Mandatory Expungement Request Solicitud de Cancelación Obligatoria de Antecedentes

Date/Fecha:
RE: MANDATORY EXPUNGEMENT REQUEST
RE: SOLICITUD DE CANCELACIÓN DE ANTECEDENTES OBLIGATORIA
Court File Number/ Número de Expediente Judicial:
Dear Judge or Referee: Estimado Juez o Árbitro:
I am a tenant in the eviction case referenced above.
Soy inquilino en el caso de desalojo al que se hace referencia arriba.
I am entitled to a mandatory expungement under Minn. Stat. § 484.014, Subd. 3 because: Tengo derecho a una cancelación obligatoria conforme a Minn. Stat. § 484.014, Subd. 3 porque:
☐ A court reviewed the law and the facts in my case, and I won (prevailed on the merits). Un tribunal revisó la ley y los hechos de mi caso, y gané (prevaleció en los méritos).
☐ On, the eviction case was dismissed by the Court or my landlord. El, el caso de desalojo fue desestimado por el Tribunal o mi arrendador.
□ My landlord and I, and any other parties to the case, have agreed that this case can be expunged from the court's records. Mi arrendador y yo, y cualquier otra parte en el caso, hemos acordado que este caso puede ser eliminado de los registros del tribunal.
☐ Eviction was ordered in this case on, and more than three years have
passed since this date. El desalojo se ordenó en este caso el, y han pasado más de tres años desde esa fecha.

☐ 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 of a date prior to commencement of the eviction case;	e
Este desalojo fue por aplazamiento conforme a Minn. Stat. § 504B.285, subdivisión 1, cláusus (1), la propiedad estaba sujeta a un contrato de cancelación de escritura o de ejecución hipotecaria y el plazo para la cancelación del contrato o la redención de la ejecución hipotecaria ha expirado y yo desalojé la propiedad antes del comienzo de la acción de desalojo; o yo era inquilino durante el período de cancelación del contrato o de redención de ejecución hipotecaria y no recibí la notificación adecuada para desalojar en una fecha anteria al comienzo del caso de desalojo;	· la
Please expunge this eviction case. Thank you.	
Por favor, elimine este caso de desalojo. Muchas gracias.	
I declare under penalty of perjury that everything I have stated in this document is true and correct. Minn. Stat. § 358.116. Declaro bajo pena de perjurio que todo lo que he declarado en este documento es cierto y correcto. Minn. Stat. § 358.116.	
(print name) / (nombre en letra de molde) (signature) / (fecha)	

STATE OF MINNESOTA	DISTRICT COURT
COUNTY OF	JUDICIAL DISTRICT CASE TYPE: EVICTION ACTION
	,
Plaintiff(s) (Landlord),	NOTICE OF MOTION AND MOTION FOR EXPUNGEMENT
V.	
	Case No
Defendant(s) (Tenant).	,
TO: DISTRICT COURT ADMINISTRATOR; PLA	AINTIFF.
NO	TICE 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 imn	nediately 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." Courts also have inherent authority to control their own records, along with the equitable power to prevent unfairness to individuals. 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).

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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."³

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.⁴ 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:				
$\ \square$ I had less money to pay rent because I lost my job or my hours got cut.				
$\ \square$ I had less money to pay rent because of illness or a family emergency.				
$\ \square$ I was the victim of domestic violence or another crime.				
$\ \square$ I was having other problems in my life.				
Here are the details:				

⁴ Minn. Const. Art. 1 § 8.

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\square I have been denied housing around times because of this case record.				
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☐ I have spent around \$ in rental application fees.				
\square I have been homeless after this case happened.				
\square My children have been homeless after this case happened.				
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Here are the details:				

safe and stable housing now:
\square I live with children, seniors, or vulnerable adults.
\square I have a disability or someone in my family has a disability.
\square I am homeless right now.
\square I need safe and stable housing because of other reasons.
Here are the details:

Expunging this case record will help me find safe and stable housing. I need to find

