

## Eviction after Redemption Period – Homeowner FAQ

### **When does my redemption period end?**

In most cases the redemption period in Minnesota ends six months from the date of the Sheriff's Sale. The redemption period is reduced to five weeks if you postponed the Sheriff's Sale. It may also be reduced to five weeks if the mortgage company determined the property was abandoned. There are other exceptions as well, so it is important you read and keep the paperwork you received during the foreclosure process.

### **What happens if I don't move out?**

The new owner of the property, usually the bank, can start the eviction process with the courts. Sometimes the process is referred to as an *Unlawful Detainer* (UD).

### **Can I be evicted in the winter?**

Yes. Evictions can take place any time of the year, there is no cold-weather exception in Minnesota.

### **How does the eviction process work?**

You will be served with eviction paperwork, called a Summons and Complaint, from the court telling you to appear at a hearing within 7-14 days.

### **What happens at an eviction hearing?**

If you appear you will have an opportunity to tell your side of the story. You may also ask the judge for up to 7 days to move out by explaining your reason for needing more time. Examples of reasons a judge *may* grant more time include: dependent children, senior citizens or persons with disabilities in the home. If the judge determines you are in the house illegally you will be ordered to leave, usually within 24 hours. If you lose or don't appear in court the judge will give the new owner an order called a *Writ*. The sheriff will post the Writ on your door, telling you to leave within 24 hours.

### **What if I don't move by the date specified at the eviction hearing?**

The Sheriff will supervise the process of evicting you. The bank or new owner will change the locks, make a list of personal property, and store your belongings either in the house or off-site. You will be charged for the moving and storage of the items if they are stored off-site.

### **What happens to my belongings?**

The new owner must store your belongings for 28 days. If you do not retrieve your belongings within this time frame, they may be sold or discarded. The rules regarding storage, time frames, and any costs may vary so carefully read any notices received. Generally, if you ask for your belongings back in writing, you must be allowed to get it within 24 hours of asking (not including weekends or holidays).

### **What shows up on my record if I am evicted?**

Eviction cases are public record and can stay on your record up to 7 years. An eviction can make it more difficult to find alternative housing. You should be able to avoid eviction by moving out by the end of the redemption period.

*This information is provided as a service of the Minnesota Homeownership Center and is not legal advice. For more helpful fact sheets about eviction and personal property, visit <http://www.lawhelpmn.org/issues/housing>*

For additional information about foreclosure contact a Homeownership Advisor in your area by contacting the Minnesota Homeownership Center today: 651-659-9336 or 866-462-6466 or [www.hocmn.org](http://www.hocmn.org).