

STATE OF MINNESOTA  
COUNTY OF \_\_\_\_\_

DISTRICT COURT  
JUDICIAL DISTRICT  
DIVISION: \_\_\_\_\_  
CASE TYPE: UNLAWFUL DETAINER  
(EVICTON)

\_\_\_\_\_  
\_\_\_\_\_  
Plaintiff(s),

v.

\_\_\_\_\_  
\_\_\_\_\_  
Defendant(s).

**VERIFIED NOTICE OF MOTION  
AND MOTION FOR CONTEMPT  
AND RELATED CLAIMS**

Pov. Law. Form No. CON-1 (March 2017)

Case No. \_\_\_\_\_

**NOTICE OF MOTION**

TO: \_\_\_\_\_

PLEASE TAKE NOTICE that at \_\_\_\_\_ a.m./p.m. on \_\_\_\_\_, the  Plaintiff(s)  Defendant(s) will bring the following motion for civil contempt and related claims on for hearing before the Honorable \_\_\_\_\_, Referee or Judge of District Court, at the following location: \_\_\_\_\_

**MOTION**

\_\_\_\_\_, being duly sworn, moves the Court as follows:

1. Since \_\_\_\_\_, the moving party (hereinafter "tenant") has been a residential tenant at \_\_\_\_\_ ("the premises") under  a written  an oral rental agreement with \_\_\_\_\_, (hereinafter "landlord") providing for rental of \$ \_\_\_\_\_ per month.

2. The landlord's address is \_\_\_\_\_  
\_\_\_\_\_.

3. The court has jurisdiction over the subject matter of this action: \_\_\_\_\_  
\_\_\_\_\_.

4. The court has personal jurisdiction over the landlord: \_\_\_\_\_  
\_\_\_\_\_.

5. On \_\_\_\_\_, a hearing was held before the Honorable  
\_\_\_\_\_. The court ordered the landlord to take the  
following action: \_\_\_\_\_  
\_\_\_\_\_.

6. The landlord has not taken the following action ordered by the court: \_\_\_\_\_  
\_\_\_\_\_.

7. [Optional] The landlord has acted in bad faith: \_\_\_\_\_  
\_\_\_\_\_.

8. Conditional confinement or imprisonment of the landlord will aid in enforcement  
of and compliance with the court's order: \_\_\_\_\_  
\_\_\_\_\_.

9. The tenant has grounds for holding the landlord in contempt under MINN. STAT.  
Ch. 588, and *Hopp v. Hopp*, 278 Minn. 170, 156 N.W.2d 212 (1968) and *Cox v. Slama*, 355  
N.W.2d 401 (Minn. 1984).

**The Tenant Requests an Order as Follows:**

1. Finding under *Hopp v. Hopp*, as follows:

- a. The court has jurisdiction over the subject matter and the landlord.
- b. The landlord was given a clear definition of the acts to be performed.
- c. The landlord received notice of the acts to be performed and time to comply.
- d. The tenant has sought enforcement with specific grounds.
- e. The landlord was given an opportunity to show compliance or reasons for failure.
- f. The landlord failed to comply.
- g. The landlord committed constructive contempt under MINN. STAT. § 588.01.
- h. The landlord failed to show inability to perform despite good faith efforts.
- i. Conditional confinement or imprisonment will aid enforcement and compliance.

2. Ordering under *Hopp v. Hopp*, as follows:

- a. The landlord be arrested if the landlord fails to appear at the hearing scheduled for this motion.
- b. The landlord be conditionally confined or imprisoned until the landlord complies.
- c. In the alternative, stay confinement or imprisonment for the landlord comply within \_\_\_\_ days.
- d. Award to the tenant and tenant’s counsel costs and expenses and reasonable attorney fees. MINN. STAT. § 588.11.

3. Other: \_\_\_\_\_

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4. Granting the tenant such other and further relief as may be just and equitable in the circumstances.

10. Under Minn. R. Civ. P. 11, I certify that, to the best of my knowledge:

- a. this document is not being presented for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation;
- b. the claims, defenses, and other legal contentions therein are warranted by existing law or by a nonfrivolous argument for the extension, modification, or reversal of existing law or the establishment of new law;
- c. the allegations and other factual contentions have evidentiary support or, if specifically so identified, are likely to have evidentiary support after a reasonable opportunity for further investigation or discovery;
- d. the denials of factual contentions are warranted on the evidence or, if specifically so identified, are reasonably based on a lack of information or belief; and
- e. this document does not include any restricted identifiers and that all restricted identifiers have been submitted in a confidential manner as required by Minn. R. Gen. Prac. 11.

I know that I may be fined or sanctioned by the court if this certification is false.

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

_____	_____
Date	Signature
County and State Where Document Is Signed	Name: _____
County: _____	Address: _____
State: _____	City, State, Zip: _____
	Telephone: _____