



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 qaar ka mid ah kiisaska oo xaakimku ay **khasab ku tahay** inuu ansaxiyo tirtiridooda. 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”

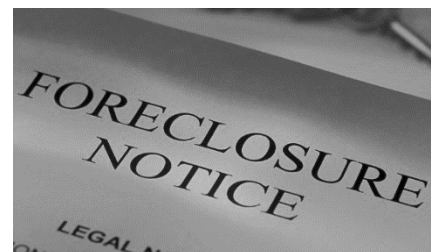
Tirtiraada caynkan ahi waxa ay ka timaadaa sharciga. Sharcigu waxa uu leeyahay maxkamadu waxa ay leedahay shuruud la mid ah tan “awooda loo leeyahay” ee tirtirida: kiiska adiga (kiraystaha) lagaa tirtirayaa ay ka muhiimsan tahay ogaanta kiiska ay ogaanayaan qolyaha guryaha kiraynaya mustaqbalka? adiga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

Tirtirada “Dirqiga ah”

Tirtirida caynkan ah siddoo kale waxa ay ka timaadaa sharciga. Xaakimku waa khasab inuu tirtiro kiiskaaga haddii aad:

1. Ku guulaysatay kiiska “kasbasho” taa oo macnaheedu yahay maxkamaddu waxa ay tixgelisay xaqaa'iqo kiiska iyo sharciga ayna go'aansatay inaysan ahayn in guriga lagaa saaro.
2. Ay maxkamaddu baabi'say kiiska qoladda guriga sabab kasta ha u baabi'see, oo ay ku jiro tusaale ahaan adeeg xun oo aan warqadahii lagu keenin
3. Adiga iyo qoladda gurigu aad ku heshiiseen tirtirida
4. Ay ka soo wareegtay 3 sanno ilaa kolkii la amray guri ka saarida
5. La gaartay heshiis waanwaan ah qoladda guriga aad uga jirto aadna u hogaansantay heshiiska
6. Guriga lagaaga saaray kaliya ku haysasho marawaano ama walxaha (tetrahydrocannabinols) ama aad xaq u leedahay in iskood ay kaaga tirtirmaan dambiyadda marawaanadda qaarkood. Ka eeg warqadayadda xogta aruursan ah, *Ma heli karaa masaxid ah dambi marawaano oo la igu helay? (Can I get my marijuana convictions erased)? Sharciga cusub ee Mariwaanada ee MMN New (Marijuana Laws in MN).*
7. 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:

- 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.
- 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 Wareeqida Guriga iyo Joojinta Qandaraaska Guri kala Gadashada.](#)

Tirtirid caynkee ah ayaan codsadaa?

- Waa inaad dalbato labadaba tirtirida “xaakimku awoodo” iyo kan “sharcigu” dhigayo.
- Waa inaad sidoo kale aad dalbataa tirtirida ‘dirqiga” ah haddii mid ka mid ah asbaabta ku xusan qaybtii ugu dambaysay ay adiga ku quseeyso.

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 noloshaada. **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 horeysay waligaa.
- Hadii kiisku uu mar hore ahaa.
- Hadii kiiska aad xalisay aadna sameysay wax walba oo aad ku ogolaatay heshiiska waanwaanta.



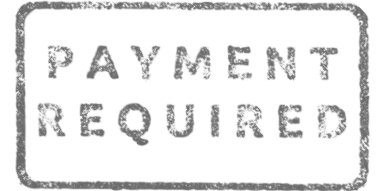
- Hadii aad qolada guriga aad siisay wax kasta oo ay kugu lahaayeen.
- Sida guri ka saaridu ay kuugu adkayso adiga inaad guri hesho.
 - Qor inta goor ee lagu diiday guri inta lacag ah ee aad ku bixisay khidmadaha codsiga.
- Sababta ay guri xasiloon oo amaan ahi ay muhiim ugu tahay adiga iyo qoyskaagaba, 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 lagugu leeyahay kama bixiso kiiska diiwaankaaga. Bixinta waxa lagugu 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. Haddii xaaladaada iminku ay aad xun tahay, ama mid ka mid ah asbaabta tirtirida “dirqiga” ah ay adiga ku quseeyso, xaakimku waxaa laga yaabaa inuu kaa tirtiro dacwada. Waxaa laga yaabaa inuu tirtiro dacwadda xataa haddii ay qoladda gurigu wali 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 kiridhidaaga. Qaar badan oo ka mid ah qolaha guryahu waxa ay eegaan labadaba warbixinada kiridhidyada iyo guri ka saaridyada 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).

