



# 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. 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.

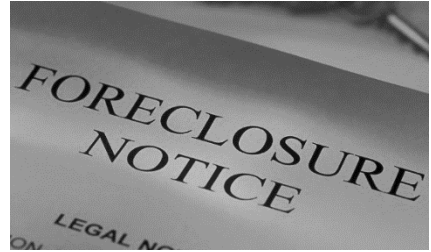
Ka eeg warqadayadda xogta aruursan ah, [\*Dhibanayaasha Daqaal Qoyska Dhex Mara, Qashqashaadda, ama Fal Dambiyeedka La Xiriira Galmoodka: Xaga Aad U Leedahay In Aad Ka Baxdo Heshiiska Kirada.\*](#)

6. La gaartay heshiis waanwaan ah qoladda guriga aad uga jirto aadna u hogaansantay heshiiska
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.\*](#)

8. 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. Haddii aadan hubin in ogaysiis quman lagu siiyey iyo in kale, eeg warqadayada xogta aruursan ee, [Kolka Qolada Guriga Aad uga Jirto lagala Wareeqo Guriga: La Wareegida 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 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:

- Haddii guri ku saaridu ay sabab u ahayd daruufo adag oo nololsha ah oo ku haysatay adiga kolkaa, sida shaqo la'aan ama dhibaatooyin caafimaad.
- Haddii aad wali guriga ku nooshahay.



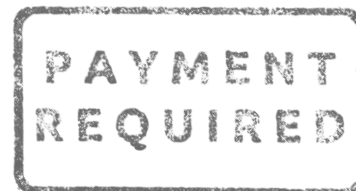
- Hadii tani ay tahay guri ka saaridii kuugu horeeysay waligaa.
- Hadii kiisku uu mar hore ahaa.
- Hadii kiiska aad xalisay aadna sameysay wax walba oo aad ku ogolaatay heshiiska waanwaanta.
- Hadii aad qolada guriga aad siisay wax kasta oo ay kugu lahaayeen.
- Sida guri ka saaridu ay kuugu adkayso adiga 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 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. 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 tirtirid 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 8 ee kore, waxa aad heli kartaa tirtirid adigoon 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.

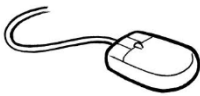
Haddii ay maxkamaddu ku tiraa waxa aad u baahan tahay inaad xareeyso dacwo ama aad bixiso khidmad, raac tilmaamaha hoose. La hadal qareen si aad caawimaad iyo talo uga hesho haddii arrintan oo kale kugu dhacdo.

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 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 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](http://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.

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.



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 qaadata 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 qoraaladooddu 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 isticmaalaan 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.

© 2025 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.  
*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).*

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(print name)/ (qor magaca)

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(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."<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.
  
- 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 twelve 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>**

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."<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. 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.<sup>8</sup>

**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.<sup>9</sup>

**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.<sup>10</sup>

**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.<sup>11</sup>

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

<sup>7</sup> *Id*

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

<sup>9</sup> Minn Stat. § 484.014, subd. 3.

<sup>10</sup> Minn Stat. § 484.014, subd. 3.

<sup>11</sup> Minn Stat. § 484.014, subd. 3.

**Mandatory Expungement because of Domestic Abuse, Harassment, or Sexual Assault**

**12.** My landlord filed this eviction against me in violation of Minnesota law because

I or another resident was a victim of domestic abuse, harassment, or criminal sexual conduct

**OR**

I terminated my lease under Minnesota law due to a fear of domestic abuse, harassment, or criminal sexual conduct.<sup>12</sup>

**Mandatory Expungement because of Settlement Compliance**

**13.** On \_\_\_\_\_, my landlord and I reached a settlement agreement that I am enclosing with this motion. I followed the agreement. Expungement is mandatory under law.<sup>13</sup>

Here are the details:

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

<sup>13</sup> 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.<sup>14</sup>

**Mandatory Expungement because of Foreclosure**

**15.** The property in this case was in foreclosure. Expungement is mandatory under law.<sup>15</sup>

- a. I moved out of the property on \_\_\_\_\_, before this case started<sup>16</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>17</sup>
- ii. I received the notice required by law<sup>18</sup>, 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.<sup>19</sup>

- a. I moved out of the property on \_\_\_\_\_, before this case started<sup>20</sup>

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<sup>14</sup> Minn Stat. § 484.014, subd. 3.

<sup>15</sup> Minn Stat. § 484.014, subd. 3.

<sup>16</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>17</sup> Minn. Stat. § 504B.285, subd. 1a requires minimum notice period of 90 days. Some tenants get a longer notice period.

<sup>18</sup> *Id.*

<sup>19</sup> Minn. Stat. § 484.014, subd. 3.

<sup>20</sup> 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.<sup>21</sup>
  - ii. I received the notice required by law<sup>22</sup>, 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.<sup>23</sup>

\_\_\_\_\_  
Date

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

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

\_\_\_\_\_

\_\_\_\_\_

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

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

\_\_\_\_\_  
*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>21</sup> Minn. Stat. § 504B.285, subd. 1a requires a minimum notice period of 90 days. Some tenants get a longer notice period.

<sup>22</sup> *Id.*

<sup>23</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**

7760 France Ave S, Suite 1173  
Minneapolis, MN 55435  
[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  
<https://twincitytenantcheck.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  
(612) 834-5112  
[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)

**TC 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**

370 Reed Rd, Suite 101  
Broomali, PA 19008  
1-(855) 244-2400  
[www.tenantreports.com](http://www.tenantreports.com)

**TransUnion**

**My Smart Move- Disputes**  
PO Box 800  
Woodlyn, PA 19094  
1-(866) 775-0961  
[www.mysmartmove.com](http://www.mysmartmove.com)

**RealPage Resident Screening**

c/o Leasing Desk Screening - Consumer Relations  
2201 Lakeside Blvd  
Richardson, TX 75082  
1-(866) 934-1124

**AppFolio, Inc**

70 Castillian Dr.  
Goleta, CA 93117  
1-(866) 349-3630  
[Consumer.relations@appfolio.com](mailto:Consumer.relations@appfolio.com)

**TenantAlert.com**

23801 Calabasas Rd, Ste 1022  
Calabasas, CA 91302  
1-(866) 272-8400  
[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)

**Warqad hay'adaha soo baarida oo waydiinaysa iyaga inay masaxaan guri ka saaritaanada la tirtiray**

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. 2 says that “If the completeness or accuracy of an item of information contained in an individual’s file is disputed by the individual, the residential tenant screening service must reinvestigate and record the current status of the information. If the information is found to be inaccurate or can no longer be verified, the residential tenant screening service must delete the information from the individual’s file and residential tenant report.”

*Xeerka Minnesota ee (Minnesota Statutes § 504B.241, Subd. 2 ayaa waxa uu leeyahay “Haddii dhamaystirnaanta ama sugnaanta qayb akhbaar ah oo ku jirta gal shakhsi uu dood ka qabo shakhsigu adeega soo baarida kiraystaha guryaha deegaanka ah waa khasab inay dib u baaraan arrinta ayna diiwaan geliyaan xaaladda iminka ee akhbaarta. Haddii akhbaarta la ogaado inaysan sax ahayn ama kolkaa aan la xaqiijin karin, adeega soo baaritaanka kiraystaha guryaha degaanka ahi waa inuu ka masaxo akhbaarta galka shakhsiga iyo warbixinta kiraystaha guryaha degaanka ah.”*

Subdivision 2 also 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) sidoo kale 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)*