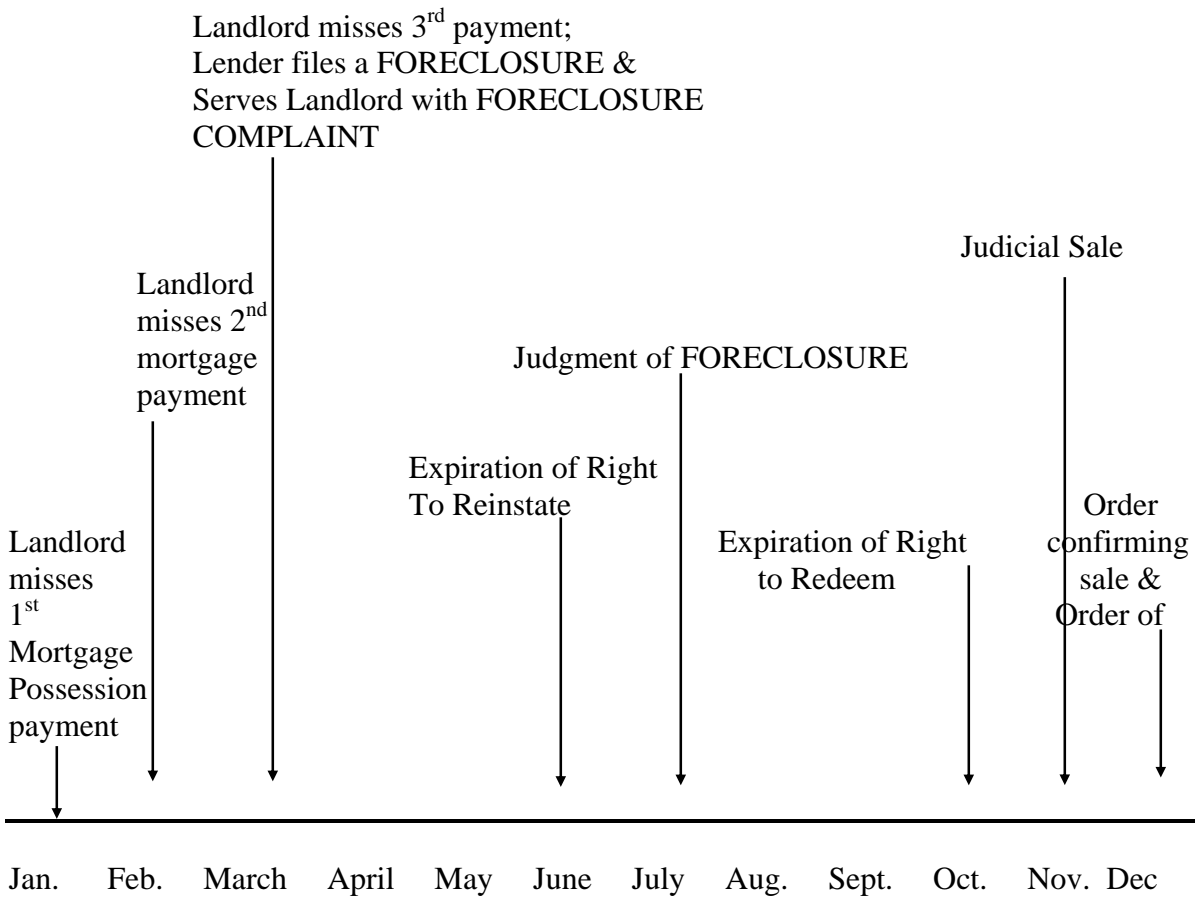
Search Now Reset

If any results show a Plaintiff that appears to be a Bank or Mortgage Company, or any of the Dates Filed match dates from the Lis Pendens, click on the Case Number and view the Case Information Summary.

II. Sample Foreclosure Timeline in Illinois and Key Elements of a Foreclosure

NOTE: Typically, a landlord will not be served with a foreclosure lawsuit until at least 3 months after s/he first misses a monthly payment. Once the landlord is served with the lawsuit, usually at least 7 months will pass before the proceeding concludes with the judge entering an ORDER CONFIRMING SALE or possession of the property (although many foreclosures take this long, not all do and some will take longer). Until losing the building after the ORDER CONFIRMING SALE, **the landlord is still obligated to maintain the building in a fit and habitable condition in compliance with the Building Code.**

The following is a sample timeline. An explanation of key terms in the timeline and others you may find when you review the online court records follow.



Key Elements of a Foreclosure Action that you may see listed on the Clerk of Court's Electronic Docket include:

- (1) **Borrower/Landlord Served with Foreclosure Complaint** Chicago's Residential Landlord and Tenant Ordinance ("RLTO") 5-12-095 provides that **if a tenant lives in Chicago in a building that has more than six units or the landlord/owner does not live on the premises**, a landlord is required to notify tenant of any foreclosure **within 7 days of being served a Foreclosure Complaint**. **If tenant does not receive this required notice, s/he is entitled to break his/her lease and/or damages in the amount of \$200 if s/he wishes to do so.**
- (2) **Appointment of a Receiver** to maintain the property. **Sometimes** the lender will appoint a receiver to manage particularly troubled or large buildings.
 - . The receiver is required to post notice within 21 days of being appointed (*see Public Act 096-0113*).
- (3) **Expiration of the Right to Reinstate** the mortgage by the landlord which occurs 90 days after the debtor is served.
- (4) **Default or Summary Judgment** of foreclosure entered against parties who have failed to appear.
- (5) **Judgment of Foreclosure** which is usually entered after the expiration of the Right to Reinstate the mortgage.
 - **Tenant should not experience any changes in tenancy status, nothing is finalized until the Order Confirming Sale and Order of Possession are entered**
- (6) **Expiration of the Right to Redeem** the property which occurs seven months after the debtor is served or three months from the entry of the Judgment of Foreclosure, whichever is later.
- (7) **Judicial Sale** of the property after notice of the sale. The sale is not set until after the expiration of the right to redeem.
 - Unless the case is dismissed, the Judicial Sale **MUST** be confirmed through the Order Confirming Sale and Order of Possession. A purchaser cannot take over the building until these orders are entered.
- (8) **Order Confirming Sale and Order of Possession** stayed for 30 days. Both orders are entered after the sale occurs on a separate court date.

The Order of Possession rarely impacts tenants in that only parties specifically named in the Order of Possession are affected. The Order from the foreclosure court cannot be entered against generically described parties (for example, "unknown parties" or "nonrecord owners"). 735 ICLS 5/15-1508(g). Further, a new Federal law should provide that tenants

named in the foreclosure will receive the same protections as any other BONA FIDE TENANTS.

- **The tenant has a right to be notified of the building's purchaser within 21 days** after the Order Confirming Sale