



## Tirtirada Guriga Ka Saarida

Expunging an Eviction Case

### Waa maxay macnaha “Tirtiridu”?

Tirtiraada macnaheedu waa ka saarida kiis hore diiwaanka maxkamada si aan dad weynahu u arag. Hadii kiiskaaga guri ka saarida ah lagaa tirtiro, kolkaa qofkii baara diiwaanada maxkamada ma uu helo karo qoraal sheegaya kiiskaagi guri ka saarida ahaa. Maxkamadahu marmarka qaarkood waa ay tirtiraan kiisaska guri ka saarida ah, laakiin aad bay u adkaan kartaa in la helo tirtiraad.

Kiisaska guri ka saarida ah waxaa loogu yeeri jiray “hayso sharci-darro ah” (UDs). Qaar ka mid diiwaanada waxaa dhici karta inay leeyihiin (Uds), taasi waa wax la mid ah guri ka saarid.

### Goorma ayey maxkamadu tirtiri kartaa kiiska guri ka saarid ah?

Xaakim (ama garsoore) ayaa go’aansada in kiis la tir-tiri karo iyo in kale. Sharcigu waxa uu qoraa waxyaabaha aad u baahan tahay inaad tusto xaakimka si loo tirtiro kiiska. Laakiin, xataa hadii aad tusto dhamaan waxyaabaha oo dhan, wali waxay jirtaa xaakimka inuu go’aansado haa, ama maya.

Waxaa jira dhowr waxyaabood oo dhif ah oo laga reebo kolka ay **khasab** tahay in xaakimku uu ansaxninayo tirtiraada. Waxaa lagu qoray qaybta bogga xiga, ee *Tirtiridaha Dirqiga ah*.



### Waa maxay tusaalooyinka ah kiisaska ku fiican tir-tirida?

- Waa aad ku guulaystay kiiska. Kiiska waa la baa’biyey, ama waa ku guulaystay kiiska ka dib dacwo maxkamadeed.
- Waa aad guurtay ka hor intaan warqadaha guri ka saarida aan la keenin.
- Kiiska waa kala heshiisay waxa aadna sameysay wax walba oo ku jiray heshiiska.
- Qolada gurigu waxa ay ogolaatay inaysan ka mudacin tirtirada. Qolada gurigu kuma siin karto tirtiraad, laakiin heshiiska qolada guriga ee ah inaysan ka mudafayn tirtiridu waa ku caawin kartaa.

### 3 da Nooc ee Tirtiraadaha

Waxaa jira 3 nooc oo tirtirid ah oo aad codsan karto.

- “Awooda loo leeyahay”
- “Sharcigu qabo”
- “Dirqi”

Hadii ay xaaladaada ku haboon tahay, waxa aad codsan kartaa in badan hal nooc oo tir-tiraad ah.

#### Tirtiraada “Awood loo leeyahay”

Tirtiraada caynkan ahi waxa ay ka timaadaa awooda maxkamada ay ku maamusho kiisaska diiwaanadeeda. Maxkamada ayaa go'aansata in tirtirada kiisku adiga (kiraystaha) lagaa tirtirayaa ay ka muhiimsan tahay ogaanta kiiska ay ogaanayaan qolyaha gurigaha kiraynaysa mustaqbalka. Xaakimka ayaa leh awooda uu ku go'aansanayo inuu tirtiro ama uusan tirtirin kiiska.

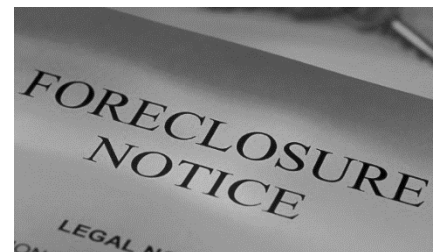
#### Tirtirida “Sharcigu qabo”

Tirtiraada caynkan ahi waxa ay ka timaadaa sharciga. Sharcigu waxa uu leeyahay maxkamadu waxa ay leedahay shuruud la mid ah tan “awooda loo leeyahay” ee tirtirida: kiiska adiga (kiraystaha) lagaa tirtirayaa ay ka muhiimsan tahay ogaanta kiiska ay ogaanayaan qolyaha guryaha kiraynaya mustaqbalka? adiga (kireystaha) hadii ay jawaabtu haa tahay, AYNA jirin wax ka khaldan kiiska qolayaha guriga, kolkaa maxkamadu waa ay tirtiri kartaa kiiska. Xaakimka ayaa leh awooda uu ku go'aansanayo inuu tirtiro ama uusan tirtirin kiiska.

