



Tshem Tawm Rooj Plaub Raug Ntiab Tawm Tsev

Expunging an Eviction Case

“Expungement” txhais li cas?

Expungement txhais hais tias muab cov ntaub ntawv ntawm ib rooj plaub tshem tawm kom pejxeem tsis txhob pom lawm. Yog koj rooj plaub ntiab tawm tsev raug tshem tawm lawm ces ib tug neeg tshawb xyuas tsev hais plaub cov ntaub ntawv yuav nrhiav tsis pom muaj koj rooj plaub ntiab tawm tsev. Tej zaum cov tsev hais plaub tshem tawm tau cov plaub ntiab tawm tsev, tabsis yeej nyuaj.

Yav tas los lawm cov plaub ntiab tawm tsev hu ua “unlawful detainers” (UDs) tsis muaj cai nyob hauv lub tsev. Tej zaum tej cov keebkawm yuav qhia txawv tias koj muaj UD, qhov nov yog tib yam li raug ntiab tawm tsev.

Thaum twg tsev hais plaub thiaj tshem tawm tau rau rooj plaub ntiab tawm tsev?

Tus txiav txim plaub (lossis tus txiav txim plaub qis) yuav txiav txim seb muab rooj plaub ntiab tawm tsev tshem tawm puas tau. Txoj kevcai daim ntawv teev cov khoom uas koj yuav tsum qhia rau tus txiav txim plaub mas nws thiaj li muab rooj plaub ntiab tawm tsev tshem tawm tau. Tabsis, txawm yog koj qhia tagrho tej no rau tus txiav txim plaub los, nyob ntawm tus txiav txim plaub seb nws puas pom zoo los tsis pom zoo xwb.

Muaj tej zaug tsawg heev uas tus txiav txim plaub **yuav tsum** kam muab rooj plaub tshem tawm. Lawv muaj sau cia nyob rau phaj ntawv tom ntej no, *Yuav tsum tshem tawm rooj plaub*.

Nws muaj 3 hom kev tshem tawm rooj plaub koj nug tau.

- “Kev txiav txim rau lwm tus”
- “Nyob hauv txoj kevcai”
- “Yuav tsum tshem”



Yog hais haum koj qhov teebmeem, koj nug ntau tshaj ib yam kev tshem tawm tau.

Cov rooj plaub piv xwv uas zoo muab tshem tawm yog dabtsi?

- Koj yeej rooj plaub lawm. Muab rooj plaub raug muab lawb tawm mus, lossis hais rooj plaub tag es koj yeej lawm.
- Koj tsiv tawm ua ntej tau txais daim ntawv ntiab tawm tsev.
- Koj hais haum rooj plaub thiab koj ua txhua yam raws li cov lus sib cog tseg.

- Koj tus tswv tsev pom zoo tsis cav qhov tshem tawm rooj plaub. Koj tus tswv tsev muab rooj plaub tshem tawm tsis tau, tabsis koj tus tswv tsev pom zoo tsis cav qhov tshem tawm rooj plaub yuav pab koj.

3 Hom Kev Tshem Tawm Rooj Plaub

Tshem Tawm Rooj Plaub “Inherent Authority” yog kev txiav txim rau lwm tus

Hom kev tshem tawm rooj plaub no yog los ntawm lub tsev hais plaub lub hwjchim los tswj lawv cov keebkawm plaub. Lub tsev hais plaub txiav txim tias seb tshem tawm rooj plaub rau koj (tus neeg xauj tsev) puas tseem ceeb tshaj cia rau lwm cov tswv tsev yav tom ntej paub txog rooj plaub. Tus txiav txim plaub muaj lub hwjchim los txiav txim seb lawv yuav muab rooj plaub tshem tawm or los tsis tshem.

