

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF _____

Plaintiff (Landlord or Agent)
v.

Case No: _____

**MOTION TO SET ASIDE
RESIDENTIAL EVICTION
JUDGMENT**

Defendant (Tenant or Occupant)

MOTION

I am a Defendant in this case (*name*): _____

I ask the court to set aside the judgment and seal the record of the case

STATEMENT OF POINTS AND AUTHORITIES

ORS 105.163 requires the court to grant a motion to set aside a judgment and seal the official record of a residential eviction case if the judgment was for restitution of property and entered 5 years before the motion to set aside is filed and all terms including any money award are satisfied; if the judgment was stipulated to by the parties and all terms including any money award are satisfied; or if the case was dismissed.

DECLARATION

The judgment I ask to set aside was a judgment of:

- ☐ dismissal in my favor (I was not ordered to leave the property)
- ☐ restitution in Plaintiff's favor (I was ordered to leave the property)
 - ☐ I have satisfied any money awards ordered in the judgment
 - ☐ Judgment was entered on (*date*): _____ which is more than 5 years before this *Motion* was filed
 - ☐ Judgment was based on claims that arose on or after April 1, 2020 and before March 1, 2022

☐ stipulation (agreement)

☐ I have satisfied all terms of the agreement and paid any money required

I hereby declare that the above statements are true to the best of my knowledge and belief. I understand they are made for use as evidence in court and I am subject to penalty for perjury.

Date

Signature

Name (printed)

Address

City, State, ZIP

Phone

Certificate of Mailing

I certify that on *(date)*: _____ I placed a true and complete copy of this *Motion and Declaration* and a blank *Objection to Motion to Set Aside Residential Judgment* form in the United States mail to Plaintiff at *(plaintiff's address)*: _____

Date

Defendant (signature)

Defendant Name

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**OBJECTION TO
MOTION TO SET ASIDE
RESIDENTIAL EVICTION
JUDGMENT**

Defendant (Tenant or Occupant)

OBJECTION

*(Must be filed with the court within **30 days** of service of the Motion)*

I am a Plaintiff in this case (*name*): _____

I object to the court setting aside judgment in this case and sealing the case record because:

- ☐ Judgment was entered less than 5 years before the *Motion* was filed
☐ Judgment was not based on claims that arose between April 1, 2020 and March 1, 2022
☐ The following judgment terms have not been satisfied (*explain*):

☐ Another reason: _____

I hereby declare that the above statements are true to the best of my knowledge and belief. I understand they are made for use as evidence in court and I am subject to penalty for perjury.

Date

Signature

Name (printed)

Address

City, State, ZIP

Phone