

Eviction Expungement Instructions



This form packet asks a court to expunge (seal) an eviction.

An **eviction** is a case filed in court by a landlord that wants a tenant removed from the property. An **expungement** seals a case. An expunged, or sealed, case will not show up on **government records that can be seen by the public**. An expungement does not remove a case from public sources like webpages that are not owned by the government, or from other news sources like newspapers.

There are two forms in this packet:

1. Appearance form
2. Verified Motion to Seal Court Eviction Record



This form packet was designed for use when:

1. there is no judgement that says the tenant owes the landlord money in the eviction case; and
2. the eviction was either:
 - ☐ dismissed by the court, or
 - ☐ decided in favor of the tenant, or
 - ☐ the decision was overturned or vacated on appeal; and
3. there is supporting documentation or evidence that helps show that the above information is true; and
4. a tenant wants an eviction record sealed under Indiana Code § 32-31-11 and/or Indiana Code § 5-14-3-5.5 and/or Indiana Access to Court Records Rule 6(A)(2).



Complete, signed forms should be filed in the same court the eviction was filed in.

Information on how to e-file forms can be found at <https://www.in.gov/courts/efiling/> and information on filing paper forms can be found at <https://indianalegalhelp.org/filing-and-going-to-court/>



Progress on a filed case can be found online at www.mycase.in.gov.

Landlord.

STATE OF INDIANA

IN THE _____ SMALL CLAIMS ☐ COURT

COUNTY OF MARION

CASE NO. _____ - -

Plaintiff/Landlord

v.

Defendant/Tenant

VERIFIED MOTION TO SEAL COURT EVICTION RECORD

Instruction: *The Defendant/Tenant fills out below.*

I declare:

1. I am the Defendant/Tenant and my full name is: _____
2. My date of birth is: _____
3. My current address is: _____
4. The Plaintiff/Landlord's name is: _____
5. The Plaintiff/Landlord filed an eviction against me and the case was:
☐ dismissed ☐ decided in my favor ☐ overturned or vacated on appeal
6. I want this Court to seal the court record from public view according to Indiana Code § 32-31-11 and/or Indiana Code § 5-14-3-5.5 and/or Indiana Access to Court Records Rule 6(A)(2).
7. There is no judgment that says I owe the landlord money for the eviction action.
8. I have attached supporting documentation or evidence.

I respectfully ask the Court to issue an order, without a hearing, prohibiting the disclosure of any records in this action and directing the clerk of the court to permanently seal the court's records in this case.

VERIFICATION

I affirm under penalties for perjury that the foregoing representations and statements are true.

 Defendant/Tenant signs here: _____ Date: _____

Defendant/Tenant name (*print*): _____

Certificate of Service: *Fill out below to tell the court how the Plaintiff/Landlord will get this paper.*

CERTIFICATE OF SERVICE

I certify that on the day I filed this form with the court I sent it to the Plaintiff/Landlord at the address listed below by (*check method of delivery/service*): ☐ First Class U.S. mail ☐ hand delivery ☐ Indiana's e-filing system

Plaintiff/Landlord Name: _____

Plaintiff/Landlord Address: _____

 Defendant/Tenant signs here: _____ Date: _____

Landlord.

STATE OF INDIANA IN THE _____ SMALL CLAIMS ☒ COURT
COUNTY OF MARION CASE NO. _____ - -

Plaintiff/Landlord

v.

Defendant/Tenant

APPEARANCE BY UNREPRESENTED DEFENDANT/TENANT

Instruction: *The Defendant/Tenant fills out below.*

I declare:

1. I am the Defendant/Tenant and my full name is: _____
2. My address for receiving legal service of document and case information as required by Court Rules is: _____
3. My email address is: _____
☐ I will accept service at the above email address.
4. My phone number is: _____
☐ This a cell phone.
5. My fax number is (Optional): _____
6. This is an EV case.
7. Additional information required by court rule is below (*This is not common*).

☒ Defendant/Tenant signs here: _____ Date: _____

Defendant/Tenant name (*print*): _____

Certificate of Service: *Fill out below to tell the court how the Plaintiff/Landlord will get this paper.*

CERTIFICATE OF SERVICE

I certify that on the day I filed this form with the court I sent it to the Plaintiff/Landlord at the address listed below by (*check method of delivery/service*): ☐ First Class U.S. mail ☐ hand delivery ☐ Indiana's e-filing system

Plaintiff/Landlord Name: _____
Plaintiff/Landlord Address: _____

☒ Defendant/Tenant signs here: _____ Date: _____