

State of Minnesota

District Court

County of: _____	Judicial District: _____
	Court File Number: _____
	Case Type: Housing

Plaintiff (Tenant) (first, middle, last)

vs.

**Counterclaim for Possession of
Premises and Notice of Hearing**

(Minn. Stat. §504.385, subd. 2)

Defendant (Landlord) (first, middle, last)

NOTICE TO TENANT: Your landlord is asking the court to evict you.

I, _____ am the: (check one)

Landlord Person with power of authority filed and state:

1. Landlord leased or rented to tenant(s) on _____ by an oral written agreement
the premises at: _____

Street Apt City State Zip Code

The agreement was from _____ to _____. The current rent due
and payable under this agreement each month is \$ _____ due on the _____
day of each month.

Tenant(s) date(s) of birth: (if known) _____

2. The landlord of the premises described above is: _____

3. The plaintiff is still in possession of the premises.

4. Plaintiff(s) filed a rent escrow action and deposited with the Court \$ _____
("none" or \$ amount)

5. Plaintiff(s) failed to deposit the full amount of rent due and owing on the date of the deposit.

On the date of the deposit with the court, plaintiff(s) owed a total of \$ _____
in rent as follows: \$ _____ per month due for _____ months.

6. Defendant, having the present right of possession of the property, has complied with Minn.
Stat. §504B.181 by:

a. disclosing to tenant either in rental agreement or otherwise in writing prior to the

start of the tenancy the name and address of:

1. the person authorized to manage the property; **AND**
2. the landlord or agent authorized by landlord to accept service of process and receive and give receipt for notices and demands; **AND**

- b. posting in a conspicuous place on the property a printed or typewritten notice containing the above information (describe where posted)

OR

- c. the above information was known by tenant(s) not less than 30 days before the filing of this action because:

7. The defendant seeks judgment against the plaintiff(s) for restitution of the premises plus costs and disbursements.

I declare under penalty of perjury that everything that I have stated in this document is true and correct. Minn. Stat. § 358.116.

Dated: _____

County and State where signed

Signature

Name: _____

Address: _____

City/State/Zip: _____

Telephone: _____

E-mail address: _____

HEARING DATE: IMPORTANT NOTICE TO PARTIES

TENANT: You must appear before the court or you could be evicted. (Check one)

The Rent Escrow Hearing, previously set for _____ is continued
and consolidated with the counterclaim and will be heard on _____ at
(Date)

_____, _____
(Time) (Location)

OR

The Rent Escrow Hearing and counterclaim are consolidated and will be heard on
_____ at _____,
(Date) (Time) (Location)

Note: Landlord is responsible for having a third party serve a copy of this Counterclaim on tenants(s) at least 7 days before the hearing date. Service must be made in the manner specified in Minn. Stat. §504B.331. See Minn. Stat. §504B.385, subd. 2(d).