

484.014 HOUSING RECORDS; EXPUNGEMENT OF EVICTION INFORMATION.

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

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

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

(3) "court file" means the court file created when an eviction case is filed with the court.

Subd. 2. **Discretionary expungement.** The court may order expungement of an eviction case court file if the court finds the expungement is clearly in the interests of justice and those interests are not outweighed by the public's interest in knowing about the record.

Subd. 3. **Mandatory expungement.** (a) Except for clause (6), the court shall, without motion by any party, order expungement of an eviction case:

(1) commenced solely on the grounds provided in section 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:

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

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

(2) if the defendant prevailed on the merits;

(3) if the court dismissed the plaintiff's complaint for any reason;

(4) if the parties to the action have agreed to an expungement;

(5) three years after the eviction was ordered; or

(6) upon motion of a defendant, if the case is settled and the defendant fulfills the terms of the settlement.

(b) If a tenant brings a motion for the expungement of an eviction, the court shall order the expungement of an eviction case that was commenced on the grounds of a violation of section 504B.171 or any other claim of breach regardless of when the original eviction was ordered, if the tenant could receive an automatic expungement under section 609A.055, or if the breach was based solely on the possession of marijuana or tetrahydrocannabinols.

History: 1999 c 199 art 1 s 74; 1999 c 229 s 1; 2008 c 174 s 1; 2010 c 315 s 1; 2023 c 52 art 19 s 117,118; 2023 c 63 art 6 s 54