



## Getting Property Back After You Move Out

If you were evicted, moved out, or abandoned your home and you left some of your things behind, there are rules about what the landlord can do with them.

### If Your Property Is Still In the Building Where You Lived

These rules apply if you moved out and left property behind. **It doesn't matter if there was an eviction case in court or not**, or if your landlord told you to move, or if you just decided to move.

- **The landlord must give the property back within 24 hours** of you asking for it back. You have to ask for it in writing. You can ask by text message, email or in a letter. These deadlines do not include weekends or holidays. Put the date on your demand letter and keep a copy of it. You may want to send the letter by certified mail or deliver it in front of a witness. Make sure you tell the landlord in writing the date and time you want to get your things back.
- **After 28 days, the landlord can sell or throw away your property.** The landlord has to give you 14 days written notice before the sale. If they do not give you the notice themselves, they must mail it to your last known address and post it on the property for 2 weeks or, in some cases, publish it in the newspaper.



If the landlord throws your stuff away instead of selling it, they don't have to give you any notice. But they still have to wait 28 days before throwing it away.

- **If your things were stored in your building, you do not have to pay to get them back.** Your landlord can't hold your things until you pay rent or fees you owe. But your landlord can demand you pay for time spent moving things or storage costs.

- **If you are evicted, the landlord has to make a detailed list of all your property while the sheriff is there.** The list must state the condition of each item. It must have the name and badge number of the sheriff. Both you and the sheriff must get a copy.

### **If Your Property is Stored Somewhere Else and There is NO Court Eviction Order**

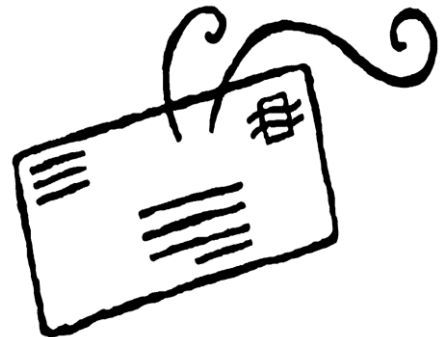
Your landlord has to follow the same rules as above BUT has 48 hours (instead of 24) to give you your things back.

### **If Your Property is Stored Somewhere Else and There is a Court Eviction Order**

- **The landlord must give the property back within 48 hours** of you asking for it back. You have to ask for it back in writing. These deadlines do not include weekends or holidays. Put the date on your demand letter and keep a copy of it. You may want to send it certified mail or deliver it in front of a witness.
- **The landlord must take care of your property for 60 days.** After that the landlord can sell your property. They must give you 3 weeks' notice of the sale. If they do not give you the notice themselves, they must mail it to your last known address and post it on the property for 2 weeks or, in some cases, publish it in the newspaper.
- **You have to pay the landlord back for the cost of moving and storing your things if you were evicted in court and the sheriff came to get you out.** This is only if your things were moved out of your building to somewhere else. Your landlord can demand that you pay before you get your property back. The costs have to be reasonable.

### **What if I owe rent or fees?**

**You can still get your property back if you owe the landlord money** from when you lived there including rent, fees, or court costs. The landlord can ask for the money, but cannot keep your things because you have not paid it.



### **The landlord can use the money from the sale for moving**

**and storage costs or for any debts you owe them.** You can ask for any money left over. Write a letter to the landlord saying you want the money that is left. Keep a copy.

## Can I sue?

If the landlord won't give you back your property, you can sue in Conciliation Court. You will need proof of all the property your landlord took and proof of any money you had to spend to replace items you can't do without, like medicine or tools for work.

You can also ask for attorney's fees and a penalty up to twice your damages or \$1,000, whichever is more. See our fact sheet, [Conciliation Court](#). If you owe the landlord money, the landlord can counterclaim for it in Conciliation Court.

If you were evicted in Hennepin or Ramsey County, you can go back to Housing Court with this claim, instead of filing a new case in Conciliation Court.



***Fact Sheets are legal information NOT legal advice. See a lawyer for advice.***

*Don't use this fact sheet if it is more than 1 year old. Ask us for updates, a fact sheet list, or alternate formats.*

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