#### Tirtirada “Dirqiga ah”

Tirtiraada caynkan ahi sidoo kale waxa ay ka timaadaa sharciga. Xaakimku waa khasab inuu tirtiro kiiskaaga hadii aad cadeeyso:

- Gurigii oo lala wareegayo ama joojinta qandaraasyada guri kala gadashada
- kiiska guri ka saarida ahi kaliya waxa uu ku saabsanaa joogida guriga muddo dheer (iska fadhiya), ee kuma saabsanayn kiro bixin la'aan ama jabin heshiiska liiska guriga (axdi jabin), iyo
- Ugu yaraan in mid kuwan soo socdaa uu run yahay:
  1. Mudadii ama waqtigii kala soo noqodka la wareegida ama qandaraasku waa dhamaatay. Guriga waxa aad ka guurtay ka hor intii warqadaha guriga ka saarida ah aan la keenin.
  2. Waxaad ahayd kireyste xilligii mudadda ka noqoshada la wareegida, xiligii joojinta qandaraaska. Liiskaagu waxa uu bilowday ka dib kolkii amaahda (mortgage) ama qandaraaska guri gadashadu ay bilaabantay. Laguma siin ogaysiis quman oo lagu dhamaynayo heshiiska liiskaaga, ama waxaa lagu siiyey ogaysiis quman oo lagu dhamaynayo



heshiiska liiskaaga, laakiin kiiska guri ka saarida ahi waa uu bilowday ka hor maalinta ogaysiisku leeyahay waa inaad guurtaa.

**Ogow:** kiisaska guri la wareegida ah ugu yaraan ogaysiis 90-cisho ah ayaa inta badan la iska rabaa. Qandaraasyada guri kala gadashada, ogaysiis 12 bilood ah ayaa la iska rabaa. Hadii aadan hubin in ogaysiis quman lagu siiyey iyo in kale, eeg warqadayada xogta aruursan ee, [Kolka Qolada Guriga Aad uga Jirto laqala Wareeqo Guriga: La Wareegida Guriga iyo Joojinta Qandaraaska Guri kala Gadashada.](#)

### Tirtirid caynkee ah ayaan codsadaa?

- Waa inaad mar walba codsataa tirtiradaada “awooda loo leeyahay.”
- Hadii ay jiraan wax ka khadlan kiiska qolada guriga, codso tirtirida “sharcigu qabo” iyana.
- Kaliya codso tirtirida “dirqida” ah hadii kiisku uu ka dambeeyey la wareegid guri ama joojin qandaraaska guri kala gadashada.

### Sidee ayaan ku ogaan karaa in wax ka khaldan yihiin kiiska qolada guriga?

Waa inaad codsato tirtirada “sharcigu qabo” hadii ay wax ka khaldanaayeen kiiska qolada guriga. Waxyaabo badan ayaa ka khaldanaan kara kiiska qolada guriga. Kiiska qolada guriga waxa uu lahaan karaa xaqaa’iq khaldan ama sharci khadlan ama labadaba.

- **Xaqaa’iqa khaldan.** Kiiska qolada gurigu waxa uu lahaa xaqaa’iq muhiim ah oo khaldan. Sida, qolada gurigu waxa ay tiri, ma aadan ku bixin kirada waqtigeedii la rabay in lagu bixiyo ama waxa aad ka baxday heshiiskii liiska, laakiin, waad og tahay in xaqaa’iqaasi ay khalad yihiin.
- **Sharciga khaldan.** Kiiska qolada guriga waxa uu lahaa sharcigo muhiim ah oo khaldan. Sida, warqadaha maxkamada markiiba lama keenin, ama kiisku waxa uu ku saabsanaa kiro bixin la’aan laakiin waxaa jiray waxyaabo guriga ka mid ahaa oo u baahnaa hagaajin.