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	\square There was something wrong with the landlord's case.					
	□ld	on't owe the landlord any money.				
	□ Th	is case settled, and I did everything I agreed to in the settlement agreement.				
	□ Th	is case record is old.				
	□ Th	is case record should be expunged under the Court's Retention Schedule ⁵ because:				
		No money judgment was ordered in this case and the case file was closed over one year ago, or				
		A money judgment was ordered in this case, but I do not owe money anymore and the case is over ten years old.				
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Here are	the	details:				

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	8.	A court reviewed the law and the facts in my case, and I won. Expungement is mandatory under law. ⁸
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Mandatory Expungement because of Domestic Abuse, Harassment, or Sexual Assault

	8.	My landlord filed this eviction against me in violation of Minnesota law because				
		$\hfill \square$ 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. 12				
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	9.	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. ¹³				
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	□ a.			, before this case started ¹⁶ sure redemption period is over.
			OR	
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□ b.		prope	indlord said I stayed past my move out date (holdover). I was a tenant at the crty during the during the contract cancellation period. My lease started after ontract for deed. <i>Check one:</i>
		□ i.	I did not get the notice required by law. ²¹
		□ ii.	I received the notice required by law ²² , but this case started before the date I was supposed to move.
10.	I certif	y that,	to the best of my knowledge:
•	my cla	ims are	at is not being filed for an improper reason, such as harassment or delay, a supported by the law, and ence for my claims and/or my denials.
I knov	v that I r	may be	fined or sanctioned by the court if this certification is false.
I decl		er pena	Ity of perjury that everything I have stated in this document is true and
 Dat	 :e		
			Address:
			Email:
			Phone:

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

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Letter to Tenant Screening Companies (send a copy to each company on the list below)

Carta a las Compañías de Evaluación de Inquilinos - (envíe una copia a cada una de las compañías de la lista de abajo)

Nota: Esta es una lista de las agencias más utilizadas por los arrendadores de MN para evaluar a los inquilinos. Hay muchas otras. Es mejor obtener el nombre y la dirección de la agencia de su arrendador.

First Advantage

PO Box 105108 Atlanta, GA 30348 resident.s@fadv.com

Rental History Reports, Inc

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

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

TransUnion

My Smart Move- Disputes

PO Box 800 Woodlyn, PA 19094 1-(866) 775-0961 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

TenantAlert.com

23801 Calabasas Rd, Ste 1022 Calabasas, CA 91302 1-(866) 272-8400 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 (Fecha):	
Dear Directors (Estimados Directores):	
I am the tenant listed in the enclosed expungement order (Soy el inquilino que figura en la(s) orden(es) de invalidación adjunt	
Minnesota Statutes § 504B.241, Subd. 2 says that "If the confine information contained in an individual's file is disputed by screening service must reinvestigate and record the current information is found to be inaccurate or can no longer be a service must delete the information from the individual's formation from	the individual, the residential tenant of status of the information. If the verified, the residential tenant screening file and residential tenant report." a persona cuestiona la integridad o exactitud de quilinos residenciales debe volver a investigar y primación es inexacta o ya no puede verificarse, el
Subdivision 2 also states that "At the request of the individuation of the deletions to persons we report within the past six months." La Subdivisión 2 también dice que "A petición del individuo, el serva debe notificar las eliminaciones a las personas que hayan recibido últimos seis meses".	who have received the residential tenant
I am asking you to delete all of your references to this cour got my tenant report in the last 6 months that the eviction Le pido que borre todas sus referencias a este expediente jud recibido mi informe de inquilino en los últimos 6 meses que e expediente.	was expunged and deleted from my file. dicial, y que notifique a cualquiera que haya
Minnesota law does not permit tenant screening agencies tenants before taking this action. La ley de Minnesota no permite que las agencias de selecció los inquilinos antes de tomar esta acción. Please contact me if you have any questions. Thank you. Por favor, comuníquese conmigo si tiene cualquier pregunta	in de inquilinos pidan otra información sobre
(print name) (nombre en letra de molde)	(signature) <i>(firma)</i>