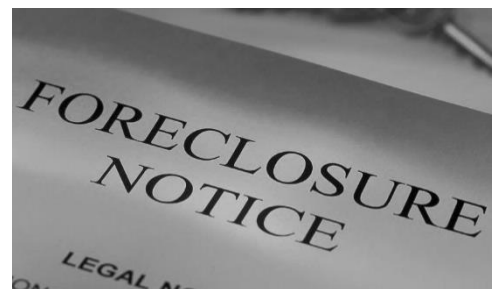
Tshem Tawm Rooj Plaub “Statutory” yog nyob hauv txoj kevcai

Hom kev tshem tawm no yog los ntawm txoj kevcai teev cia. Txoj kevcai hais tias kom lub tsev hais plaub muab los xav ib yam li rau qhov kev tshem tawm “txiav txim rau lwm tus”: seb muab rooj plaub tshem tawm rau koj (tus neeg xauj tsev) puas tseem ceeb tshaj cia rau lwm cov tswv tsev yav tom ntej paub txog rooj plaub no? Yog teb tias tseem ceeb dua, THIAB tus tswv tsev rooj plaub muaj dabtsis tsis yog, ces lub tsev hais plaub muab rooj plaub tshem tawm tau. Tus txiav txim plaub muaj lub hwjchim los txiav txim seb lawv yuav muab rooj plaub tshem tawm or los tsis tshem.

Tshem Tawm Rooj Plaub “Yuav Tsum Tshem”

Hom kev tshem tawm no yog los ntawm txoj kevcai teev cia thiab. Tus txiav txim plaub yuav tsum tau tshem tawm koj rooj plaub yog tias koj muaj povthawj li no:

- Yog lub tsev poob rau tuam txhab nyiaj lossis daim ntawv cog lus yuav tsev raug tshem tawm
- Daim ntawv ntiab tawm tsev tsuas yog vim koj nyob ntev dhau lawm, tsis yog tsis them nqi xauj tsev lossis tsis ua raws li daim ntawv xauj tsev, thiab
- Tsawg kawg, ib qho hauv qab no yeej muaj tseeb:
 1. Lub sijhawm txhiv tawm lossis sijhawm rau daim ntawv cog lus yuav tsev raug tshem tawm dhau lawm. Koj tsiv tawm ua ntej tau txais daim ntawv ntiab tawm tsev.
 2. Koj yog ib tug neeg xauj tsev thaum lub sijhawm txhiv tawm lossis lub sijhawm rau daim ntawv cog lus yuav tsev raug tshem tawm. Koj daim ntawv xauj tsev pib tom qab tus tswv tsev cov nqi them tsev lossis daim ntawv cog lus yuav tsev pib. Lawv tsis muab sijhawm txaus rau koj los xaus koj daim ntawv xauj tsev, lossis lawv muab sijhawm txaus rau koj los xaus koj daim ntawv xauj tsev tabsi rooj plaub ntiab tawm tsev twb pib ua ntej lub sijhawm lawv qhia tias koj yuav tsum tsiv tawm tsev.



Nco Cia: Tsev poob rau tuam txhab nyiaj yuav tsum muab sijhawm tsawg kawg yog 90 hnuv rau koj. Rau daim ntawv cog lus yuav tsev ces yuav tsum muab sijhawm 12 lub hlis rau koj. Yog koj paub tsis tseeb tias lawv muab sijhawm puas txaus rau koj mus saib peb daim ntawv qhia tseeb [Thaum Koj Tus Tswv Tsev Poob lub Tsev Txheej: Tsev Poob Rau Tuam Txhab Nyiaj thiab Daim Ntawv Cog Lus Yuav Tsev “Contract for Deed” Raug Tshem Tawm.](#)

Kuv yuav nug hom kev tshem tawm rooj plaub tawg?

- Koj yuav tsum nug rau hom kev tshem tawm “kev txiav txim rau lwm tus” txhua zaus.
- Yog tus tswv tsev rooj plaub muaj dabtsis tsis yog, nug rau hom kev tshem tawm “nyob hauv txoj kevcai” thiab.
- Koj tsuas yog nug rau hom “yuav tsum tshem” yog hais tias rooj plaub yog tom qab tsev poob rau tuam txhab nyiaj lossis daim ntawv cog lus yuav tsev raug tshem lawm.

Yuav ua cas thiaj li paub tias kuv tus tswv tsev rooj plaub muaj dabtsi tsis yog?

Koj yuav tsum nug qhov kev tshem tawm “nyob hauv txoj kevcai” yog muaj dabtsis tsis yog rau koj tus tswv tsev rooj plaub. Tej zaum muaj ntau yam tsis yog rau koj tus tswv tsev rooj plaub. Tej zaum tus tswv tsev rooj plaub tsis muaj tseeb lossis tsis raws li kevcai, lossis ob qho tibi.

