

STATE OF MINNESOTA  
COUNTY OF \_\_\_\_\_

DISTRICT COURT  
JUDICIAL DISTRICT  
DIVISION: \_\_\_\_\_  
CASE TYPE: UNLAWFUL DETAINER  
(EVICTON)

\_\_\_\_\_  
\_\_\_\_\_,  
Plaintiff (Landlord),  
v.  
\_\_\_\_\_  
\_\_\_\_\_,  
Defendant (Tenant).

**ORDER ON  
MOTION FOR EXPUNGEMENT**

LASM Form No. Exp-4 (May 2009)

Case No. \_\_\_\_\_

This matter came before this Court on the \_\_\_\_ day of \_\_\_\_\_, upon Defendant's motion for expungement under MINN. STAT. § 484.014. Defendant was represented by \_\_\_\_\_. Plaintiff ☐ did ☐ did not appear, and was represented by \_\_\_\_\_.

Having heard the argument of the parties, and having reviewed the file, this Court orders as follows:

**FINDINGS OF FACT**

1. \_\_\_\_\_.

**CONCLUSIONS OF LAW**

1. Defendant asked the Court for the immediate expungement of this eviction case court file.

2. ☐ The Court may order expungement upon finding that “the plaintiff’s case is sufficiently without basis in fact or law . . . 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.” Minn. Stat. § 484.014, subd. 2.

- a. The Plaintiff's case is sufficiently without basis in fact or law: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_.
- b. Expungement is clearly in the interests of justice: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_.
- c. The interests of justice are not outweighed by the public's interest in knowing about the record: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_.

3      ☐ Expungement is mandatory for an eviction case commenced solely on the grounds provided in Minn. Stat. § 504B.285, subdivision 1, clause (1), if the court finds that the defendant occupied real property that was subject to contract for deed cancellation or mortgage foreclosure and (1) the time for contract cancellation or foreclosure redemption has expired and the defendant vacated the property prior to commencement of the eviction action; or (2) the defendant was a tenant during the contract cancellation or foreclosure redemption period and did not receive a notice under Minn. Stat. § 504B.285, subdivision 1, clause (1), to vacate on a date prior to commencement of the eviction case. Minn. Stat. § 484.014, subd. 3.

- a.      ☐ Defendant moved on \_\_\_\_\_ before Plaintiff filed this case, or
- b.      ☐ Defendant is a tenant and did not receive a proper lease termination notice under Minn. Stat. § 504B.285.

4.      ☐ Under Minnesota common law, the court has inherent power to expunge court files. *State v. C.A.*, 304 N.W.2d 353 (Minn. 1981); *State v. T.M.B.*, 590 N.W.2d 809 (Minn. Ct. App. 1999) (courts may exercise their inherent authority to issue expungement orders affecting court

records). The court should expunge this file because: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

**ORDER**

1. Defendant's motion is granted.
2. The District Court Administrator shall remove evidence of the court file's existence from the publicly accessible records

Recommended By:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Housing Court Referee

\_\_\_\_\_  
Date

\_\_\_\_\_  
Judge of District Court