

State of Minnesota
Ramsey County

District Court
Second Judicial District
Court File Number: 62-HG-CV-14-2144
Case Type: Eviction (UD)

Steven Fischbach, Karin Rauba-Fischbach vs Deborah
Rachal, Daniel Rivard, Matthew Pinck, John Doe, Jane
Doe, et al

EVICTIION SUMMONS
(Minn. Stat. § 504B.321)

THE STATE OF MINNESOTA TO THE ABOVE-NAMED DEFENDANT(S):
YOU ARE SUMMONED to appear before this Court on the date, time and place indicated below for a hearing on the attached Complaint. The original complaint is on file with the court. If you do not appear and contest the claim, judgment may be entered for the plaintiff/landlord.

Hearing Date set for: **August 28, 2014 at 8:45 AM** in Ramsey County Courthouse before the Honorable Jo Anne M. Yanish located at: **15 West Kellogg Blvd. 131A Courthouse 651-266-8230**

Karin Rauba-fischbach

Plaintiff

612-723-6502
Phone Number

Issued by the Administrator of the above-named Court on 8/18/2014.

Lynae K. E. Olson, Court Administrator

By: _sg
Deputy

This is an EVICTIION SUMMONS

On the date and at the time shown above, the judicial officer will decide whether you will have to move or whether you can continue to stay in your home. You must be on time for court.

IF YOU DON'T COME TO COURT

The judicial officer can order you to move immediately; and if you do not move, the sheriff can move you out and put all your belongings into storage. You will then have to pay the storage and moving costs before you can get your belongings back.

YOU HAVE RIGHTS

YOU HAVE THE RIGHT to come to court and tell your side of the case. For example,

- If you believe that all or some of the things that your landlord says in the attached papers are wrong, you can tell those things to the judge.
- If you believe that your landlord is trying to evict you because of something you did to protect your rights as a tenant, you can explain that to the judge.
- If the attached papers say that you have not paid rent, and you believe that your apartment is in bad condition and needs repairs, you can tell that to the judge. Bring total rent owed to court hearing.
- You may have other defenses. You should research the law or ask an attorney.
- You may come to court and speak for yourself or you may have a lawyer with you to represent you.

If you want a lawyer, you must get one right away.

Distribution: Copy for Plaintiff Copy for Defendant Serve By: August 21, 2014 But NOT ON A HOLIDAY
Original RETURN NO LATER August 25, 2014 THAN WITH AFFIDAVITS COMPLETED.

62-HG-CV-14-2144

SUMMCOMPL

State of Minnesota

District Court

County Ramsey

Judicial District: 62119 CV 14-214/4
Court File Number: 62119 CV 14-214/4
Case Type: Housing

Steven Fischbach and Karin Rauba-Fischbach

Plaintiff's Date of Birth: _____
(if known)

Plaintiff (Landlord)
4756 123rd lane NE
Blaine, MN 55449
Address

vs.

**Eviction Action Complaint
(Minn. Stat. § 504B.321)**

Deborah Rachal, Daniel Rivard, Matthew Pinck
John Doe, Jane Doe, et al
Defendant (Tenant)
859 Case Avenue
St. Paul, MN 55104
8/16/64, 7/13/48, 9/1/92

Tenant's Date of Birth: _____

I, Karin Rauba-Fischbach state upon oath/affirmation:
(name of person signing complaint)

1. Landlord leased or rented to tenant(s) on _____ by an ORAL WRITTEN agreement the premises at: 859 Case Avenue Apartment, and garage YES NO, in the city of St Paul, the state of Minnesota, zip code 55104, in the county of Ramsey. The agreement was from 3-14-14 to 3-30-15. The current rent due and payable under this agreement each month is \$ 1045 due on the 1st day of the month.

