

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

NOTICE OF LIMITED SCOPE REPRESENTATION

1. Attorney _____ and Defendant have an agreement that attorney will provide limited scope representation to the party.
2. Attorney will represent Defendant in connection with drafting and filing this Motion to Set Aside. Attorney has not been retained to represent Defendant in any subsequent hearing that may be scheduled as a result of this Motion to Set Aside. Attorney is the attorney of record.
3. All court notices should be sent to Attorney and, for all filings in the case, service should be made on Attorney. A copy of all court notices should also be sent to Defendant at the address provided in the Motion to Set Aside.

This notice accurately sets forth all matters in connection with court proceedings on which Attorney has agreed to serve as attorney of record for the Defendant in this case. The information provided herein is not intended to set forth all of the terms and conditions of the agreement between the party and Attorney for limited scope representation.

Date

Attorney Signature

Attorney Name (printed)

OSB # _____

Certificate of Service

I certify that on *(date)*: _____ I or a member of my office served a true copy of this *Motion and Declaration* and a blank *Objection to Motion to Set Aside*

Residential Judgment on: _____

By the method indicated below:

U.S. Mail

Hand Delivery

Fax

E-Mail

Date

Name | Title

Plaintiff (Landlord or Agent)	Case No: _____
v.	
Defendant (Tenant or Occupant)	OBJECTION TO MOTION TO SET ASIDE RESIDENTIAL EVICTION JUDGMENT

OBJECTION

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

☐ 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: _____

Date _____ Signature _____
 Name (printed) _____

FED – Objection to Motion to Set Aside
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