- **Tsis muaj tseeb.** Tus tswv tsev hais tau tej qho lus tseem ceeb tsis yog lawm. Xws li, tus tswv tsev hais tias koj tsis them nqi tsev raws sijhawm lossis tsis ua li koj daim ntawv xauj tsev, tabsis koj paub hais tias cov lus no tsis muaj tseeb.
- **Tsis raws li kevcai.** Tus tswv tsev rooj plaub muaj cov kevcai tseem ceeb tsis yog. Xws li, cov ntau ntawv hais plaub tsis xa rau koj raws li kevcai, lossis rooj plaub yog hais txog tsis them nqi tsev tabsis muaj tej yam khoom nyob hauv lub tsev puas toobkas kho.



Kuv yuav hais li cas rau kuv daim ntawv tshem tawm rooj plaub?

Koj yuav tsum hais kom tus txiav txim plaub ntseeg tias tsim nyog tshem tawm koj rooj plaub. Qhia kom ntxaws txog seb rooj plaub no cuam tshuam rau koj lub neej. **Koj muaj feem ntau dua kom koj rooj plaub raug tshem tawm yog tias koj qhia txhua yam ntxaws txog koj qhov teebmeem.**

Hais txog tej yam zoo li no yuav pab kom koj muaj feem ntau dua txog tshem tawm rooj plaub:

- Yog tias raug ntiab tawm tsev vim muaj teebmeem hauv koj lub neej, xws li poob haujlwm lossis muaj teebmeem txog mob nkeeg.
- Yog tias koj tseem nyob hauv lub tsev.
- Yog tias qhov no yog thawj zaug koj raug ntiab tawm tsev.

- Yog rooj plaub no qub lawm.
- Koj hais haum rooj plaub thiab ua txhua yam raws li koj cog lus cia.
- Yog tias koj them tagrho qhov koj tiv rau tus tswv tsev lawm.
- Raug ntiab tawm tsev nyuaj rau koj mus nrhiav tsev nyob
 - qhia seb pestsawg zaus lawv tsis kam xauj tsev rau koj thiab koj poob nyiaj pestsawg los them nqi ua ntawv xauj tsev lawm.
- Vim li cas tau tsev nyob ruaj ntseg, khov kho thiab nqi tsev pheed yig tseem ceeb rau koj thiab koj tsev neeg, thiab vim qhov raug ntiab tawm tsev uas rau koj nrhiav tsis tau tsev nyob.

Yog kuv them qhov nqi tsev tom qab rooj plaub twb pib lawm ne?

Them qhov koj tiv tshem tsis tau koj rooj plaub tawm hauv koj qhov keebkwm. Them qhov koj tiv lav tsis tau tias yuav muab koj rooj plaub tshem tawm.

Yog tias kuv tseem tiv tus tswv tsev nyiaj ne?

Yuav nyuaj tshaj tshem tawm koj rooj plaub yog hais tias koj tseem tiv tus tswv tsev nyiaj. Zoo dua yog koj tos kom tsis txhob mus ua ntaub ntawv tshem tawm rooj plaub txog tom qab koj twb them tus tswv tseg tag lawm. Yog hais tias koj qhov teebmeem phem heev, tej zaum tus txiav txim plaub yuav muaj koj rooj plaub tshem tawm txawm yog tias koj tseem tiv tus tswv tsev nyiaj.



Tej zaum tus txiav txim plaub rau rooj plaub raug ntiab tawm tsev yuav hais kom koj them tus tswv tsev. Qhov no yog hu uas txiav txim them nyiaj. Ua ntej tus tswv tsev hais tau kom tsev hais plaub kev nyiaj ntawm koj, lawv yuav tau mus foob koj hauv tsev hais plaub me, conciliation court. Qhov no yog hu uas “docketing” nyob hauv daim ntawv tos hu lossis “transcribing” sau cia qhov kev txiav txim. Tas ces lawv muaj 10 xyoo los kev qhov nyiaj ntawm koj. Tej Zaum, cov tswv tsev tsis ua kauj ruam no txog thaum tus neeg xauj tsev hais kom tsev hais plaub muab rooj plaub tshem tawm. Yog koj tseem tiv tus tswv tsev nyiaj, sim mus nrog ib tug kws lij choj tham ua ntej mus ua ntawv muab koj rooj plaub tshem tawm.