2. The landlord of the premises described above is Karin Rauba-Fischbach and Steven Fischbach.

3. Landlord having present right of possession of said property, has complied with Minn. Stat. §504B.181 by:

- a. disclosing to the tenant either in the rental agreement or otherwise in writing prior to 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 a conspicuous place on the property a printed or typewritten notice containing the above information
Common Hallway, OR

Where Posted

c. the above information was known by the tenant not less than 30 days before the filing of this action because:

4. Landlord seeks to have the tenant evicted for the following reasons:
- a. The tenant is still in possession of above premises and has failed to pay rent for the month(s) of August 2014 in the amount of \$1045 per month payable on the 1st day of each month for a total due of \$1195 _____.
 - b. The tenant has failed to vacate property after tenant was given gave written notice to do so. This notice was served on Tenant Landlord on _____ and tenant was told Gave notice to vacate the property by _____
 - c. The tenant has broken the terms of the rental agreement with property landlord by: (be specific) _____
 - d. The tenant has breached the covenants set forth in Minn. Stat. §504B.171 by: (be specific) _____
 - e. Defendant defaulted on the mortgage and the property has been sold at a Sheriff's sale. The Redemption period has expired and Plaintiff is entitled to possession.
 - f. Defendant defaulted on a contract deed and is holding over after proper cancellation of the contract.
5. The landlord seeks judgment against the above tenant(s) for restitution of said premises plus costs and disbursements herein.

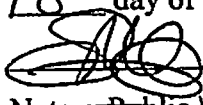
Verification and Affidavit of Non Military Status

I, (Name) Karin Rauba-Fischbach, being sworn/affirmed, state that I am the plaintiff/agent/attorney in this action, that I have read the complaint and that it is true to the best of my knowledge; that tenant(s) is/are not now in the military service of the United States, to the best of my information and belief.

******Notice: A licensed attorney must sign the Complaint and appear in court on behalf of a corporation or LLC. In Hennepin County only, Housing Court Rule 603 may permit a corporation or LLC to file and appear in court without a licensed attorney.******

Dated: 08-18-2014

Karin Rauba-Fischbach
 Signature
 (Sign only in front of notary public or court administrator)

Sworn/affirmed before me this
18 day of Aug, 14

 Notary Public / Deputy Court Administrator

Name: Karin Rauba-Fischbach
 Address: 4756 123rd Ln NE
 City/State/Zip: Blaine, MN 55449
 Telephone: (612) 7236502

Your Landlord Has Started An Eviction (Unlawful Detainer) Case Against You.
If you do not want to move or if you need more
time, you **MUST** come to court!

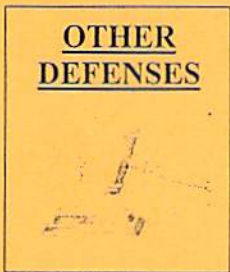
If you are being evicted for not paying rent, please read this:

1. **If you have the rent money, bring it to court with the court fees listed on the complaint. Bring your money in the form of cash, bank check or money order.**
2. If you do not have the money, you may get financial help. Call Ramsey County Human Services at 266-4444 or First Call for Help at 224-1133 to find out about rent assistance that may be available to you.
3. If you have not paid rent and your apartment is not in reasonable repair, you must bring the rent to court and tell the court about the repairs needed.
4. If you have children living in the apartment that needs repair and do not have the rent to bring to court, call SMRLS at 222-4731 or go to SMRLS office before the court date and ask about the Homeless Prevention loan fund.



You may have other defenses to the eviction action, such as:

- Court papers were not properly served.
- You have not violated your rental agreement.
- Your landlord did not give you proper notice to move.
- Your landlord is retaliating (getting even) against you.
- Your apartment is not in reasonable repair.



If you want to fight the eviction and think you have a defense, call one of these numbers for help with your case.

- Southern Minnesota Regional Legal Service (SMRLS) – 222-4731
- HOME Line Tenant Hotline – 612-728-5767
- You may also call Court Administration at 266-8230 and ask for a free booklet about your rights in eviction cases.
- The 2nd Judicial District offers a free walk-in clinic for Pro Se (unrepresented) parties. Attorneys are available for consultation on a first come, first serve basis. This clinic is available every Tuesday from 1-4pm at the Ramsey County Law Library on the 18th floor of the City Hall/Courthouse, 15 West Kellogg Blvd, St. Paul, MN, 55102. Sign-in begins at 12:30pm. 651-266-8230



If you need more time to move (up to 7 days), you must go to the court to ask for more time.

If you do not go to court, or if the court decides for the landlord, you **may have to move** after 24 hours.

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**OTHER
DEFENSES**

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HELP



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