Diiwaanka maxkamaddu ma sheegayaa inaad xaq u leedahay tirid dirqi ah? Maadaama sharciyo cusubi ay dhaqangali 2024, ayaa waxaa jira sababo badan oo ay dhici karto inaad xaq ugu yeelato tirtirid iskeed ah. Haddii ay suurtagal tahay, la kulan qareen yaqaan dacwooyinka guri ka saarida ah si uu kaaga caawiyo inaad eegto inay jiraan wax mudacyo ah oo laga yaabo inaad u hayso tirtirid dacwada ah.

2. Tirtirida Dirqiga ah ee ku salaysan sababaha 1-4 ama 7, ee kore, waxa aad heli kartaa tirtirid adigoo xareyn dacwo maxkamadeed. U qor maxkamadda warqad si aad uu sharaxdo sababta aad xaqqa ugu leedahay tirtirida dirqiga ah una geey warqadda garaaniga maxkamadda si ula xareeyo kiiska dacwadda. Waxaa jira foom ka hadlaya Codsiga Tirtirida Dirqiga ah oo ku lifaaqan warqadan xogta aruursan ah.

Haddii ay maxkamaddu ku tiraa waxa aad u baahan tahay inaad xareeyso dacwo ama aad bixiso khidmad, raac tilmaamaha hoose. La hadal qareen si aad caawimaad iyo talo uga hesho haddii arrintan oo kale kugu dhacdo.

3. Tirtirida uu Xaakimku Awoodo, midda Sharciga ah ama mid Dirqiga ah ee ku salaysan sababaha 5-6 ee kore, waxa aad u baahan tahay inaad xareysto dacwo si aad u hesho tirtirid. 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 eedaynaha 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 xaaladaada. Waa aad calaamadin kartaa in ka badan hal santuukh.
 - Saxiix Codsigaaga.
 - Ku lifaaq wixii qoraal ah ee caawinaya cadeynta in waxa aad ku tiri codsigu ay run yihiin.

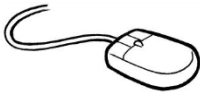


4. Tag Maxkamada Degmada si aad u xareysato Codsiga.
- Waydii karaaniga inaad u baahan tahay inaad ku qorto waqtiga maxkamada Ogaysiiska Codsiga “(Notice of Motion)” iyo in kale. Degmooyinka qaarkood waxa ay rabaan inaad adigu ku qorto taariikhda, halka kuwa kalena aysan u baahnayn.
 - U tag karaaniga si aad u eegto in xukun “la galiyey” kiiskaaga iyo in kale. Haddii 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.

5. Waxaa jira khidmad lagu bixiyo codsiga tirtirida. Haddii aad dan yar tahay, waxa aad buuxin kartaa foomka saamixidaha khidmadaha ee maxkamada (Fee Waiver). 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.



→ Riix “Court Fee Waiver” (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 haddii 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 16 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.



Haddii 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 haddii xaakimku yiraa “maya”?

Sharcigu waxa uu siiyaa xaakimka awood badan oo uu ku go’aansado tirtiraadaha. Xataa haddii aad is leedahay waxa aad haysataa kiis fiican, sharcigu waxa uu leeyahay xaakimku wali waa uu oran karaa “maya” haddii taasi ay tahay waxa uu go’aansado inuu sameeyo. Marka kaliya ee uu xaakimku ay tahay inuu tirtiro kiiska waa haddii ay tirtiridu ‘dirqi’ tahay. Haddii aadan ku raacsanayn go’aanka xaakimka, waxa aad qaadan kartaa racfaan. LAAKIIN waxay u badan tahay maxkamadda xigta ee kiisku uu tagayo inay ku raaci go’aankii xaakimkii hore. Haddii aad u malaynayso in uusan xaakimku

tixgelin dhamaan akhbaarta oo dhan ama uusan u isticmaalin sharciga si sax ah, la hadal qareen si aad u eegto inay tahay 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.

© 2024 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.

