



Ua Ntawv I.O.U. Kom Raws Kevcai Cov Ntawv Cog Lus Them Nyiaj

Making an I.O.U. Legal - Promissory Notes

Daim ntawv cog lus qiv nyiaj yog dab tsi?

Yog koj qiv lossis txais nyiaj, nws yog ib lub tswv yim zoo mus ua daim ntawv cog lus them nyiaj. Daim ntawv cog lus them nyiaj daim ntawv sau kev pom zoo them nyiaj rov qab mus rau tus neeg lossis ib lub lag luam. Daim ntawv cog lus them nyiaj yuav tsum muaj lus qhia meej txog yam xws li thaum twg thiab yuav them nyiaj li cas, yog tias muaj paj nyob ntawm tus nqi tiv, thiab dab tsi yuav tshwm sim yog cov nyiaj tsis them rov qab.

Cov ntawv cog lus them nyiaj kuj hu ua **ntawv them nyiaj** lossis **ntawv cog lus them nyiaj kos npe**.

Yog koj yog tus neeg tiv nyiaj, koj yog tus neeg **cog lus, ua kev cog lus, lossis tiv nqi**.

Yog koj yog tus neeg txais nyiaj rau, koj yog tus neeg **tau kev cog lus, tau nyiaj, lossis tau nyiaj kev pab**.

Cov nyiaj tiv hu ua qhov **principal**.

Yog hais tias daim ntawv cog lus ua yog lawm, ces nws raws kev cai, thiab lub tsev hais plaub yuam cai tau. Saib hauv qab, **“Dabtsi yuav tsum nyob hauv daim ntawv cog lus them nyiaj?”** Ntawv cog lus them nyiaj siv rau kev qiv nyiaj, kev lag luam qiv nyiaj thiab kev qiv nyiaj yuav vaj tse.



Daim ntawv cog lus t them nyiaj txawv ntawm daim I.O.U. vim daim ntawv cog lus them nyiaj hais tias tus neeg mam li them cov nyiaj rov qab thiab qhia tias yuav them li cas thiab thaum twg mam them thiab lwm yam. Daim I.O.U. lam hais tias ib tug neeg tiv nqi rau lwm tus.

Thaum twg kuv thiaj li siv daim ntawv cog lus them nyiaj?

Yog koj qiv nyiaj los ntawm tsev ceev nyiaj, feem ntau tsev ceev nyiaj hais kom koj xee npe rau daim ntawv cog lus them nyiaj. Tsev ceev nyiaj muab lawv cov ntawv muaj cov ntsiab lus lossis cai ntawm daim ntawv cog lus them nyiaj rau koj.

Feem ntau, koj tsis sib hais cov ntsiab lus. Ua zoo nyeem kom totaub qhov koj cog lus ua, thiab dabtsi yuav tshwm sim yog koj tsis ua raws. Nug tsev ceev nyiaj seb cov ntsiab lus muab hloov puas tau yog koj muaj lus keb koj xav kom hloov. Tej zaum ib qho keb zoo yog tias tsev ceev nyiaj xav tau nyiaj them hnuv 1 ntawm lub hli tabsis koj tsis tau nyiaj txog hnuv 5.

Thaum phooj ywg lossis tsev neeg sib qiv nyiaj, feem ntau lawv tsis sau cov lus qhia meej txog qhov nyiaj qiv, xws li yuav them rov qab li cas lossis thaum twg mam them rov qab. Daim ntawv cog lus them nyiaj pab tau vim tias nws muab cov ntsiab lus qhia kom meej, kom sawvdaws paub.

Daim ntawv cog lus them nyiaj muaj tau khoom cas lossis tsis muaj.

Muaj khoom cas txhais tias tus neeg rov them nyiaj rov qab pom zoo rau “security interest” tsub nqi lossis muab khoom cas. Tsuas li, koj muab dabtsi muaj nuj nqi xws li lub tsheb thiab yog koj tsis them cov nyiaj rov qab, qhov chaw txais nyiaj muaj feem coj koj lub tsheb mus them cov nyiaj.

Tsis muaj khoom cas txhais tias qhov nyiaj qiv tsis muaj khoom cas. Yog koj txais nyiaj rau leej twg tsis muab khoom cas thiab lawv tsis them koj, koj tsis muaj feem coj dabtsi muaj nuj nqi los them qhov nyiaj. Koj foob tau lawv kom tau nyiaj, tiamsis txawm koj yeej los, tej zaum nws yuav nyuaj mus muab tau kiag qhov nyiaj.



Dabtsi yuav tsum nyob hauv daim ntawv cog lus them nyiaj?

