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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. **2251**

02/25/2014 Authored by Moran and Clark

The bill was read for the first time and referred to the Committee on Housing Finance and Policy

03/20/2014 Adoption of Report: Re-referred to the Committee on Civil Law

1.1 A bill for an act
1.2 relating to real property; modifying expungement and disclosure of eviction
1.3 proceedings; amending Minnesota Statutes 2012, sections 484.014, subdivision
1.4 2, by adding a subdivision; 504B.321, by adding a subdivision.

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

1.6 Section 1. Minnesota Statutes 2012, section 484.014, subdivision 2, is amended to read:

1.7 Subd. 2. **Discretionary Expungement.** The court ~~may~~ must order expungement of
1.8 an eviction case court file ~~only upon motion of a defendant and decision by the court~~, if
1.9 the court finds that the plaintiff's case is sufficiently without basis in fact or law, which
1.10 may include lack of jurisdiction over the case, that expungement is clearly in the interests
1.11 of justice and those interests are not outweighed by the public's interest in knowing about
1.12 the record. Based on the findings of the court:

1.13 (1) if in favor of the tenant, the eviction order and court record must not appear on
1.14 the tenant's public record, and the tenant must not be held liable for any costs incurred; and

1.15 (2) if in favor of the landlord, the eviction order must not be reported to the public
1.16 and credit agencies until final disposition of the case as determined by court ruling.

1.17 Sec. 2. Minnesota Statutes 2012, section 484.014, is amended by adding a subdivision
1.18 to read:

1.19 Subd. 4. **Expungement after three years.** (a) Notwithstanding any law to the
1.20 contrary, the court must expunge an eviction order three years after the date of the eviction
1.21 order.

2.1 (b) Notwithstanding any law to the contrary, a landlord is prohibited from
2.2 considering an eviction order from a reporting agency or other public record from inside
2.3 or outside the state three years after the date of the eviction order.

2.4 Sec. 3. Minnesota Statutes 2012, section 504B.321, is amended by adding a
2.5 subdivision to read:

2.6 Subd. 1a. **Nonpublic record.** An eviction order filed under this section must not be
2.7 made public record until final disposition of the case as determined by court ruling under
2.8 section 484.014, subdivision 2.