



# Law Clears Some Past Evictions

Learn more about ORS 105.164 and find out if your evictions are included.

December 2024

## What is the law?

The law (ORS 105.164) applies to certain Oregon residential eviction cases where the court entered a judgment after Jan. 1, 2014.

The state courts have to “set aside” eviction judgments and “seal” the court records for cases that qualify. The courts will do this once a year, starting in December 2024.

First, the courts have to set aside and seal all the eligible cases from 2014 up to Dec. 1, 2023. Then, the courts will repeat this process once a year for any cases that qualify.

## What is the law’s purpose?

When the Oregon legislature passed the law in 2023, the House Committee on Housing and Homelessness wrote: “An eviction can affect a renter’s ability to qualify for another rental and can have downstream effects on homelessness and transitory housing arrangements, health, and/or employment.”

The “set asides” clear evictions that qualify from people’s records.

## Was my eviction included in this law?

Check out the chart on page 2.

## Will you notify me if you seal my case?

No. The courts do not have current contact information for all the people whose cases are sealed.

## Words to Know

**Backlog:** Older eviction cases filed with the courts before Dec. 1, 2023.

**Discharged:** You applied for bankruptcy and the bankruptcy court said you no longer have to pay the debt from your eviction case.

**Judgment:** The resolution or end of the case.

**Plaintiff:** In an eviction case, this is the landlord or someone acting on their behalf.

**Satisfied:** Someone has paid the money award that a judge ordered them to pay in a case.

**Sealed:** The case is no longer available as a public record. It should not show up in background checks. New landlords will not see the eviction on your court record.

**Set aside:** Legally, the eviction never happened. If someone asks you about this eviction, you can say it didn’t happen.

**Stipulated judgment:** When the two parties agree on how to resolve the case, and the court approves this agreement in writing.

## How can I check to see if my eviction was set aside and sealed?

You can look up your record on the free Oregon Judicial Department Online Records Search (find the link on page 2). You can search by the record number if you know it, or by the name you used in the case.

If you cannot find your eviction case in the online search, that probably means it was sealed. If you want to know for sure, you can submit an Order Request Form to get a copy of the order that sealed it (find the link on page 2).

If your case is still listed in the online records search, it can mean one of two things:

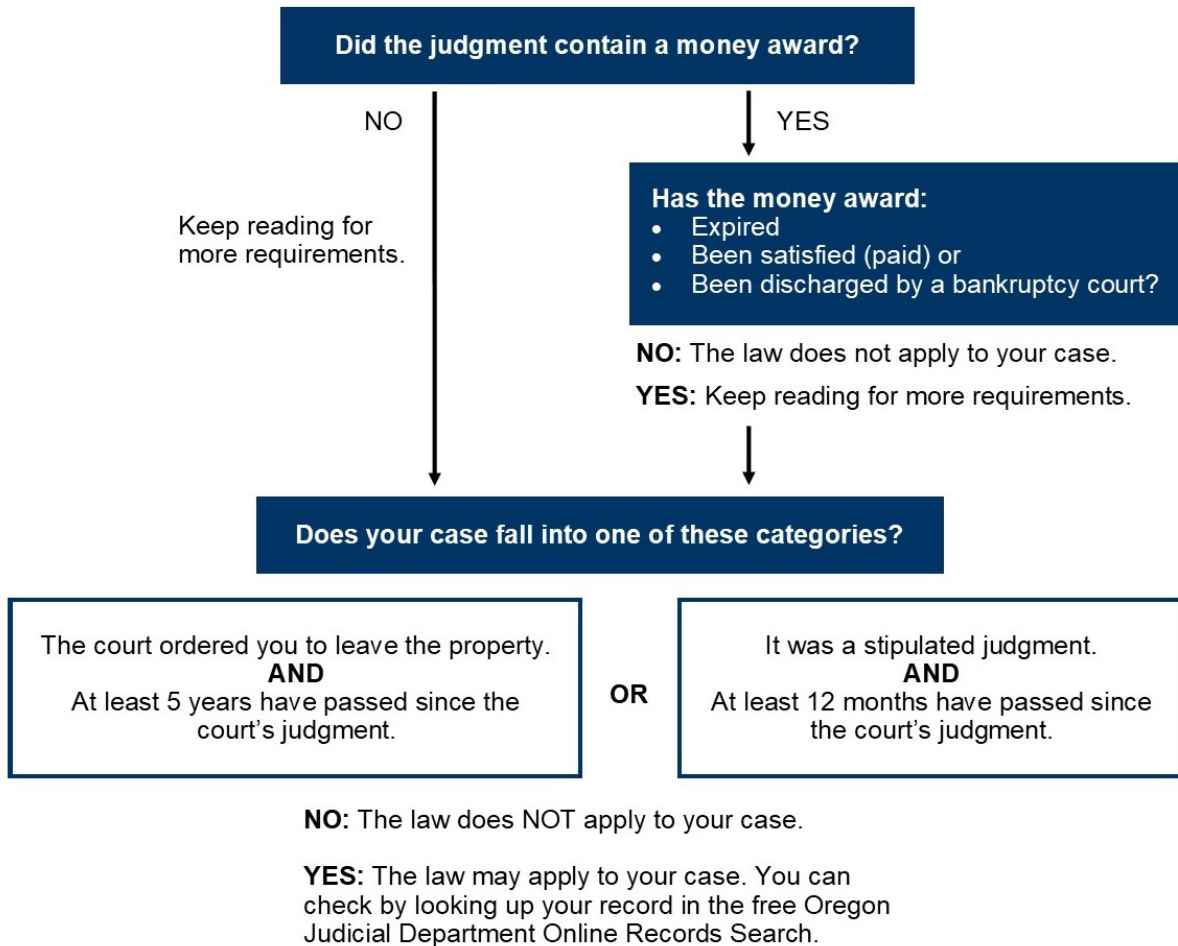
1. Your case was not included in this law, OR
2. Your case was included, but the Oregon Judicial Department is still working on sealing it.

# Eviction Set Asides Law: Does it apply to your case?

The law applies to:

- Residential rental evictions
- Where the court issued a judgment after Jan 1, 2014.

If these two things are true about your case: Keep reading for more requirements.



## When will you finish sealing the older records included in this law?

The Oregon Judicial Department has to seal the first group of cases by Dec. 31, 2024.

We have more than 160,000 cases to review. It takes a lot of time to look at each case and decide if the case should be sealed under this law. We are working hard to complete this process.

We will finish sealing many of the cases by the end of 2024. However, we will not finish sealing the backlog (see "Words to Know" on page 1) of cases until the end of 2025.

## I want proof that my case was sealed. What can I do?

You can ask the courts to give you a copy of the order that sealed your case. To do this, fill out our online Order Request Form at the link below.

This order is your proof that legally, the eviction never happened.

It can take up to 90 days for the court to review your request. They will mail a copy of the order to the address you provide in the online form. If they cannot find your case or need more information, they will mail you a letter.

## Learn More

Go to this website to find:

- The links in this fact sheet.
- Related court forms.
- Information in other languages.



[courts.oregon.gov/forms/Pages/evictionsetasides.aspx](https://courts.oregon.gov/forms/Pages/evictionsetasides.aspx)