### Maxaan ku qori karaa warqadahayga tirtirida?

Waxa aad u baahan tahay inaad ka dhaadhiciso xaakimka inaad u qalanto tirtirid. Si khaas ah uga hadal sida kiiskani uu u saameeyey noloshada. **Waxay u badan tahay inaad hesho tirtirida aad doonayso hadii aad ka bixiso faahfaahino badan xaaladaada.**

Ka hadalka waxyaabahaas oo kale waxay ay caawin inaad hesho tirtirida aad doonayso:

- Hadii guri ku saaridu ay sabab u ahayd daruufo adag oo nolosha ah oo ku haysatay adiga kolkaa, sida shaqo la’aan ama dhibaatooyin caafimaad.

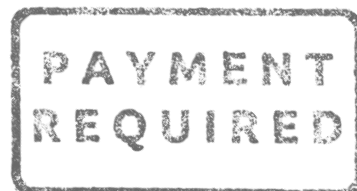
- Hadii aad wali guriga ku nooshahay.
- Hadii tani ay tahay guri ka saaridii kuugu horeeysay waligaa.
- Hadii kiisku uu mar hore ahaa.
- Hadii kiiska aad xalisay aadna sameysay wax walba oo aad ku ogolaatay heshiiska waanwaanta.
- Hadii aad qolada guriga aad siisay wax kasta oo ay kugu lahaayeen.
- Sida guri ka saaridu ay kuugu adkayso adiga inaad guri hesho.
  - Qor inta goor ee lagu diiday guri inta lacag ah ee aad ku bixisay khidmadaha codsiga.
- Sababta ay guri xasiloon oo amaan ahi ay muhiim ugu tahay adiga iyo qoyskaagaba, iyo sida guri ka saaridu ay kaaga hor istaagi karto helida guri.

### **Ka waran hadii aan kiradii bixiyey ka dib kolkii kiisku bilowda?**

Bixinta waxa lagu leeyahay kama bixiso kiiska diiwaankaaga. Bixinta waxa lagu leeyahay ma balan qaado hubaal ah tirtirid.

### **Ka waran hadii qolada gurigu wali lacag igu leedahay?**

Aad bay u adag tahay inaad hesho in kiis lagaa tirtiro hadii qolada gurigu ay wali lacag kugu leedahay. Inta badan waxaa fiican inaad sugto icodsashada tirtirida ka dib ilaa inta aad ka siinayso qolada guriga lacagta ay kugu leeyihiin. Hadii xaaladaadu runtii ay aad u xun tahay hadda, xaakimku waxaa dhici karta inuu kaa tirtiro kiiska xataa hadii wali ay qolada gurigu lacag kugu leedahay.



Marmarka qaarkood, xaakimka kiiska guri ka saarida ah waxa uu amraa inaad qolada guriga lacagtooda siiso. Taa waxaa la yiraa u xukmida lacagta. Ka hor inta qolada gurigu aysan ka codsan maxkamada in lacagtaa lagaa soo qaado, waa inay tagaan maxkamada (qaamaha yaryar) heshiisiinta. Tan waxaa la yiraa “gelinta” ama “diiwaangelinta” xukunka. Kolkaa waxa ay haystaan 10 sanno inay kaaga qaadaan lacagta lagugu xukumay. Marmarka qaarkood qolada guryahu ma ay qaadaan talaabadan ilaa iyo inta kiraystahu uu maxkamada ka waydiisanayo in kiiska laga tirtiro. Hadii qolada gurigu ay wali lacagtii kugu leedahay, isku day inaad la tashato qareen marka hore ka hor inaad xareysan codsiga tirtirida ah.

Xataa hadii kiiska lagaa tirtiro, amaahda qolada gurigu kugu leedahay waxaa dhici karta inay lagu arko warbixin kiridhidkaaga. Qaar badan oo ka mid ah qolaha guryahu waxa ay eegaan labadaba warbixinada kiridhidyaada iyo guri ka saaridyaada kolka ay ka kiraynayaan guri qof.

## Sidee ayaan maxkamada u waydiistaa tirtirida?

1. Eeg dhamaan warqadaha maxkamada ee kiiskaaga guri ka saarida oo ay ku jiraan go'aanka maxkamada. Hadii aadan ka haysan nuqul warqadaha, tag maxkamada laga xareeyey ka dibna waydiiso nuqul. Waxaa dhici karta inay jiraan kharash la xiriira nuqulada (copies).