Txawm hais tau kom muab rooj plaub tshem tawm lawm, tej zaum qhov nqi koj tiv tseem yuav tshwm rau hauv koj qhov keebkwm tiv/them nuj nqi. Coob leej tus tswv tsev kuaj keebkwm tiv/them nuj nqi thiab raug ntiab tawm tsev tibi ua ntej lawv yuav xauj tsev rau ib tug neeg.

Kuv yuav nug kom lub tsev hais plaub muab rooj plaub tshem tawm li cas?

1. Saib tagrho tsev hais plaub cov ntaub ntawv txog koj rooj plaub, nrog rau qhov lus txiav txim. Yog koj tsis muaj ib daim ntawv luam, mus tim tsev hais plaub uas ntaub ntawv thiab hais kom lawv muab rau koj. Tej zaum yuav tau them nyiaj rau daim ntawv luam.

Tsev hais plaub cov ntaub ntawv puas qhia tias tus tswv tsev rooj plaub tsis muaj zog txaus? Muaj ntau yam kev kev txog cov plaub raug ntiab tawm tsev uas pab qhia rau lub tsev hais plaub tias tus tswv tsev hais tsis muaj tseeb lossis tsis ua raws li kevcai lawm. Yog ua tau, mus

ntsib ib tug kws lij choj ua paub txog cov plaub raug ntiab tawm tsev los pab koj nrhiav seb puas muaj kev keb pab koj txog qhov raug ntiab tawm tsev.

2. Nws muaj ib daim ntawv Thov Muab Rooj Plaub Tshem Tawm nrog daim ntawv tseeb no.

- Saum toj, sau:
 - Lub nroog npe
 - Tus Foob lub los cov npe (koj tus tswv tsev, lossis tus tswv) thiab tus Raug Foob lub los cov npe (koj lub npe). **Qhov no yuav tsum sau kom zoo tib yam li sau rau hauv Tsev Hais Plaub Daim Ntawv Foob Complaint thiab Court Order thiab Tsev Hais Plaub Daim Ntawv ntawm rooj plaub raug ntiab tawm tsev, txawm yog tias cov npe sau tsis thwj lawm.**
 - Koj rooj plaub ntiab tawm tsev tus naj npawj.
- Tsis txhob sau rau ntawm chav “Notice of Motion” Daim Ntawv Sau Thov txog thaum lub tsev hais plaub muab hnuv tim rau koj tuaj hais plaub tso.
- Sau kom tas daim ntawv. Kos cov thawv thiab sau kom ntxaws txog koj qhov teebmeem. Koj kos tshaj ib lub thawv los tau.
- Xee koj daim ntawv thov.
- Luam thiab muab txhua yam ntawv uas yuav pab uas povthawj rau cov lus koj sau hauv daim ntawv thov tias muaj tseeb tiag.

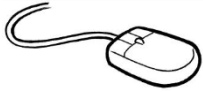


3. Mus ua koj Daim Ntawv Thov nram lub Nroog lub Tsev Hais Plaub

- Nug tus neeg ua haujlwm seb koj puas tau sau lub hnuv tim tuaj hais rooj plaub rau ntawm daim ntawv “Sau Ntawv Thov”. Tej lub nroog kom koj sau hnuv tim rau, thiab tej lub nroog tsis kom.
- Nug tus neeg ua haujlwm seb puas tau muaj lus txiav txim “sau tseg” rau koj rooj plaub. Yog muaj lawm, tej tug neeg ua haujlwm yuav kom koj ua daim ntawv kom tshem qhov lus txiav txim. Tej zaum tus neeg ua haujlwm rau qhia tias koj yuav tau ua li no thiab yuav muab daim ntawv rau koj.
- Nug tus neeg ua haujlwm seb yuav xa daim ntawv “Thov” mus rau Tus Neeg Foob li cas. Feem ntau, koj muab ntawv daim thov “xa mus rau tug neeg” xa hauv qhov chaw xa ntawv mus rau tus tswv tsev qhov chaw nyob paub zaum kawg.

4. Nws muaj ib tug nqi them ua ntaub ntawv thov tshem tawm ib rooj plaub. Yog koj tau nyiaj tsawg, koj sau daim ntawv thov txhob them nqi tsev hais plaub (IFP). Daim ntawv no thov kom lub tsev hais plaub tshem tawm tus nqi. Tsev hais plaub muaj cov ntawv no lossis [koj mus ua](#) tau ntawm. (*Ius Askiv xwb*)

Mus rau www.lawhelpmn.org/forms.



