

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
MUNICIPAL DEPARTMENT - FIRST DISTRICT

20261401023

CITY OF CHICAGO, a municipal corporation,	)	Case No.	
Plaintiff	)	Amount claimed per day	11,500.00
V.	)	Address:	
MIDWEST GROUP OF ILLINOIS, LLC	)	2939 E 95TH ST/ 9501 S EXCHANGE AVE	
2939 E 95TH STREET, LLC	)	CHICAGO IL 60617-	
CLARK MORGAN	)		
JOHANNA MORGAN	)		
SOUTH CHICAGO CHAPEL INC.	)		
Unknown owners and non-record claimants	)		
Defendants	)		

COMPLAINT FOR EQUITABLE AND OTHER RELIEF

Plaintiff, City of Chicago, a municipal corporation, by Corporation Counsel, by the undersigned Assistant(s) Corporation Counsel, complains of Defendants as follows:

Count I

1. Within the corporate limits of said city there is a parcel of real estate legally described as follows:

26-07-110-001-0000
LOTS 1, 2, 3 AND 4 IN THE RESUBDIVISION OF LOTS 40 TO 44 BOTH INCLUSIVE IN BLOCK 117 IN THE SUBDIVISION MADE BY THE CALUMET AND CHICAGO CANAL AND DOCK COMPANY OF PARTS OF FRACTIONAL SECTION 6 AND 7, TOWNSHIP 37 NORTH, RANGE 15, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Commonly known as
2939 E 95TH ST/ 9501 S EXCHANGE AVE CHICAGO IL 60617-
and that located thereon is a

- 2 Story(s) Building
- 1 Dwelling Units
- 1 Non-Residential Units

2. That at all times pertinent thereto on information and belief the following named defendants owned, maintained, operated, collected rents for, or had an interest in the said property on the date (s) herein set forth.

MIDWEST GROUP OF ILLINOIS, LLC , OWNER
 2939 E 95TH STREET, LLC , THE CONTRACT BUYER
 CLARK MORGAN , LESSEE
 JOHANNA MORGAN , LESSEE
 SOUTH CHICAGO CHAPEL INC. , LESSEE
 Unknown owners and non-record claimants

3. That on 08/06/2026 and on each succeeding day thereafter and on numerous other occasions, the defendant(s) failed to comply with the Municipal Code of City of Chicago as follows:

1 NC2011

Performed or allowed work to be performed without submitting plans prepared, signed and sealed by a licensed architect or registered structural engineer for approval and without obtaining a permit to perform the work. (13-32-010, 13-32-040, 13-40-020, 13-12-050)

This is a 2 story brick building with a 1st floor commercial space (funeral home) and a 2cd floor apartment. This building, according to DOB records, was vacant in 2022.

The 2cd floor shows evidence of a full gut rehab (no active WIP) that is fairly recent. The work appears to have stopped. No plans or permits on file for this work.

The 1st floor funeral home has been completely remodded. New partition walls forming rooms. New electrical / plumbing wiring, piping and fixtures have been installed. This work is complete.

No plans or permits for any of this work are on file.

Section 14A-4-401

Location: OTHER : :OTHER

SEQ #: 001

2 NC2071

Remove work performed without permit and restore building or site to original construction. (13-32-130, 13-32-290)

If plans are not submitted or approved and a RENO permit is not issued for all of the work performed at the 1st / 2cd floors, then all of this work completed without permits is to be completely removed.

Section 14A-4-401

Location: OTHER : :OTHER

SEQ #: 002

3 CN140016

Keep premises clean, sanitary, and safe. (13-196-620 A, 13-196-630)

This is an unlicensed funeral home that has been receiving deceased human cadavers for proccessing. It is apparent that none of these bodies were being "proccessed". There were 51 bodies stacked in the rear storage room in varying degrees of severe decay / decomposition. Half of these bodies were inside an insufficiently operating cooler while the other half were strewn haphazardly throughout this storage area in an advanced state of decomposition.

The stench was overwhelming and could be smelled outside the building.

There were swarms of flies at / near / on these bodies.

There were numerous rats at / near / on these bodies.

This is an immensely unsanitary situation.

Dangerous and Hazardous.

Section 14X-1-103

Location: OTHER : :OTHER

SEQ #: 003

4

CN015062

Failed to remove obstruction from exitway that hampers travel and evacuation. (13-160-070, 13-196-080)

At the 1st floor funeral home there are 3 sets of double exit doors. These doors are inoperable and do not open.

Extreme reduction in exit capacity.

Also, at the west interior stairwell a 2"x10" board affixed to either wall roughly head height is obstructing safe egress.

Dangerous and Hazardous.

Section 14X-5-505.1.2

Location: OTHER : :OTHER

SEQ #: 004

5

CN197019

Install and maintain approved smoke detectors. (13-196-100 thru 13-196-160) Install a smoke detector in every dwelling unit. Install one on any living level with a habitable room or unenclosed heating plant, on the uppermost ceiling of enclosed porch stairwell, and within 15 feet of every sleeping room. Be sure the detector is at least 4 inches from the wall, 4 to 12 inches from the ceiling, and not above door or window.

