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State of Minnesota  
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 1700

03/10/2015 Authored by Moran and Clark

The bill was read for the first time and referred to the Committee on Civil Law and Data Practices

1.1 A bill for an act  
1.2 relating to criminal justice; requiring expungement of records when there  
1.3 is judgment for the tenant or a settlement in an eviction action; amending  
1.4 Minnesota Statutes 2014, section 504B.345, subdivision 1.

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

1.6 Section 1. Minnesota Statutes 2014, section 504B.345, subdivision 1, is amended to  
1.7 read:

1.8 Subdivision 1. **General.** (a) If the court or jury finds for the plaintiff, the court shall  
1.9 immediately enter judgment that the plaintiff shall have recovery of the premises, and shall  
1.10 tax the costs against the defendant. The court shall issue execution in favor of the plaintiff  
1.11 for the costs and also immediately issue a writ of recovery of premises and order to vacate.

1.12 (b) The court shall give priority in issuing a writ of recovery of premises and order  
1.13 to vacate for an eviction action brought under section 504B.171 or on the basis that the  
1.14 tenant is causing a nuisance or seriously endangers the safety of other residents, their  
1.15 property, or the landlord's property.

1.16 (c) If the court or jury finds for the defendant:

1.17 (1) the court shall enter judgment for the defendant, tax the costs against the plaintiff,  
1.18 and issue execution in favor of the defendant; and

1.19 (2) the court ~~may~~ shall expunge the records relating to the action under the  
1.20 provisions of section 484.014 or under the court's inherent authority at the time judgment  
1.21 is entered ~~or after that time upon motion of the defendant.~~

1.22 (d) If the parties agree to a settlement that includes expungement, the court shall  
1.23 expunge the records relating to the action under section 484.014 or under the court's  
1.24 inherent authority at the time judgment is entered.

2.1           ~~(d)~~ (e) Except in actions brought: (1) under section 504B.291 as required by section  
2.2 609.5317, subdivision 1; (2) under section 504B.171; or (3) on the basis that the tenant is  
2.3 causing a nuisance or seriously endangers the safety of other residents, their property, or  
2.4 the landlord's property, upon a showing by the defendant that immediate restitution of the  
2.5 premises would work a substantial hardship upon the defendant or the defendant's family,  
2.6 the court shall stay the writ of recovery of premises and order to vacate for a reasonable  
2.7 period, not to exceed seven days.