Ua zoo xyuas kom koj daim ntawv cog lus them nyiaj muaj lus qhia kom meej. Ua li ntawd tsev hais plaub thiaj li hais tau kom ua raws li qhov lus cog tseg.

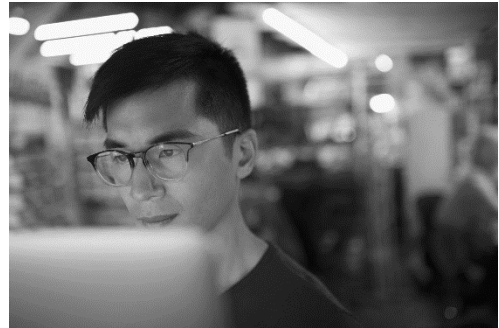
Feem ntau, daim ntawv cog lus them nyiaj yuav tsum muaj:

- Cov npe raws txoj cai, cov chaw nyob thiab xov tooj ntawm txhua tus neeg lossis tuam txhab koom tes.
- Tus nqi ntawm cov nyiaj qiv.
- Thaum qhov nyiaj qiv yuav tsum tau them rov qab. Them tau ua ke tib zaug tagnrho rau tej hnuv lossis hais “on demand.” Kuj teem kev maj mam them rov qab txuas ntxiv mus. Yog ua kev maj mam them rov qab, sau cov hnuv yuav them nyiaj thiab them pestsawg.
- Yog koj tsub paj, sau tus nqi tsub paj rau cov nyiaj qiv. Ceev faj. Yog koj tsis yog ib lub tsev ceev nyiaj, muaj qhov txwv rau tus paj koj muaj feem tsub tau.
- Qhov nqi kawg uas yuav tau them rov qab tom qab muab paj ntxiv rau qhov nyiaj uas txais thaum pib. Qhov no yog cov nyiaj tiv + tus paj.

- Cov ntsiab lus yog them nyiaj tsis tau. Dabtsi yuav tshwm sim yog them nyiaj lig lossis tsis them li? Piv txwv: Puas muaj nqi them lig? Tsis them nyiaj pestsawg zaus ua ntej kev nqi tes pib? Tsis tas li ntawd, yog kev cog lus muaj lwm cov ntsiab lus, dabtsi yuav tshwm sim yog ua tsis tiav?
- Xee cov npe ntawm ob tog thiab hnuv kos npe ntawm daim ntawv cog lus them nyiaj.

Nyeem daim ntawv cog lus them nyiaj kom zoo!

Txhua zaus koj xee npe rau ib daim ntawv tuav cai, xws li daim ntawv cog lus them nyiaj, nyeem kom zoo. Ib co ntawv cog lus them nyiaj, tshwj xeeb yog cov los ntawm tsev ceev nyiaj, feem ntau nkag siab nyuaj heev. Nov yog ob peb yam muaj ntau nyob hauv cov ntawv cog lus them nyiaj los ntawm tsev ceev nyiaj:



- “Acceleration Clause” Zaj Lus Hais Kom Them Nyiaj Kom Tag. Qhov no txhais tau tias koj yuav tsum them tus nqi tseem kom tag yog koj “default” poob rau kev them nyiaj tsis tau. Tej zaum qhov chaw txais nyiaj hais tias tsis them nyiaj ib zaug lossis ntau zaug yuav poob rau kev them nyiaj tsis tau.
- Kom paub tseeb tias “poob rau kev them nyiaj tsis tau” txhais tau li cas. Koj yuav tsum paub tias dabtsi suav tias yog kev them nyiaj tsis tau hauv kev maj mam them rov qab.

Yog tsis tau muaj nyob hauv daim ntawv cog lus them nyiaj , nug qhov chaw txais nyiaj kom ntxiv “Grace Period” Lub Sijhawm Ncuva Tsis Them Nyiaj lossis “Cure Period” Lub Sijhawm Them Nyiaj Lig Tsis Raug Nplua. Qhov no muab sijhawm ntxiv rau koj mus them nyiaj tom qab dhau hnuv them nyiaj. Tsuas yog koj them nyiaj hauv lub sijhawm ncuva lossis lub sijhawm tsis raug nplua, cov nqi nplua yuav tsis muab rau koj them.

- Ua zoo xyuas kom daim ntawv cog lus them nyiaj lus tsis muaj qhov “Pre-Payment Penalty” Nqi Nplua Yog Them Nyiaj Tag Ntxov. Qhov no txhais tias koj yuav tsum them ib tug nqi yog koj xav them cov nyiaj qiv tag ntxov. Yog tias qhov nyiaj qiv los yuav tsev, tejzaum tus nqi nplua them nyiaj tag ntxov yuav tsis yog ua raws cai rau tej qho.