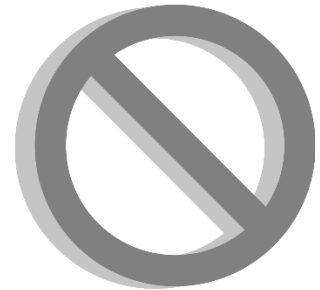
→ Nias “*Court Fee Waiver (IFP)*” lossis tshem tawm nqi tsev hais plaub

Nqa povthawj txog koj nyiaj tau los, xws li tw tshev haujlwm, lossis povthawj noj nyiaj luam.

Npaj kom tiav thaum mus hais plaub. Nqa cov ntawv uas koj luam nrog daim ntawv “Thov”, thiab lwm yam uas ntxim yuav pab koj rooj plaub. Coj cov tim khawv uas pab txhawb tau koj cov lus nrog koj mus.

Kuv yuav ua li cas yog kuv rooj plaub raug tshem tawm lawm?

Saib tsev hais plaub cov ntaub ntawv seb puas tau tshem tawm tiag. Tus neeg ua haujlwm yuav qhia koj tias thaum twg koj rooj plaub mam li raug tshem tawm thiab yuav mus kuaj keebkwm li cas thiaj paub tseeb tias tshem tawm lawm tiag. Lub chaw kuaj neeg xauj tsev qhia tsis tau tias muaj qhov raug ntiab tawm tsev yog lawv paub hais tias twb muab tshem tawm lawm. Nws muaj ib daim ntawv los nrog daim ntawv qhia tseeb. Muab luam 12 daim. Xee npe thiab luam koj daim ntawv hais tias muab rooj plaub tshem tawm lawm mus rau txhua lub koomhaum sau rau saum toj ntawm daim ntawv no. Khaws daim ntawv tseeb lossis luam ib daim rau koj khaws cia.



Yog lawv tsis kam xauj tsev kem rau koj, nug seb tus tswv tsev sib lub koomhaum kuaj neeg xauj tsev twg. Hu rau lub koomhaum ntawd kom lawv tsis txhob qhia txog rooj plaub ntiab tawm tsev uas twb muab tshem tawm lawm. Saib peb daim ntawv qhia tseeb [Tshawb Xyuas Neeq Xauj Tsev](#) kom paub ntxiv.

Kuv yuav ua li cas yog tus txiav txim plaub hais tias “tsis kam”?

Txoj cai muab hwjchim ntau heev rau tus txiav txim plaub los txiav txim hom plaub muab tshem tawm hauv ntaub ntawv no. Txawm yog hais tias koj xav tias koj muaj feem zoo, txoj kevcai hais tias tus txiav txim plaub yeej tseem hais tau tias “tsis kam” yog tias lawv txiav txim li ntawm. Tib lub sijhawm uas tus txiav txim yuav tsum tau tshem tawm rooj plaub mas tsuas yog hais tias yog cov plaub “yuav tsum tshem” vim tsev poob rau tuam txhab nyiaj lossis daim ntawv cog lus yuav tsev raug tshem xwb. Yog koj tsis txaus siab rau tus txiav txim plaub txoj kev txiav txim thiab xav koj rov mus hais dua, yuav muaj feem ntau tias lub tsev hais plaub siab dua yuav txiav txim tib yam li tus txiav txim plaub qub thiab. Yog koj xav hais tias tus txiav txim plaub tsis muab tagrho cov lus ntaub thiab ntawv povthawj los saib lossis tsis siv txoj kevcai yog, koj mus nrog ib tug kws lij choj tham seb puas ntxim koj koj rov mus hais dua.

Koj mam rov sim hais kom muab rooj plaub tshem tawm dua tom qab sijhawm dhau menstis thiab muaj ntau yam uas tau muab rooj plaub tshem tawm rau koj (tus neeg xauj tsev) tseem ceeb dua li cia cov tswv tsev tom ntej paub txog rooj plaub. Tej yam xws li nyob tsis muaj tse, nyiaj them rau ua ntawv xauj tsev, lossis muaj ntau qhov chaw tsis kam xauj tsev rau koj.

