

## 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
3. Order



### **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](http://www.mycase.in.gov).

Instruction: *Defendant/Tenant fills out this top section to match the eviction forms that were filed by the Plaintiff/Landlord.*

STATE OF INDIANA IN THE \_\_\_\_\_ COURT

COUNTY OF \_\_\_\_\_ 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: \_\_\_\_\_

Instruction: *Defendant/Tenant fills out this top section to match the eviction forms that were filed by the Plaintiff/Landlord.*

STATE OF INDIANA IN THE \_\_\_\_\_ COURT  
COUNTY OF \_\_\_\_\_ 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: \_\_\_\_\_

\_\_\_\_\_  
Plaintiff/Landlord

v.

\_\_\_\_\_  
Defendant/Tenant

**ORDER ON MOTION TO SEAL COURT EVICTION RECORD**

**The Defendant/Tenant:**

- appeared in person  appeared by counsel, \_\_\_\_\_
- failed to appear  appeared by representative, \_\_\_\_\_

**The Plaintiff/Landlord:**

- appeared in person  appeared by counsel, \_\_\_\_\_
- failed to appear  appeared by representative, \_\_\_\_\_

**THE COURT MAKES THE FOLLOWING FINDINGS AND ORDERS:**

1. The Defendant/Tenant requests expungement of the following eviction case:  
\_\_\_\_\_
2. The Defendant/Tenant is entitled to relief under Indiana Code § 32-31-11-3 because:
  - The eviction action was dismissed by the court upon petition of the landlord under I.C. 32-31-10-2.
  - The eviction action was dismissed by the court upon petition by the tenant or the court’s own motion.
  - A judgment in favor of the tenant was entered by the court.
  - A judgment was entered by the court against the tenant, and the judgment was subsequently overturned or vacated.
3. The Court **ORDERS** that the eviction action(s) listed above shall not be disclosed or be permitted to disclosure of any records in the case, including the petition by the landlord for possession of the rental unit.
4. The Court **ORDERS** the clerk of the court to redact or permanently seal the court’s own records related to the eviction action(s) listed above.
5. Plaintiff/Landlord Address:

\_\_\_\_\_  
Email: \_\_\_\_\_ Phone: \_\_\_\_\_

6. Defendant/Tenant Address:

\_\_\_\_\_  
Email: \_\_\_\_\_ Phone: \_\_\_\_\_

SO ORDERED \_\_\_\_\_

\_\_\_\_\_  
Judicial Officer

Distribution to: Plaintiff/Landlord: \_\_\_\_\_

Defendant/Tenant: \_\_\_\_\_