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State of Minnesota
HOUSE OF REPRESENTATIVES
NINETIETH SESSION

H. F. No. 2547

03/27/2017 Authored by Moran
The bill was read for the first time and referred to the Committee on Civil Law and Data Practices Policy

1.1 A bill for an act
1.2 relating to housing; allowing expungement for an eviction that was the result of a
1.3 life event when the defendant completed financial counseling; appropriating money
1.4 to the commissioner of human services for housing support services; amending
1.5 Minnesota Statutes 2016, section 484.014.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2016, section 484.014, is amended to read:

1.8 **484.014 HOUSING RECORDS; EXPUNGEMENT OF EVICTION**
1.9 **INFORMATION.**

1.10 Subdivision 1. **Definitions.** For the purpose of this section, the following terms have
1.11 the meanings given:

1.12 (1) "expungement" means the removal of evidence of the court file's existence from the
1.13 publicly accessible records;

1.14 (2) "eviction case" means an action brought under sections 504B.281 to 504B.371; ~~and~~

1.15 (3) "court file" means the court file created when an eviction case is filed with the court;
1.16 and

1.17 (4) "life event" means a divorce, the death of an immediate family member or household
1.18 member, major illness, or job loss.

1.19 Subd. 2. **Discretionary expungement.** (a) The court may order expungement of an
1.20 eviction case court file only upon motion of a defendant and decision by the court, if the
1.21 court finds that the plaintiff's case is sufficiently without basis in fact or law, which may
1.22 include lack of jurisdiction over the case, that expungement is clearly in the interests of

2.1 justice and those interests are not outweighed by the public's interest in knowing about the
2.2 record.

2.3 (b) The court may order expungement of an eviction case court file upon motion of a
2.4 defendant and decision by the court that the defendant's eviction was the result of a life
2.5 event that directly impacted the defendant's ability to pay rent when:

2.6 (1) the defendant provides evidence of the life event that directly related to the inability
2.7 to pay rent by providing a divorce decree, the death certificate of an immediate family
2.8 member or household member, proof of major illness for defendant, or proof of the loss of
2.9 employment; and

2.10 (2) the defendant provides a certificate of completion for participation in a rental capacity
2.11 training program or financial literacy program designed to assist individuals in building and
2.12 restoring credit that was completed after the eviction occurred.

2.13 Subd. 3. **Mandatory expungement.** The court shall order expungement of an eviction
2.14 case commenced solely on the grounds provided in section 504B.285, subdivision 1, clause
2.15 (1), if the court finds that the defendant occupied real property that was subject to contract
2.16 for deed cancellation or mortgage foreclosure and:

2.17 (1) the time for contract cancellation or foreclosure redemption has expired and the
2.18 defendant vacated the property prior to commencement of the eviction action; or

2.19 (2) the defendant was a tenant during the contract cancellation or foreclosure redemption
2.20 period and did not receive a notice under section 504B.285, subdivision 1a, 1b, or 1c, to
2.21 vacate on a date prior to commencement of the eviction case.

2.22 Sec. 2. **APPROPRIATION; HOUSING OPPORTUNITY MADE EQUITABLE**
2.23 **COLLABORATIVE.**

2.24 \$250,000 in fiscal year 2018 and \$250,000 in fiscal year 2019 are appropriated from the
2.25 general fund to the commissioner of human services for the Housing Opportunity Made
2.26 Equitable Collaborative, including the Aurora St. Anthony Neighborhood Development
2.27 Corporation, Build Wealth MN Inc., Camphor Fiscally Fit, and Model Cities, to administer
2.28 a rental capacity pilot program under Minnesota Statutes, section 256E.33, to provide
2.29 supportive services including education and counseling to assist participants on how to pay
2.30 for past damages and judgments to landlords or owners for discretionary expungements.