

State of Minnesota

District Court

County

MILLE LACS

Judicial District:

Seventh

Court File Number:

48-CV-21-941

Case Type:

Housing

EVICTIION ACTION COMPLAINT
(Minn. Stat. § 504B.321)

Plaintiff #1 (Landlord)

Promised Land Properties, LLC/Cindy Dellwo

11781 194th Ave NW

Elk River, MN 55330

Plaintiff #2 (Landlord)

Defendant #1 (Tenant)

vs.

Defendant #2 (Tenant)

☐ Check Box if there are more than two plaintiffs or more than two defendants. List the information for the other parties on the *Additional Litigants Form*, HOU125.

1. Rental Agreement

Landlord leased or rented the property located at: 312 10th Ave N, in the city of Princeton, the state of Minnesota, zip code 55731 in the county of Mille Lacs and ☒ does ☐ does not include a garage.

The agreement for the property, beginning from Aug 10, 2019 and ending Aug 9, 2020, and thereafter on a month to month basis is an ☐ ORAL or ☒ WRITTEN agreement, and is for:

Payment of Rent. The current rent due and payable under this agreement each month is \$1,425.00 due on the first day of the month:

Exchange of Services. The agreement for exchange of services was:
N/A

2. Notice of Right of Possession by Landlord for Residential Leases

Plaintiff having present right of possession of the residential property, has followed Minn. Stat. § 504B.181 by: (you must check either A and B, or C)

Appendix PED-58a

☒ a. informing the Tenant, either in the rental agreement or otherwise in writing, before the beginning of the tenancy the name and address of:

- i. the person authorized to manage the property AND
- ii. a landlord or agent authorized by the landlord to accept service of process and receive and give receipt for notices and demands, AND

☐ b. posting in an obvious place on the property a printed or typewritten notice that includes the information above. Explain where the notice is posted: _____, OR

☒ c. The defendants knew of the name and address of the person authorized to manage the property and accept and give receipt for notices and demands, at least 30 days before the filing of this action because: information is laid out in lease agreement, and conveyed in communications thereafter.

3. Grounds for Eviction

Landlord seeks to have the Tenant evicted for the following reasons: (check all that apply)

☐ a. The Tenant is still in possession of the premises and has failed to pay rent in full for _____ of \$_____.00 per month payable on the 1st day of each month, plus late fee of \$_____, for a total due of \$_____.

☒ b. The Tenant failed to vacate the property after written notice was given: (check all that apply)

☒ Landlord gave written notice to Tenant on February 15 and on March 27, 2021 to vacate the property by May 9, 2021, as provided in the lease agreement. Tenant has failed to vacate the property.

Landlord notified Tenant that Landlord requires the premises for her personal residence, which is an exception to the Emergency Order moratorium on termination of tenancies and evictions.

☐ c. The Tenant has broken the terms of the lease agreement with property landlord by: _____.

☐ d. The Tenant has breached the covenants as stated in Minn. Stat. §504B.171 by: (be specific): _____.

4. The Landlord seeks judgment against the above Tenants for restitution of said premises plus costs and disbursements.

5. Tenant #1 date of birth: 7/24/83; Tenant #2 date of birth: _____ ☐ Unknown.

6. Military status for Tenant:

Tenant # 1 ☐ is in the military service / ☐ is not in the military service / ☒ Unknown

Tenant # 2 ☐ is in the military service / ☐ is not in the military service / ☐ Unknown

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

May 17, 2021

Date

Anoka County

Name of County and State where signed


Signature

Name: Steven J. Lodge, Esq. (0256146)

Title: Attorney

277 Coon Rapids Blvd., Ste. 414

Coon Rapids, MN 55433

763-205-3058

steve@lodgelawoffice.com

State of Minnesota

District Court

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MILLE LACS

Judicial District:

Seventh

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Housing

Promised Land Properties, LLC

Plaintiff

vs.

Declaration of COUNSEL



Defendant

STATE OF MINNESOTA)

) SS

COUNTY OF ANOKA)

I, Steven J. Lodge, on behalf of plaintiff, attest as follows:

1. I am the attorney for the plaintiff in the above captioned eviction matter.
2. The complaint in the above captioned action is brought pursuant to the exception found in the governor's Executive Order (20-79) found at paragraph 4.
3. Notices pursuant to said exception, including 7-day notice prior to filing this action, has been provided to the Tenant.

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

Dated:

5/17/21

Signature

State of Minnesota

District Court

County

MILLE LACS

Judicial District:

TENTH

Court File Number:

Case Type:

Housing

Promised Land Properties, LLC

Plaintiff

Declaration of Plaintiff

VS.

Defendant

STATE OF MINNESOTA

COUNTY OF

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I, Cynthia Dellwo, on behalf of plaintiff, attest as follows:

1. I am the owner of Promised Land Properties, LLC, the landlord of the premises at issue in the above captioned eviction matter. The company was formed solely for the purpose of holding rental properties that my late husband maintained.
2. Following the death of my husband on November 3, 2020, I could not manage upkeep and expense associated with rental properties and our residence, so I sold my residence and the closing date is June 17, 2021. I am likely to liquidate the other properties as well, for the same reasons.
3. My daughter, dog and I have no other available residence.

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

Dated: May 10, 2021

Signature