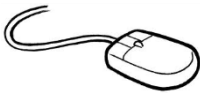
Qoraalada maxkamada ma muujiyaan in qolada gurigu aysan haysan kiis fiican? Waxaa jira siyaabo badan oo la isaga difaaci karo kiiska guri ka saarida ah kuwaa oo caawiya tusida maxkamada in qolada gurigu sharciga iyo xaqaa'iqba ay ku khadlan yihiin. Hadii ay suurta gal tahay, la kulan qareen yaqaan kiisaska guri ka saarida ah si uu kaaga caawiyo inaad eegto wixii difaac ah ee aad ku caabiyi kari lahayd guri ka saarida.

2. Waxaa jira foom Codsiga Tirtirida ah oo ku lifaaqan warqadan xogta aruursan.
  - Qaybta kore, ku buuxi:
    - Magaca Degmada
    - Magaca dhibanaha ama magaca (qolada guriga ama mulkiilaha) iyo magaca eedaysanaha ama magacyada (magacaaga). **Kuwaa waa in loo buuxiyaa si la mid ah sida ay ugu qoran yihiin foomka Ashtakada iyo Amarka Maxkamada ee kiiska guri ka saarida ah xataa hadii magacyada si khalad ah loo qoray.**
    - Lambarka galka kiiskaaga guri ka saarida ah
  - Ha buuxin qaybta Ogaysiiska Codsiga “(Notice of Motion)” ilaa iyo inta maxkamadu kaa siinayso waqtiga dhagaysiga dacwada.
  - Buuxi foomka intiisa kale. Calaamada saxda ah saar santuukhyada kuna qor faahfaahin ku saabsan xaaladaaada. Waa aad calaamadin kartaa in ka badan hal santuukh.
  - Saxiix Codsigaaga.
  - Ku lifaaq wixii qoraal ah ee caawinaya cadeynta in waxa aad ku tiri codsiga ay run yihiin.
3. Tag Maxkamada Degmada si aad u xareysato Codsiga.
  - Waydii karaaniga inaad u baahan tahay inaad ku qorto waqtiga maxkamada Ogaysiiska Codsiga “(Notice of Motion)” iyo in kale. Degmooyinka qaarkood waxa ay rabaan inaad adigu ku qorto taariikhda, halka kuwa kalena aysan u baahnayn.



- U tag karaaniga si aad u eegto in xukun “la galiyey” kiiskaaga iyo in kale. Hadii ay taasi jirto, qaar ka mid ah karaaniyadu sidoo kale waxa ay kaa rabaan inaad buuxiso codsiga ah in lagaa qaado xukunka. Karaaniga waxaa dhici karta inuu kuu sheego inaad u baahan tahay in aad taa sameeyso waxa uuna ku siin foom.
  - Waydii karaaniga tilmaamaha ku saabsan sida loogu geeyo “Codsiga” dhibanaha. Inta badan adigu waa aad u “geyn” kartaa codsiga adigoo boostada ugu dirayo ciwaanka laga hayo qolada guriga.
4. Waxaa jira khidmad lagu bixiyo codsiga tirtirida. Hadii aad dan yar tahay, waxa aad buuxin kartaa foomka saamixidaha khidmadaha ee maxkamada (IFP). Foomkani waxa uu maxkamada waydiistaa in la saamaxo khidmadaha. Maxkamadu iyada ayaa haysa foomamkaa ama [waxa aad ka sameynsan kartaa khadka](#). (ingiriisi kaliya)

Gal shabakada [www.lawhelpmn.org/forms](http://www.lawhelpmn.org/forms).



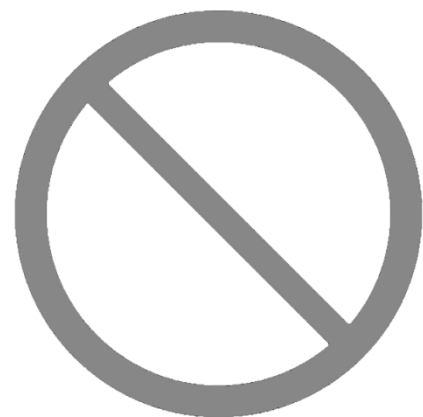
→ Riix “Court Fee Waiver (IFP)” (Saamixida Khidmada Maxkamada)

La imow cadeyn dakhligaaga ah, sida jeeg dabadood, ama cadeyn gargaar dowladeed inaad hesho ah.