☐ 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;
Este desalojo fue por aplazamiento conforme a Minn. Stat. § 504B.285, subdivisión 1, cláusula (1), la propiedad estaba sujeta a un contrato de cancelación de escritura o de ejecución hipotecaria y el plazo para la cancelación del contrato o la redención de la ejecución hipotecaria ha expirado y yo desalojé la propiedad antes del comienzo de la acción de desalojo; o yo era inquilino durante el período de cancelación del contrato o de redención de la ejecución hipotecaria y no recibí la notificación adecuada para desalojar en una fecha anterior al comienzo del caso de desalojo;
Please expunge this eviction case. Thank you.
Por favor, elimine este caso de desalojo. Muchas gracias.
I declare under penalty of perjury that everything I have stated in this document is true and correct. Minn. Stat. § 358.116. Declaro bajo pena de perjurio que todo lo que he declarado en este documento es cierto y correcto. Minn. Stat. § 358.116.
(print name) / (nombre en letra de molde) (signature) / (fecha)

STATE OF MINNESOTA	DISTRICT COURT
COUNTY OF	JUDICIAL DISTRICT CASE TYPE: EVICTION ACTION
	,
Plaintiff(s) (Landlord),	NOTICE OF MOTION AND MOTION FOR EXPUNGEMENT
V.	
	Case No
Defendant(s) (Tenant).	,
TO: DISTRICT COURT ADMINISTRATOR; PLA	AINTIFF.
NO	TICE OF MOTION
PLEASE TAKE NOTICE that at a	.m./p.m. on, Defendant will bring the
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3. These things were going on in my life when this case happened:
$\ \square$ I had less money to pay rent because I lost my job or my hours got cut.
$\ \square$ I had less money to pay rent because of illness or a family emergency.
$\ \square$ I was the victim of domestic violence or another crime.
\square I was having other problems in my life.
Here are the details:

³ *Id*.

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\square I have been denied housing around times because of this case record.			
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I knov	w that I i	may be	fined or sanctioned by the court if this certification is false.
I decl		er pena	alty of perjury that everything I have stated in this document is true and
— Dat	te		
			Address:
			Email:
			Phone:

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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

First Check

P.O. Box 334 Wyoming, MN 55092 (612) 834-5112 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

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

TransUnion

My Smart Move- Disputes

PO Box 800 Woodlyn, PA 19094 1-(866) 775-0961 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

TenantAlert.com

23801 Calabasas Rd, Ste 1022 Calabasas, CA 91302 1-(866) 272-8400 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 (Fecha):	
Dear Directors (Estimados Directores):	
I am the tenant listed in the enclosed expungement order Soy el inquilino que figura en la(s) orden(es) de invalidación adjur	
Minnesota Statutes § 504B.241, Subd. 2 says that "If the conformation contained in an individual's file is disputed by screening service must reinvestigate and record the curre information is found to be inaccurate or can no longer be service must delete the information from the individual's Los Estatutos de Minnesota § 504B.241, Subd. 2 dice que "Si un dato contenido en su expediente, el servicio de investigación de in registrar el estado actual de la información. Si se determina que la información de investigación de inquilinos residenciales debe eliminar la informe de inquilinos residenciales."	r the individual, the residential tenant nt status of the information. If the verified, the residential tenant screening file and residential tenant report." la persona cuestiona la integridad o exactitud de equilinos residenciales debe volver a investigar y formación es inexacta o ya no puede verificarse, el
Subdivision 2 also states that "At the request of the individuation of the deletions to persons of the report within the past six months." La Subdivisión 2 también dice que "A petición del individuo, el ser debe notificar las eliminaciones a las personas que hayan recibida últimos seis meses".	who have received the residential tenant
I am asking you to delete all of your references to this cou got my tenant report in the last 6 months that the eviction Le pido que borre todas sus referencias a este expediente ju recibido mi informe de inquilino en los últimos 6 meses que expediente.	n was expunged and deleted from my file. Idicial, y que notifique a cualquiera que haya
Minnesota law does not permit tenant screening agencies tenants before taking this action. La ley de Minnesota no permite que las agencias de seleccio los inquilinos antes de tomar esta acción. Please contact me if you have any questions. Thank you. Por favor, comuníquese conmigo si tiene cualquier pregunto.	ón de inquilinos pidan otra información sobre
(print name) (nombre en letra de molde)	(signature) <i>(firma)</i>