Saib peb daim ntawv qhia tseeb [Nrhiav Tsev Kem Xauj Nyob](#) thiab [Tshawb Xyuas Neeg Xauj Tsev](#), txog nrhiav tsev kem tom qab thaum muaj qhov raug ntiab tawm tsev nyob hauv koj qhov keebkwm. Sim nrhiav cov tswv tsev uas tsis kom them nqi ua ntawv xauj tsev thiab tsis siv chaw kuaj neeg xauj tsev.

Koj muaj cai ntxiv ib daim ntawv sau piav txog koj qhov teebmeem raug ntiab tawm tsev rau tom chaw kuaj neeg xauj tsev. Saib kom koj daim ntawv keebkwm hauv qhov chaw kuaj neeg xauj tsev yog. Tej zaum nws hos muaj tej yam tsis yog txog koj hauv.

Cov tuam txhab kuaj neeg xauj tsev qhia txog cov neeg raug ntiab tawm tsev mus ntev li 7 xyoo, thiab cov tswv tsev mus tau tus kheej nram tsev hais plaub mus kuaj cov ntaub ntawv tsev hais plaub tseem khaws txog cov plaub qub raug ntiab tawm tsev. Hais kom lub tuam txhab kho tej yam tsis yog nyob hauv daim ntawv.



Cov ntawv Qhia Tseeb yog qhia kom paub txaj kevcai xwb TSIS yog muab txwv yim txog txaj kevcai. Mus ntsib ib tug kws lij chaj rau tswv yim. Tsis txhob siv daim ntawv qhia tseeb yog tias nws qub tshaj ib xyooos lawm. Nug peb txog cov hloov tshiab, daim ntawv qhia txog cov ntawv qhia tseeb, lossis lwm hom ntawv.

© 2021 Minnesota Legal Services Coalition. Luam tau daim ntawv no los siv rau tus kheej tsis ua lag luam thiab qhia kom paub xwb. Tagnrho lwm cov cai ceev tseg. Qhov lus sau no yuav tsum nyob rau txhua daim ntawv. Txwv tsis pub muab luam, faib, thiab siv ua lag luam.

STATE OF MINNESOTA

DISTRICT COURT
JUDICIAL DISTRICT
CASE TYPE: EVICTION ACTION

COUNTY OF _____

Plaintiff(s) (Landlord),

**NOTICE OF MOTION AND
MOTION FOR EXPUNGEMENT**

v.

Case No. _____

Defendant(s) (Tenant).

TO: DISTRICT COURT ADMINISTRATOR; PLAINTIFF.

NOTICE OF MOTION

PLEASE TAKE NOTICE that at ___a.m./p.m. on _____, Defendant will bring the following Motion on for hearing before the Honorable Presiding Referee or Judge, at the following location: _____

MOTION

- 1. I am asking the court to immediately expunge this court file.**
- 2. Expungement within the Court’s Inherent Authority**

Courts have inherent authority to perform a judicial action when the relief requested “is necessary to the performance of a judicial function as contemplated in [the] state constitution.”¹ Courts also have inherent authority to control their own records, along with the equitable power to prevent unfairness to individuals.² The court “must decide whether expungement will yield a benefit to the petitioner commensurate with the disadvantages to the public from the elimination of the record and the burden on the court in issuing, enforcing and monitoring an expungement order.”³

¹ *In re: Clerk of Court’s Compensation for Lyon County v. Lyon County Commissioners*, 241 N.W.2d 781, 786 (Minn. 1976).
² *State v. C.A.*, 304 N.W.2d 353, 358 (Minn. 1981).
³ *Id.*

I'm asking the court to expunge this file within its inherent authority for the following reasons: Expungement is necessary to the performance of the judicial function of effecting justice.⁴ The burden on the court in issuing an expungement order in this action is minimal. The benefits of expungement to me are equal to, or greater than, any disadvantage to the public from elimination of the record and any burden on the court in expunging the record of this case. I explain my reasons below.

3. These things were going on in my life when this case happened:

- I had less money to pay rent because I lost my job or my hours got cut.

- I had less money to pay rent because of illness or a family emergency.

- I was the victim of domestic violence or another crime.

- I was having other problems in my life.

Here are the details:

⁴ Minn. Const. Art. 1 § 8.

4. This case record has made it harder for me to find housing:

- I have been denied housing around _____ times because of this case record.
- I was last denied housing on _____.
- I have spent around \$ _____ in rental application fees.
- I have been homeless after this case happened.
- My children have been homeless after this case happened.
- This case has made it hard for me to find housing in these other ways.