Dacwada dhagaysigeeda tag adiga odiyaar ah. La imow wixii qoraalo ah ee aad ku dartay Codsigaaga, iyo wixii kale ee kaa caawin kara inaad cadeyso kiiskaaga. Keen cidii makhraati ah ee gargaari karta sheekadaada.

### Maxaan sameeyaa hadii aan helo tirtirida aan codsaday?

Eeg diiwaanada maxkamada si aad u habsato in kiiska lagaa saaray. Karaaniga maxkamada ayaa kuu sheegi doona kolka kiiska lagaa tirtiri doono iyo sida loo eego diiwaanada si aad u hubiso in lagaa saaray. Shirkad baarida kiraystahu ma soo sheegi karto guri ka saarid hore kolka ay shirkadu og tahay in saaridaa hore la tirtiray. Waxaa jirta warqad ku lifaaqan warqadan xogta aruursan. Ka samee 12 nuqul warqadaa. Saxiix, ka dibna uga dir hal ay la socoto amarkaaga tirtiridu mid walba oo ka mid ah hay’adaha soo baarida kireystayaasha ee kor uga ku qoran warqada. Hayso warqada asalka ah ama nuqul kala har aad naftaada u haysato.



Hadii guri lagu diido, soo ogow hay’ada baarida kireystaha ee ay qolada gurigu isticmaashay. Wac shirkadaa baarida si aad u hubiso inaysan soo gudbinayn arrin kiis horey loo tirtiray ah. Eeg warqadayada xogta aruursan ah ee [Soo Baarida Kireystaha](#) si aad uga hesho akhbaar dheeraad ah.

## Maxaan sameeyaa hadii xaakimku yiraa “maya”?

Sharcigu waxa uu siiyaa xaakimka awood badan oo uu ku go'aansado tirtiraadaha. Xataa hadii aad is leedahay waxa aad haysataa kiis fiican, sharcigu waxa uu leeyahay xaakimku wali waa uu oran karaa “maya” hadii taasi ay tahay waxa uu go'aansado inuu sameeyo. Marka kaliya oo ay khasabka ku tahay in xaakimku uu tirtiro kiiska waa hadii kiisku uu yahay tirtirida ‘dirqiga’ ah ee ku saabsan la wareegida guriga ama qandaraasyada guryo kala gadashada ah. Hadii aadan ogolayn xaakimka go'aankiisa aadna doonayso racfaan, waxay u badan tahay in maxkamada xigtaa ay ayidi doonto (ku raaci) xukunka xaakimkii hore. Hadii aad qabto in xaakimku uusan tixgelin dhamaan akhbaarta oo dhan ama uusan isticmaalin sharciga quseeya kiiskaaga, waa inaad la hadasho qareen si aad u eegto inaad racfaan qaadatao iyo in kale.

Waa isku dayi kartaa inaad mar kale kiiska iska tirtirtid ka dib muddo markii ay ka soo wareegto ayna jiraan waxyaabo badan oo ka dhiga tirtirida kiiska adiga (kireystaha) wax aad uga muhiimsan ogaanta ay qolyaha guryaha ee mustaqbalku ogaanayaan kiiska. Kuwaasi waxay noqon karaan waxyaabahaha sida, ahaanta hoy la'aan, lacagta lagu kharash gareeyey khidmada codsiga ama in guryo lagaaga diiday meelo badan.

Eeg warqadayada Xogta aruursan ee [Guri Raadinta](#) iyo [Soo Baarida Kireystaha](#), ee ku saabsan helida guri kolka ay diiwaanka kuugu jirto guri ka saarid hore.

Waxa aad xaq u leedahay inaad ku darto oraah sharxayasa wixii guri ka saaritaan hore ah diiwaankaaga soo baarida kireystaha. Hubi in warbixintaada soo baarida kiraystahu ay sax tahay. Waxaa kaloo dhici karta inay leedahay akhbaar kale oo khalad ah oo adiga kugu saabsan.

Shirkadaha soo baaritaanku waa ay soo sheegi karaan guri saaritaanada ah 7 saano, qolada guriguna waxa ay toos u eegi kartaa kiisaska maxkamada inta maxkamadu ay sii hayso kiisaska hore ee guri ka saarida. Waydiiso shirkadu inay saxdo wixii khalad ah ee ku jira warbixinta.