Mandatory Expungement Request
Codsiga Tirtirida Dirqiga ah

Date: _____

Taariikhda

RE: MANDATORY EXPUNGEMENT REQUEST

TIXRAAC: CODSI TIRTRID DIRQI AH

Court File Number: _____

Lambarka Galxa Dacwadda

Dear Judge or Referee:

Xaakimka ama Qaadiga Qaaliga ahow

I am a tenant in the eviction case referenced above.

Waxaan ahay kiraystaha dacwadda guri ka saarida ah ee kor xusan.

I am entitled to a mandatory expungement under Minn. Stat. § 484.014, Subd. 3 because:

Waxaan xaq ugu leeyahay tirtirid dirqi ah sida uu dhigayo qodobka sharciga ah ee Minn. Stat. § 484.014, Subd. 3 waayo:

- A court reviewed the law and the facts in my case, and I won (prevailed on the merits).
Maxkamad ayaa dib u eegtay sharciga iyo xaqaa'iqaa kiiskayga, waana ku guulaystay (ku adkaaday kasbashada).
- On _____, the Court issued an order dismissing this eviction case.
_____ maxkamaddu waxa ay soo saartay amar baabi'naya kiiska guri ka saarida ah.
- My landlord and I, and any other parties to the case, have agreed that this case can be expunged from the court's records.
Aniga iyo qoladda guriga, iyo ciddii kale ee dacwadda ka mid ahba, waxaan isku raacnay in dacwadan laga tirtiri karo diiwaanada maxkamada.
- Eviction was ordered in this case on _____, and more than three years have passed since this date.
Dacwadan guri ka saarid ayaa la amray _____, muddo ka badan sedex sanno ayaana ka soo wareegtay ilaa maalintaa amarka la bixiyey.

□ This eviction was for holdover under Minn. Stat. § 504B.285, subdivision 1, clause (1), the property was subject to contract for deed cancellation or mortgage foreclosure and the time for contract cancellation or foreclosure redemption has expired and I vacated the property prior to commencement of the eviction action; or I was a tenant during the contract cancellation or foreclosure redemption period and did not receive proper notice to vacate on a date prior to commencement of the eviction case;

Dacwadan guri ka saarida ahi waxa ay ka soo jeedaa qodobka sharciga ah ee Minn. Stat. § 504B.285, subdivision 1, clause (1), gurigu waxa uu ahaa guryaha qandaraaska lagu gato waana la joojiyey qandaraaskii gadashada ama wuxuu ahaa guri bangi la wareegayo, waqtigii joojinta qandaraaska ama waqtigii la soo noqodka guryaha bangigu la wareegayana waa uu dhacay waxaana ka guuray guriga ka hor intii aysan bilaabmin dacwadda guri ka saarida ah; ama waxa aan ahaa kirayste xiligii joojinta qandaraaska ama mudadda la soo noqodka guryaha bangigu la wareego mana helin ogaysiis quman si aan uga guuro guriga ka hor bilowga dacwadda guri ka saarida ah;

Please expunge this eviction case. Thank you.

Fadlan tirtir dacwadan guri ka saarida ah. Mahadsanid.

I declare under penalty of perjury that everything I have stated in this document is true and correct. Minn. Stat. § 358.116.

Waxa aan shaaca ka qaadayaa anigoo ciqaab mutaysan kara haddii aan been sheego in wax walba oo aan ku sheegay qoraalkan ay run iyo saxba yihiin. (Minn. Stat. § 358.116).

(print name)/ (qor magaca)

(signature) / (saxiixa)

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."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

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).

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)
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

Rental History Reports, Inc

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

Rental Research Services, Inc.

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

Twin City Tenant Check

910 Ivy Ave East
St. Paul, MN 55106
(651) 224-3002
www.tcofmn.com

Checkr.com

Attn: Legal Department
1 Montgomery St, Ste. 2400
San Francisco, CA 94104
www.checkr.com

First Check

P.O. Box 334
Wyoming, MN 55092
kris@firstcheck.info

Multihousing Credit Control (MCC)

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

Screening Reports, Inc.

220 Gerry Dr.
Wood Dale, IL 60191
(866) 389-4042
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

TransUnion

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

TenantAlert.com

23801 Calabasas Rd, Ste 1022
Calabasas, CA 91302
www.TenantAlert.com

Equifax Corp. Central Source, LLC

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

Appriss

Oyster Point Professional Park
11824 Fishing Point Dr, Ste B
Newport News, VA 23606
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.

(print name) (qor magaca)

(signature) (saxiixa)