



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 yiraa in maxkamaddu u baahan tahay inay go'aansato haddii ka tirtiradda kiiska adiga (kiraystaha) ah ay aad uga muhiim tahay ogaanshaha qolyaha guryaha aad ka kiraysan doonto ee mustaqbalka ay ogaanayaan kiiska. Haddii jawaabta su'aashu ay tahay haa, kolkaa maxkamaddu 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. Kiiska qoladda guriga la buriyey sababtu wax kasta ha noqotee, oo ay ku jiraan tusaale ahaan, adeeg-xummo.
3. Adiga iyo qoladda gurigu aad ku heshiiseen tirtirida
4. Ay ka soo wareegtay 3 sanno ilaa kolkii la amray guri ka saarida
5. Qoladda gurigu ay xareysteen dacwo guri ka saarid ah oo adiga kaa dhan ah waayo
 - a) adiga ama qof kale oo guriga degan ayaa ah dhibane tacadi qoyska dhexdiisa ah, khashkhashaad, fal-dambiyeed dhanka galmadda ah loo geystay.
 - b) waayo waxa aad u joojisay heshiiska (lease) guriga sidda uu dhigayo sharciga Minnesota ka cabsi tacadi qoyska dhexdiisa ah, khashkhashaad, ama fal-dambiyeed awgii.

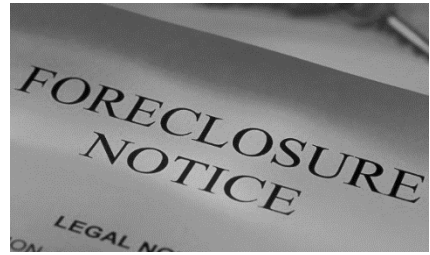
Ka eeg warqadayadda xogta aruursan ah, [*Dhibanayaasha Daqaal Qoyska Dhex Mara, Qashqashaadda, ama Fal Dambiyeedka La Xiriira Galmoodka: Xaqa Aad U Leedahay In Aad Ka Baxdo Heshiiska Kirada.*](#)

6. La gaartay heshiis waanwaan ah qoladda guriga aad uga jirto aadna u hogaansantay heshiiska

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.
- 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.](#)



7. 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 in dambiyadii mariwaanadda ee la igu helay la iqa tirtiro? - Sharciyadda Cusub ee Mariwaanada ee MN.](#)

Ogow: Sharciga Minnesota siddoo kale waxa uu yiraa waxa aad heli kartaa tirtirid dirqiga ah haddii aad la gaartay heshiis waanwaan ah qoladda guriga ah aadna u hogaansantay heshiiska. 2025, Maxkamadda Racfaanadda ee Minnesota (Minnesota Court of Appeals) waxa ay tiri sharcigani waxa uu ku xadgudbaa dastuurka. Maxkamadda Sare ee Minnesota (Minnesota Supreme Court) ayaa arrinta hadda eegaysa go'aana ka gaari doonta sannadkan 2026. Iminka, ma aad isticmaali kartid qaybtan sharcigan ah si aad u hesho tirtirid dood la'aan ah.

Tirtirid caynkee ah ayaan codsadaa?

- Waa inaad dalbato labadaba tiririda “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 nololshaada. **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 laguu 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 kiridhidkaaga. 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. Haddii aadan ka haysan nuqul warqadaha, tag maxkamada laga xareeyey ka dibna waydiiso nuqul. Waxaa dhici karta inay jiraan kharash la xiriira nuqulada (copies). Waxaad kalood ka eegi kartaa qoraaladaadda maxkamadda khadka (online) ee shabakadda [Minnesota Court Records Online \(MCRO\) website.](#)

Diiwaanka maxkamaddu ma sheegayaa inaad xaq u leedahay tirtirid dirqi ah? Maadaama sharciyo cusubi ay dhaqangali 2024, ayaan 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 6 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 iyo 7, 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 eedayanaha 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 haddii 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.

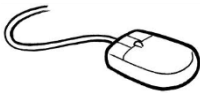


4. Tag Maxkamada Degmada si aad u xareysato Codsiga.

- 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. 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.

5. Waxaa jira khidmad lagu bixiyo codsiga tirtirida. Hadii 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 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.