**Xog Urursan oo ku saabsan macluumaadka sharciga MA AHA talo xagga sharciga. La tasho qareen.** Ha isticmaalaan xogtan urursan haddi ay 1 sano ka soo wareegtay xilligii la daabacay. Weydiiso xogtii ugu dambaysay, liiska xogta urursan, ama aad ku hesho habab kale.

© 2023 Minnesota Legal Services Coalition. Qoraalkan waa la sii badin karaa waxaana loo adeegsan karaa oo kaliya hab shaqsi ah iyo waxbarasho kaliya. Xuquuqda kale waa mid la dhawray. Ogeysiiskan waa inuu la socdaa nuqul kasta oo la sii daabaco. Dib u daabicidda, sii qeybinta, iyo in loo isticmaalo hab ganacsi ah waa mid si adag loo mamnuucay.

STATE OF MINNESOTA

DISTRICT COURT

JUDICIAL DISTRICT

COUNTY OF \_\_\_\_\_

\_\_\_\_\_ CASE TYPE: EVICTION ACTION

\_\_\_\_\_  
\_\_\_\_\_

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."<sup>1</sup> Courts also have inherent authority to control their own records, along with the equitable power to prevent unfairness to individuals.<sup>2</sup> The court "must decide whether expungement will yield a benefit to the

<sup>1</sup> *In re: Clerk of Court's Compensation for Lyon County v. Lyon County Commissioners*, 241 N.W.2d 781, 786 (Minn. 1976).

<sup>2</sup> *State v. C.A.*, 304 N.W.2d 353, 358 (Minn. 1981).



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.”<sup>3</sup>

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.<sup>4</sup> 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:

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<sup>3</sup> *Id.*  
<sup>4</sup> 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:

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**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:

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**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 Schedule<sup>5</sup> 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:

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<sup>5</sup> 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](https://mncourts.gov/mncourtsgov/media/scao_library/MN-District-Court-Record-Retention-Schedule.pdf).

**7. Statutory Expungement**<sup>6</sup>

*(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.”<sup>7</sup>

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:

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<sup>6</sup> Minn. Stat. § 484.014, subd. 2

<sup>7</sup> *Id*

**Mandatory Expungement because of Foreclosure**

8. The property in this case was in foreclosure. Expungement is mandatory under law.<sup>8</sup>

- a. I moved out of the property on \_\_\_\_\_, before this case started<sup>9</sup> 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.<sup>10</sup>
- ii. I received the notice required by law<sup>11</sup>, 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.<sup>12</sup>

- a. I moved out of the property on \_\_\_\_\_, before this case started<sup>13</sup> 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.<sup>14</sup>
- ii. I received the notice required by law<sup>15</sup>, but this case started before the date I was supposed to move.

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<sup>8</sup> Minn Stat. § 484.014, subd. 3.

<sup>9</sup> 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 (8<sup>th</sup> Cir. 1994); *Appletree Square I Limited Partnership v. O'Connor & Hannan*, 575 N.W.2d 102, 103 (Minn. 1998).

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

<sup>12</sup> Minn. Stat. § 484.014, subd. 3.

<sup>13</sup> 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 (8<sup>th</sup> Cir. 1994); *Appletree Square I Limited Partnership v. O'Connor & Hannan*, 575 N.W.2d 102, 103 (Minn. 1998).

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

<sup>15</sup> *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.<sup>16</sup>

\_\_\_\_\_  
Date

\_\_\_\_\_  
Defendant (Tenant)

Address: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Email: \_\_\_\_\_

Phone: \_\_\_\_\_

<sup>16</sup> Minn. Stat. § 358.116.

**Letter to Tenant Screening Companies** (send a copy to each company on the list below)  
*Warqada Shirkadaha Soo baarid Kireystaha* (nuqul u dir shirkad walba oo liiska hoose ku xusan)

**Ogow:** Tani waa liiska hay'ada inta badan ay isticmaalaan qolyaha guryaha ee MN si ay ugu soo baaraan kireystayaasha. Waxaa jira kuwo kale oo badan. Waxaa fiican inaad ka hesho magaca hay'ada qolada guriga.

