This form is approved by the Illinois Supreme Court and is required to be accepted in all Illinois Circuit Courts.

STATE OF ILLINOIS, CIRCUIT COURT _____ **COUNTY**	**MOTION TO VACATE DEFAULT JUDGMENT OF FORECLOSURE**	*For Court Use Only*

Instructions ▼		
Directly above, enter the name of the county where the case was filed.	**Plaintiff** *(Name of Bank or Mortgage Company)*	
Enter the name of the bank or mortgage company as Plaintiff.	v.	
Enter your names as Defendants.		
Enter the Case Number from the Complaint you received.	**Defendants**	**Case Number**

Enter your full names as Defendants. You will be called "Defendants" on the rest of this form even if there is only one person using this form.

You can file this Motion by yourself or with any other Defendants listed in the Complaint you received.

Defendants:
 Your Names

In **A1**, enter the complete address of the property involved in this foreclosure case listed in the Complaint.

A. Defendants state:

1. The address of the property involved in this foreclosure case:

   _____
   Street Address, Apt #

   _____
   City   *State*   *ZIP*

In **A2**, check "Yes" if you have a mortgage loan for the property involved in this foreclosure case.

2. Defendants are the borrowers of a mortgage loan on the property involved in this foreclosure case:

   ☐ Yes   ☐ No

In **A3**, check "Yes" if you live in the property involved in this foreclosure case.

3. Defendants live in the property involved in this foreclosure case and it is their main home:

   ☐ Yes   ☐ No

In **A4**, check "Yes" if the property involved in this foreclosure case is a single family home or has 1 to 4 separate units where people live.

4. The property involved in this foreclosure case is a single family home or has 1 to 4 residential units:

   ☐ Yes   ☐ No

In **A5**, check "Yes" if you went to court and saw a judge in this case about the property involved in this foreclosure case.

5. Defendants have already been in front of a judge about this foreclosure case::

   ☐ Yes   ☐ No

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In **A6**, enter the date the judge signed the Judgment of Foreclosure and Sale you received.

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6. The judge signed the order for a Judgment of Foreclosure and Sale on:

_____

In **A7**, check (a.) OR (b.) If you check (a.), also check the reason you were not at the court hearing when the judge ordered the foreclosure of your property.

7. ☐ a. I was not at the court hearing when the judge ordered the foreclosure because:
    ☐ I was late to court because
_____

    ☐ I did not make it to court because
_____

    ☐ I did not get a notice of the court hearing because
_____

    ☐ Other: _____

☐ b. I was at the court hearing when the judge ordered the foreclosure but:
    ☐ the judge did not give me extra time to answer.
    ☐ Other:
_____

In **A8**, check "Yes" in the first part if you have applied to get your mortgage loan changed so that you can keep the property. In the second part, check the box about whether the modification is under the HAMP program.

8. Defendants have a loan modification application pending:
☐ Yes ☐ No ☐ Do Not Know
It is a HAMP loan modification:
☐ Yes ☐ No ☐ Do Not Know
Under the terms of the modification, the lender is not permitted to go forward with the case at this time (attach a copy of the modification contract to this *Motion*).
☐ Yes ☐ No ☐ Do Not Know

In **A9**, check "Yes" if you have a contract to sell the property as a short sale.

9. Defendants have a short sale contract for the property being sold as a result of a foreclosure:
☐ Yes ☐ No ☐ Do Not Know

B. Under §2-1301 of the Illinois Code of Civil Procedure, Defendants ask the Court to:
1. Vacate the default order and judgment;
2. Allow Defendants to file their appearance;
3. Grant Defendants time to answer;
4. Award other such relief as the Court deems just and equitable; AND/OR
5. Set a date for Defendants to appear before the judge.

Under the Code of Civil Procedure, 735 ILCS 5/1-109, making a statement on this form that you know to be false is perjury, a Class 3 Felony.

Defendants certify that everything on the *Motion to Vacate Default Judgment of Foreclosure* is true and correct. Defendants understand that making a false statement on this form is perjury and has penalties provided by law under 735 ILCS 5/1-109.

/s/ _____ _____
Defendant Signature *Defendant Printed Name*

If you are completing this form on a computer, sign your name by typing it. If you are completing it by hand, sign and print your name.

_____
Street Address, Apt #

_____ _____
City *State* *ZIP* *Phone*

_____ _____
Defendant Signature *Defendant Printed Name*

_____
Street Address, Apt #