Here are the details:

5. Expunging this case record will help me find safe and stable housing. I need to find safe and stable housing now:

- I live with children, seniors, or vulnerable adults.
- I have a disability or someone in my family has a disability.
- I am homeless right now.
- I need safe and stable housing because of other reasons.

Here are the details:

6. There are other reasons why it would be fair to expunge this case:

- There was something wrong with the landlord's case (see #7 below).
- I don't owe the landlord any money.
- This case settled, and I did everything I agreed to in the settlement agreement.
- This case record is old.
- This case record should be expunged under the Court's Retention Schedule⁵ because:
 - No money judgment was ordered in this case and the case file was closed over one year ago, or
 - A money judgment was ordered in this case, but I do not owe money anymore and the case is over ten years old.
- Something has changed in my life for the better that helps me be a good tenant.

Here are the details:

⁵ Minnesota Judicial Branch Court Services Division District Court Record Retention Schedule Effective June 1, 2018. Retention Schedule available at https://mncourts.gov/mncourtsgov/media/scao_library/MN-District-Court-Record-Retention-Schedule.pdf.

7. Statutory Expungement⁶

(Check Box #7 if there was something wrong with the landlord's case)

There was something wrong with the landlord's case. The Court may order expungement upon finding that "plaintiff's case is sufficiently without basis in fact or law, which may include lack of jurisdiction over the case, that expungement is clearly in the interests of justice and those interests are not outweighed by the public's interest in knowing about the record."⁷

Numbers 3 through 6 above explain why the expungement is clearly in the interests of justice and those interests are not outweighed by the public's interest in knowing about the record.

The landlord's case was sufficiently without basis in fact or law. These things were wrong with the landlord's case:

- The landlord did not follow the rules when they served me the court papers.
- The case was about nonpayment of rent and the property had pests or needed repairs.
- The landlord dropped their case against me before we went to court.
- There were other things wrong about the landlord's case.

Here are the details:

⁶ Minn. Stat. § 484.014, subd. 2

⁷ *Id*

Mandatory Expungement because of Foreclosure

8. The property in this case was in foreclosure. Expungement is mandatory under law.⁸

- a. I moved out of the property on _____, before this case started⁹ on _____. The foreclosure redemption period is over.

OR

- b. The landlord said I stayed past my move out date (holdover). I was a tenant at the property during the redemption period. My lease started after the landlord's mortgage began. *Check one:*
- i. I did not get the notice required by law.¹⁰
- ii. I received the notice required by law¹¹, but this case started before the date I was supposed to move.

Mandatory Expungement because of Contract Cancellation

9. The property in this case was in contract cancellation. Expungement is mandatory under law.¹²

- a. I moved out of the property on _____, before this case started¹³ on _____. The time for contract cancellation is over.

OR

- b. The landlord said I stayed past my move out date (holdover). I was a tenant at the property during the during the contract cancellation period. My lease started after the contract for deed. *Check one:*
- i. I did not get the notice required by law.¹⁴
- ii. I received the notice required by law¹⁵, but this case started before the date I was supposed to move.

⁸ Minn Stat. § 484.014, subd. 3.

⁹ In Minnesota a case starts at service. Minn. R. Civ. P. 3.01(A); *Appletree Square I, Limited Partnership v. W.R. Grace & Co.*, 29 F.3d 1283, 1286 (8th Cir. 1994); *Appletree Square I Limited Partnership v. O'Connor & Hannan*, 575 N.W.2d 102, 103 (Minn. 1998).

¹⁰ Minn. Stat. § 504B.285, subd. 1a requires minimum notice period of 90 days. Some tenants get a longer notice period.
¹¹ *Id.*

¹² Minn. Stat. § 484.014, subd. 3.

¹³ In Minnesota a case starts at service. Minn. R. Civ. P. 3.01(A); *Appletree Square I, Limited Partnership v. W.R. Grace & Co.*, 29 F.3d 1283, 1286 (8th Cir. 1994); *Appletree Square I Limited Partnership v. O'Connor & Hannan*, 575 N.W.2d 102, 103 (Minn. 1998).

¹⁴ Minn. Stat. § 504B.285, subd. 1a requires a minimum notice period of 90 days. Some tenants get a longer notice period.