**First Advantage**

PO Box 105108  
Atlanta, GA 30348  
[resident.s@fadv.com](mailto:resident.s@fadv.com)

**Rental History Reports, Inc**

7900 W 78th St., Suite 400  
Edina, MN 55439  
(952) 545-3953  
[www.rentalhistoryreports.com](http://www.rentalhistoryreports.com)

**Rental Research Services, Inc.**

7525 Mitchell Rd, Suite 301  
Eden Prairie, MN 55344  
(952) 935-5700  
[www.rentalresearch.com](http://www.rentalresearch.com)

**Twin City Tenant Check**

910 Ivy Ave East  
St. Paul, MN 55106  
(651) 224-3002  
[www.tcofmn.com](http://www.tcofmn.com)

**Checkr.com**

Attn: Legal Department  
1 Montgomery St, Ste. 2400  
San Francisco, CA 94104  
[www.checkr.com](http://www.checkr.com)

**First Check**

P.O. Box 334  
Wyoming, MN 55092  
[kris@firstcheck.info](mailto:kris@firstcheck.info)

**Multihousing Credit Control (MCC)**

10125 Crosstown Circle, Suite 100  
Eden Prairie, MN 55344  
(952) 941-0552  
[www.mccgrp.com](http://www.mccgrp.com)

**TSC Screening Reports, Inc.**

2900 Monarch Lakes Blvd, Ste 201  
Miramar, FL 33027  
(866) 389-4042  
[www.screeningreports.com](http://www.screeningreports.com)

**Experian Rent Bureau**

PO Box 26  
Allen, TX 75013  
1-(877) 704-4519

**TenantReports.com, LLC**

PO Box 450  
Springfield, PA 19064  
(855) 244-2400  
[www.tenantreports.com](http://www.tenantreports.com)

**TransUnion**

**My Smart Move- Disputes**  
PO Box 800  
Woodlyn, PA 19094  
[www.mysmartmove.com](http://www.mysmartmove.com)

**RealPage Resident Screening**

c/o Leasing Desk Screening  
Consumer Relations  
2201 Lakeside Blvd  
Richardson, TX 75082  
(866) 934-1124

**AppFolio, Inc**

[Consumer.relations@appfolio.com](mailto:Consumer.relations@appfolio.com)

**TenantAlert.com**

23801 Calabasas Rd, Ste 1022  
Calabasas, CA 91302  
[www.TenantAlert.com](http://www.TenantAlert.com)

**Equifax Corp. Central Source, LLC**

PO Box 105283  
Atlanta, GA 30348  
1-(877) 897-5001  
[residentscreening@equifax.com](mailto:residentscreening@equifax.com)

**Appriss**

Oyster Point Professional Park  
11824 Fishing Point Dr, Ste B  
Newport News, VA 23606  
[compliance@knowthefact.com](mailto:compliance@knowthefact.com)



Date (Taariikhda): \_\_\_\_\_

Dear Directors (Agaasimayaasha Qaaliga ahow):

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

*Waxa aan ahay kireystaha magaciisu ku xusan yahay amarka(ada) tirtirida ah ee halkan ku jira.*

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.”

*Xeerka Minnesota ee (Minnesota Statutes § 504B.241, Subd. 4) ayaa waxa uu leeyahay “adeeg soo baarida kireystaha ahi hadii uu og yahay in dacwo maxkamadeed la tirtiray, adeega soo baarida kireystahu waa inuu ka masaxaa wixii tixraac ah ee la xiriira dacwadaa wixii macluumaad ah ee uu haysto ama ay qaybiyo.”*

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.”

*Sadar Hoosaadkiisa 2 (Subdivision 2) waxa uu sheegaa in “kolkii uu shakhsigu codsado, adeega soo baarida kireystaha waa khasab inuu ku siiyo ogaysiis ku saabsan masaxida dadka helay warbixinta kireystaha guryaha deegaanka ah lix bilood gudahood.”*

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.

*Waxa aan idin waydiisanayaa inaad masaxdaan dhamaan wixii tixraac ah ee ku saabsan galkan maxkamada, aadna la socodsiin cid walba oo heshay warbixintayda kireystaha 6 dii bilood ee la soo dhaafay iyo in guri ka saaridii laga tirtiray lana masaxay galkayga.*

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

*Sharciga Minnesota ma ogola in hay'adaha soo baarida kiraystahu inay codsadaan wax kale oo akhbaar ah oo ku saabsan kireystaha ka hor inta aysan qaadin talaabadan.*

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

*Fadlan ila soo xiriir hadii aad qabto wax su'aalo ah. Waad mahadsan tahay.*

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(print name) (qor magaca)

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(signature) (saxiixa)