

(Landlord Letterhead)

Dear Tenant,

The Waukegan city government has passed a law that says your home must be searched, and has scheduled a search of your residence to be conducted

The government says they must search your home for "possible" building and zoning violations. The government doesn't know if there are any violations; they just want to search.

The law says **tenant's homes** in Waukegan will be searched. **No owner's homes** will be searched.

You have a constitutional right to refuse to permit your home to be searched. (The city would then have to show "probable cause" to a Court to gain a search warrant.)

You also have the right to invite them into into your home.

Your landlord will not let the government in to search your home without written authorization. Please tell us what you want to do, by completing the attached Refusal or Consent form.

Possible violations the city may find:

- Illegal Activity
- Contraband
- Overcrowding

One occupant requires 70 square feet in a bedroom.

Two or more occupants require 50 square feet per occupant in a bedroom.

Three to five occupants requires:

120 square feet of living room space

80 square feet of dining room space (200 square feet if the living and dining room are combined)

50 square feet of kitchen space

Six or more occupants require:

150 square feet of living room space

100 square feet of dining room space (250 square feet if the living and dining room are combined)

60 square feet of kitchen space

Beds not allowed in living rooms or most attics or basements

- Housekeeping
- Extension cords improperly used
- Food storage - rodent/pest control
- Improper locks on bedroom and bathroom doors
- Windows and screens
- Operable smoke detectors
- Exits clear of obstructions

You have a right guaranteed by the Fourth Amendment to the United States Constitution to require that the City first procure an administrative search warrant from a Lake County Circuit Court before undertaking any inspection of your residence. A Court will issue a search warrant only if the City first makes a sufficient showing that it has "probable cause" to believe that an inspection of your residence is necessary to enforce the City's Building and Zoning Codes.

You have a Constitutional right to insist that the City procure this warrant before the City conducts ANY inspection of your residence. The City MAY NOT penalize you in any way in the event you choose to exercise your Constitutional right to require the City to first procure a search warrant from a Lake County Circuit Court before inspecting your residence, and may not make you assume the costs of securing such a warrant.

REFUSAL FORM

Tenant Name (Please Print) _____

Tenant Name (Please Print) _____

Tenant Name (Please Print) _____

Tenant Name (Please Print) _____

Address _____ Unit Number _____

I do NOT want the city or any government to search my home without showing Probable Cause in a Court of Law.

_____, Tenant
SIGN Your Name - DO NOT PRINT

_____, Tenant
SIGN Your Name - DO NOT PRINT

_____, Tenant
SIGN Your Name - DO NOT PRINT

_____, Tenant
SIGN Your Name - DO NOT PRINT

Date _____
Month Day Year

I understand that I can invite the government in at any time in the future, if and when I decide to do so.

Please return this form to your landlord, who will then give a copy to the City of Waukegan. If you want further advice, you should seek an attorney to counsel you.

CONSENT FORM

Tenant Name (Please Print) _____

Tenant Name (Please Print) _____

Tenant Name (Please Print) _____

Tenant Name (Please Print) _____

Address _____ Unit Number _____

I agree to forfeit my Fourth Amendment rights and allow city government to search my home for possible building and zoning violations.

(Choose from the following)

_____ I insist on being present when any city official is allowed access to my dwelling.

_____ I give permission to my landlord or landlord's agent to allow access to any city official to search my home, in my absence, for possible building and zoning violations.

_____, Tenant
SIGN Your Name - DO NOT PRINT

_____, Tenant
SIGN Your Name - DO NOT PRINT

_____, Tenant
SIGN Your Name - DO NOT PRINT

_____, Tenant
SIGN Your Name - DO NOT PRINT

Date _____
Month Day Year

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