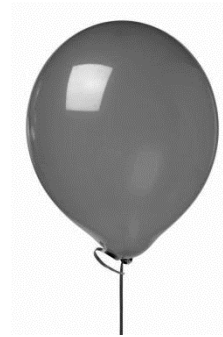
Pivtxwv, qhov nyiaj nplua them nyiaj tas ntxov yuav tsev uas tejzaum tsis ua raws cai yog:

- koj them qhov nyiaj qiv tag ntev tshaj 42 lub hlis (3 ½ xyoo) tom qab koj txais qhov nyiaj
- qhov nyiaj nplua yog ntau dua 2% ntawm cov nyiaj qiv tsis ntxiv paj tseem tsis tau them LOSSIS ntau dua 60 hnuv paj ntawm qhov nyiaj yuav tsev tsis ntxiv paj tsis tau them, seb qhov twg tsawg dua.

Yog koj qhov nqi tsev muaj qhov nplua yog them tas ntxov, nrog ib tug kws lijchoj them seb puas yog raws cai.

Lwm Cov Teeb Meem Muaj

- **Yog tias muaj tshaj ib tug neeg qiv nyiaj ne?** Yog muaj tshaj ib tug neeg qiv nyiaj, feem ntau nkawv “jointly and severally liable” ob leeg lav phij xauj. Qhov no txhais tias yog ib tug tsum tsis kev them nyiaj rau nws tug lawm, tus sad tod yuav tsum them kom tagnrho. Txawm tias yog koj thiab tus sab tod pom zoo faib kev them nyiaj, qhov chaw txais nyiaj muaj feem foob koj xwb rau cov nyiaj qiv tagnrho.
- **Yog kuv xav hloov daim ntawv cog lus them nyiaj tom qab twb xee npe lawm?** Yog koj thiab tog sab tod pom zoo rau cov kev hloov, muab sau rau ib daim ntawv pom zoo tshiab. Nyob rau hauv daim ntawv pom zoo tshiab, qhia tias seb daim ntawv pom zoo tshiab puas hloov daim ntawv cog lus qub lossis tsuas hloov ob peb yam ntawm daim ntawv cog lus qub xwb. Nyeem daim ntawv cog lus qub kom paub seb nws puas qhia tias koj yuav tsum ua lwm yam dabtsi ntxiv kom thiaj li raws txoj cai.
- **Them ib zaug ntau tom kawg yog dab tsi?** Them ib zaug ntau tom kawg yog ib hom sijhawm teem them nyiaj. Koj them nyiaj tsawg txhua hli thiab ib qho nyiaj ntau tom kawg, them zaum kawg kom mus them tag tus nyiaj qiv. Ceev faj thaum cog lus rau qhov them ib zaug thaum kawg. Ua zoo xyuas kom koj muaj nyiaj txaus them tus nyiaj ntau zaum kawg.
- **Kuv yuav yuam kom ua li daim ntawv cog lus them nyiaj li cas?** Yog koj muaj daim ntawv cog lus them nyiaj nrog ib tug neeg thiab lawv tsis them (tsis them koj), koj muaj feem foob lawv. Yog lawv tiv koj \$20,000 lossis tsawg dua, koj muaj feem mus foob hauv Conciliation (Small Claims) Court. Nyeem peb daim ntawv [Chav Hais Plaub Pej Xeem Sib Foob](#) kom paub ntxiv. Yog lawv tiv koj ntau dua \$20,000, koj muaj feem mus foob hauv District Court. Cov kev cai hauv District Court nyuaj tshaj. Tej zaum nws yuav yog ib qho tswv yim zoo mus nrog ib tug kws lijchoj tham.



Lub [Minnesota Lawyer Referral and Information Service \(MNLIRIS\)](#) yuav pab tau koj nrhiav ib tug kws lij choj ntiav. Nws muaj ib qho nqi los siv qhov kev pab cuam no.

- **Kuv puas muaj ib cov cai txawv yog hais tias daim ntawv cog lus them nyiaj yog rau nqi vajtse lossis “contract for deed” xauj tsev-los-yuav)?** Muaj. Nyeem peb daim ntawv [Qhov Koj Yuav Tsum Paub Txog Xauj Tsev Los Yuav thiab Ntawv Sib Cog Lus Yuav Tsev](#) thiab [Koj Txoj Cai Thaum Lub Tsev Rauq Kaw](#) kom paub ntxiv.

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

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