¹⁵ *Id.*

10. I certify that, to the best of my knowledge:

- this document is not being filed for an improper reason, such as harassment or delay,
- my claims are supported by the law, and
- there is evidence for my claims and/or my denials.

I know that I may be fined or sanctioned by the court if this certification is false.

I declare under penalty of perjury that everything I have stated in this document is true and correct.¹⁶

Date

Defendant (Tenant)

Address: _____

Email: _____

Phone: _____

¹⁶ Minn. Stat. § 358.116.

Letter to Tenant Screening Companies (send a copy to each company on the list below)

Sau Ntawv Mus rau Cov Tuam Txhab Kuaj Neeg Xauj Tsev (*xa ib daim ntawv mus rau txhua lub tuam txhab ntawm daim ntawv hauv qab no*)

First Check
P.O. Box 334
Wyoming, MN 55092

Multi-Housing Credit Control (MCC)
10125 Crosstown Circle, Ste 100
Eden Prairie, MN 55344

Twin City Tenant Check
910 Ivy Avenue East
St. Paul, MN 55106

Rental History Reports
701 5th Street South
Hopkins, MN 55343

Rental Research Services, Inc.
7525 Mitchell Rd, Ste 301
Eden Prairie, MN 55344

TenantReports.com, LLC
P.O. Box 450
Springfield, PA 19064

Screening Reports, Inc.
220 Gerry Dr.
Wooddale, IL 60191

TransUnion My Smart Move- Disputes
PO Box 800
Woodlyn, PA 19094

AppFolio, Inc
50 Castilian Dr
Goleta, CA 93117

RealPage Resident Screening
c/o Leasing Desk Screening
Consumer Relations
2201 Lakeside Blvd
Richardson, TX 75082

TenantAlert.com
23801 Calabasas Road, Ste 1022
Calabasas, CA 91302

Checkr.com
Attn: Legal Department
1 Montgomery St, Ste 2400
San Francisco, CA 94101

Date (*Hnub tim*): _____

Dear Directors (*Nyob Zoo Cov Thawj Coj*):

I am the tenant listed in the enclosed expungement order(s).

Kuv yog tus neeg xauj tsev sau rau hauv cov ntawv muab rooj plaub tshem tawm.

Minnesota Statutes § 504B.241, Subd. 4 says that “If a tenant screening service knows that a court file has been expunged, the tenant screening service shall delete any reference to that file in any data maintained or disseminated by the screening service.”

Minnesota txoj cai Statutes § 504B.241, Subd. 4 hais tias “Yog hais tias yog ib qhov chaw kuaj neeg xauj tsev paub hais tias tsev hais plaub twb muab rooj plaub tshem tawm lawm, qhov chaw kuaj neeg xauj tsev yuav tsum muab lwv tawm hauv lawv cov ntaub ntawv khaws cia lossis nthuav tawm rau qhov chaw kuaj xauj tsev.”

Subdivision 2 states that “At the request of the individual, the residential tenant screening service must give notification of the deletions to persons who have received the residential tenant report within the past six months.”

Subdivision 2 hais tias “Yog ib tug neeg tau nug lawm, qhov chaw kuaj neeg xauj tsev yuav tsum qhia txog qhov muab lwv tawm lawm mus rau tus neeg uas tau txais daim ntawv keebkwm txog tus neeg xauj tsev, tsis pub dhau 6 lub hlis.”

I am asking you to delete all of your references to this court file, and that you notify anyone who got my tenant report in the last 6 months that the eviction was expunged and deleted from my file.

Kuv thov kom koj muab tagrho txhua yam hais txog rooj plaub no luv tawm, thiab qhia rau txhua tus uas tau kuv daim ntawv xauj tsev keebkwm li 6 lub hlis yav tas los hais tias twb muab rooj plaub raug ntiab tawm tsev no tshem tawm thiab luv tawm ntawm kuv cov ntaub ntawv lawm.

Minnesota law does not permit tenant screening agencies to ask for any other information on tenants before taking this action.

Minnesota kevcai tsis pub cov chaw kuaj neeg xauj tsev nug kom qhia lwm yam ntxiv txog tus neej xauj tsev ua ntej yuav ua li no.

Please contact me if you have any questions. Thank you.

Thov tiv tauj kuv yog koj muaj lus nug. Ua tsaug.

(print name) *(sau npe)*

(signature) *(kos npe)*