Entire building ... No smoke detectors.

Dangerous and hazardous.

Section 14X-5-504.8

Location: OTHER : :OTHER

SEQ #: 005

6

CN197089

Provide carbon monoxide detector for every 10,000 sq feet or less on every floor of Class C Assembly Unit. (13-64-190, 13-64-270) A carbon monoxide detector is needed whenever there is a heating appliance on the premises that burns fossil fuel such as gas, oil, or coal, or air that is circulated through a heat exchanger. Install according to manufacturer instructions. A hard wired model requires an electrical wiring permit. Every room containing a boiler requires a detector. Every floor with forced air heat, circulated air from a heat exchanger, or a fossil fuel burning appliance requires 1 detector for every 10,000 square feet or less.

Entire building ... No carbon monoxide detectors.

Dangerous and Hazardous.

Section 14X-5-504.9

Location: OTHER : :OTHER

SEQ #: 006

7

CN103035

Repair or replace defective structural member. (13-196-530 A)

At the rear attached garage storage area there exists a 50' long metal I-beam supporting roof elements. This beam is severely rusted. An attempt has been made, after the original installation of this structural beam, to augment the beams structural capacity / structural integrity with the installation of (supplemental) screw-jack type (temporary) columns.

These columns are not original to the construction of this building.

These columns are without footings and are not labeled with any structural rating.

Dangerous and Hazardous.

Section 14X-3-303.11

Location: OTHER : :OTHER

SEQ #: 007

8

CN061024

Failed to maintain building or structure in a structurally safe and stable condition. The Building Commissioner requests submission of two (2) copies of a structural condition report prepared, signed and sealed by an Illinois licensed Architect or Structural Engineer, attesting to the structural conditions of the building or structure. (13-196-030)

This report is to focus on the 50' I-beam at the rear garage storage area. This report is to analyze the extent of oxidation damage to this beam and the nature / use / efficacy of the temporary (screw jack type) columns that have been installed at this beam.

Section 14X-1-104.1

Location: OTHER : :OTHER

SEQ #: 008

9

CN010012

Failed to enclose heating plant room with noncombustible walls, partitions, floors and ceilings with at least one hour fire resistance. (15-8-190, 15-8-220)

The furnace and water heater enclosures at the 1st / 2cd floors have open voids in the fire separation at these enclosures.

Dangerous and Hazardous.

Section 14B-5-509

Location: OTHER : :OTHER

SEQ #: 009

10

CN031033

Failed to install approved fire extinguishers on every floor of commercial, industrial or storage building two or more stories in height and having floor area exceeding 3,000 square feet. (15-16-160, 15-16-640)

Only 1 fire extinguisher was observed at this (1st floor) large assembly and it had an expired (2024) certification tag.

Dangerous and Hazardous.

Section 14X-5-505.5

Location: OTHER : :OTHER

SEQ #: 010

11

CN101015

Failed to maintain interior walls and ceilings free from holes or cracks. (13-19-540(c))

All of the walls / ceilings in the rear garage stroage area are severely water saturated and mold covered. These walls / ceilings are not repairable. Strip all drywall off framing and re-install new dryall.

Unsanitary Condition.

Section 14X-3-304.3

Location: OTHER : :OTHER

SEQ #: 011

12

CN106015

Failed to maintain interior stairway system in safe condition and sound repair. (13-196-570)

The 2 interior stair systems are missing handrails.

Dangerous and Hazardous.

Section 14X-3-304.3

Location: OTHER : :OTHER

SEQ #: 012

13

NC9052

Failed to provide partitions with at least two hour fire resistance to enclose storage rooms exceeding 100 square feet in multiple dwellings, institutional units and assembly units. (15-8-240(b))

The first floor storage area has rooms with damaged drywall ceilings / walls. Also, none of the drywall fire rating is code compliant (2 hour fire rating).

Dangerous and Hazardous.

Section 14B-5-508

Location: OTHER : :OTHER

SEQ #: 013

14

NC9042

Failed to provide floor construction and enclosing partitions with at least two hour fire resistance in assembly rooms with capacity exceeding 300 people. (13-84-050(a))

This is a large assembly with occupancy capacity of (>300). The entire space (chapel, viewing rooms, and more) was constructed without plans / permits. The walls / ceilings are to be examined to determine the need for the appropriate (2 hour) fire rating. Numerous areas in this space and the rear storage area shows only a 1 hour wall / ceiling covering.

Dangerous and Hazardous.

Section 14B-5-508

Location: OTHER : :OTHER

SEQ #: 014

15

CN039013

Failed to post in a conspicuous location, the approved occupancy card indicating the number of people who may legally occupy such rooms and space in every theater, public assembly unit or open air assembly unit and in every room or portion of such units. (13-84-410)

This large assembly funeral home has no occupancy placard.

Section 14B-3-308

Location: OTHER : :OTHER

SEQ #: 015

16

NC5012

Failed to provide stairwell opening with self-closing, framed, 1-1/2 hour Class B door. (15-8-180)

None of the stairwell doors to the 2nd level and none of the 1st floor exit doors in this building have the required class B fire rated doors.