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 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. Laakiin, waa in ay hubiyaan in qoraalooddu ay sax yihiin. Waa inay tan ku hubiyaan waqti 24-saac ama ka yar ka hor inta aysan bixin warbixin baaritaan. 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 isticmaalan xogtan urursan haddi ay 1 sano ka soo wareegtay xilligii la daabacay. Weydiiso xogtii ugu dambeysay, liiska xogta urursan, ama aad ku hesho habab kale.

© 2026 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 Galka 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:

Waxa aan xaq ugu leeyahay tirtirid dirqi ah sidda 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'iga kiiskayga, waana ku guulaystay (ku adkaaday kasbashada).

- On _____, the eviction case was dismissed by the Court or my landlord.
Iyadoo _____ kiiska guri ka saarida ah ay burisay maxkamaddu ama qolada guriga.

- My landlord and I, and any other parties to the case, have agreed that this case can be expunged from the court's records. The proof of our agreement is attached to this request.
Aniga iyo qoladda guriga, iyo ciddii kale ee dacwadda ka mid ahba, waxaan isku raacnay in dacwadan laga tirtiri karo diiwaanada maxkamada. Cadeynta heshiiskeena ayaa ku lifaaqan codsigan.

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).

7. Statutory Expungement⁶

The Court may order expungement upon finding 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. For those same reasons, I am asking the Court to grant a discretionary expungement.

Mandatory Expungement because Defendant Prevailed on the Merits

8. A court reviewed the law and the facts in my case, and I won. Expungement is mandatory under law.⁸

Mandatory Expungement because the Case Was Dismissed

9. On _____, the Court issued an order dismissing this eviction case or my landlord dismissed the case. Expungement is mandatory under law.⁹

Mandatory Expungement because the Parties Agreed to Expungement

10. My landlord and I, and any other parties to the case, have agreed that this case can be expunged from the court's records.

We reached a written settlement agreement that I am enclosing with this motion.

OR

We agreed orally or by some other mode of communication. My proof of the agreement, if any, is enclosed with this motion. Expungement is mandatory under law.¹⁰

Mandatory Expungement because the Eviction Is More Than Three Years Old

11. Eviction was ordered in this case on _____, and more than three years have passed since this date. Expungement is mandatory under law.¹¹

⁶ Minn. Stat. § 484.014, subd. 2

⁷ *Id*

⁸ Minn Stat. § 484.014, subd. 3.

⁹ Minn Stat. § 484.014, subd. 3.

¹⁰ Minn Stat. § 484.014, subd. 3.

¹¹ Minn Stat. § 484.014, subd. 3.

Mandatory Expungement because of Certain Marijuana or Cannabis Offenses

14. The grounds for my eviction were violation of section 504B.171 or a breach of my lease and

- the breach of lease was based solely on possession of marijuana or tetrahydrocannabinols;

OR

- I am eligible to receive an automatic expungement under Minn. Stat. Section 609A.055. Expungement is mandatory under law.¹⁴

Mandatory Expungement because of Foreclosure

15. The property in this case was in foreclosure. Expungement is mandatory under law.¹⁵

- a. I moved out of the property on _____, before this case started¹⁶ 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.¹⁷
- ii. I received the notice required by law¹⁸, but this case started before the date I was supposed to move.

Mandatory Expungement because of Contract Cancellation

16. The property in this case was in contract cancellation. Expungement is mandatory under law.¹⁹

- a. I moved out of the property on _____, before this case started²⁰

¹⁴ Minn Stat. § 484.014, subd. 3.

¹⁵ Minn Stat. § 484.014, subd. 3.

¹⁶ 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).

¹⁷ Minn. Stat. § 504B.285, subd. 1a requires minimum notice period of 90 days. Some tenants get a longer notice period.

¹⁸ *Id.*

¹⁹ Minn. Stat. § 484.014, subd. 3.

²⁰ In Minnesota a case starts at service. Minn. R. Civ. P. 3.01(A); *Appletree Square I, Limited Partnership v.*

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.²¹
 - ii. I received the notice required by law²², but this case started before the date I was supposed to move.

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.²³

Date

Defendant (Tenant)

Address: _____

Email: _____

Phone: _____

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).

²¹ Minn. Stat. § 504B.285, subd. 1a requires a minimum notice period of 90 days. Some tenants get a longer notice period.

²² *Id.*

²³ Minn. Stat. § 358.116.