Dangerous and Hazardous.

Section 14A-7-716.1

Location: OTHER : :OTHER

SEQ #: 016

17

CN073044

Failed to maintain exterior door hardware in good condition and repair. (13-196-550(d), 13-196-641)

None of the grade level exit doors at this large assembly funeral home have panic hardware.

Dangerous and Hazardous.

Section 14X-5-505.8.4

Location: OTHER : :OTHER

SEQ #: 017

18

CN073014

Failed to maintain exterior door in sound condition and repair. (13-196-550(d) and (e), 13-196-641)

The exterior exit doors at the west, east elevations are wood rotted.

Section 14X-3-303.17

Location: OTHER : :OTHER

SEQ #: 018

19

CN079014

Failed to maintain garage in sound condition and repair. (13-196-530, 13-196-641)

The 4 overhead doors of the attached garage are wood rotted.

Section 14X-3-303.1.1

Location: OTHER : :OTHER

SEQ #: 019

20

CN061014

Failed to maintain the exterior walls of a building or structure free from holes, breaks, loose or rotting boards or timbers and any other conditions which might admit rain or dampness to the walls. (13-196-530(b), 13-196-641)

All elevations ... Eroded brick mortar.

Section 14X-3-303.6

Location: OTHER : :OTHER

SEQ #: 020

21

CN131026

Repair or replace defective screen. (13-196-560 B)

All elevations ... torn / missing screens.

Section 14X-3-303.16

Location: OTHER : :OTHER

SEQ #: 021

22

CN077014

Failed to maintain fence in good condition and repair. (7-28-060, 13-196-630, 13-196-641)

East elevation. Dilapidated chains link fence with bent / missing components.

Section 14X-3-302.3

Location: OTHER : :OTHER

SEQ #: 022

23

CN063014

Failed to maintain chimney in safe and sound working condition. (13-196-590, 13-196-530(b) and (c), 13-196-641)

Main chimney ... Eroded brick mortar.

Section 14X-3-303.6

Location: OTHER : :OTHER

SEQ #: 023

*** End of Violations ***

4. That Marlene Hopkins is the Commissioner of the Department of Buildings of City of Chicago, and as such and pursuant to the Building Code of City of Chicago, caused inspection(s) to be conducted by inspectors of the Department of Buildings of City of Chicago, who have knowledge of the facts stated in this complaint.
5. That this proceeding is brought pursuant to the provisions of the Municipal Code of Chicago, and Chapter 65, Section 5/11-31-1, 5/11-31-2, and 5/11-13-15 of the Illinois Compiled Statutes, as amended.

Wherefore, plaintiff prays for a fine against the defendants, as provided under 13-12-020 of the Municipal Code of Chicago, in the amount indicated on the heading of the Complaint for each day said violations have existed and/or exist, said fine computed in accordance with Section 13-12-040 of the Municipal Code of Chicago.

Count II

Plaintiff, City of Chicago, a municipal corporation, realleges the allegations of paragraphs one through five of Count I as paragraphs one through five of Count II and further alleges:

6. That the levying of a fine is not an adequate remedy to secure the abatement of the aforesated municipal code violations and the public nuisance which they constitute, and that it is necessary that a temporary and permanent injunction issue and, if necessary, that a receiver be appointed, to bring the subject property into compliance with the Municipal Code of Chicago.
7. That Marlene Hopkins, the Commissioner of the Department of Buildings, City of Chicago, has determined said building does not comply with the minimum standards of health and safety set forth in the Building Code.

WHEREFORE, PLAINTIFF PRAYS:

- a. For a temporary and permanent injunction requiring the defendants to correct the violations alleged in the complaint and to restrain future violations permanently, pursuant to 65 ILCS 5/11-31-1 (a), 5/11-31-2 and 5/11-13-15 and 13-12-070 of the Municipal Code.
- b. For the appointment of receiver, if necessary, to correct the conditions alleged in the Complaint with the full powers of receivership including the right to issue and sell receivers certificates in accordance with Section 5/11-31-2 of Chapter 65 of the Illinois Compiled Statutes, as amended.
- c. For an order authorizing the plaintiff to demolish, repair, enclose or clean up said premises, if necessary, and a judgment against defendants and a lien on the subject property for these costs in accordance with Section 5/11-31-1 (a) of Chapter 65 of the Illinois Compiled Statutes, as amended.
- d. If appropriate and under proper petition, for an order declaring the property abandoned under Section 5/11-31-1 (d) of Chapter 65 of the Illinois Compiled Statutes as amended and for an order granting City of Chicago a judicial deed to the property if declared abandoned.
- e. If a statutory lien is obtained in this proceeding under Section 5/11-31-1 or 5/11-31-2 of Chapter 65 of the Illinois Compiled Statutes, as amended, for an order permitting foreclosure of said lien in this proceeding.
- f. For reasonable attorney fees and litigation and court costs.
- g. For such other and further relief as may be necessary in the premises and which the court shall deem necessary.

Corporation Counsel
Attorney for Plaintiff



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