



TENANT JUDGMENTS

WHY DO I HAVE AN EVICTION JUDGMENT ON MY RECORD AND WHAT DO I DO ABOUT IT?

Once a case is filed, any person, including any creditor, can review the Court's records to determine whether or not a lawsuit, including an eviction case, has been filed against you. The fact that a lawsuit or an eviction case was filed against you cannot be modified for any reason, and any person will be able to discover this fact as long as it remains part of the court record. If a case was filed against you, this fact can appear on your credit. Even a dismissed case may appear on your credit whether it was dismissed in Court or dismissed afterward as a public record filing. There are legal limitations on how long a case can appear on your credit. Further, Court records only go back so far, and thus at some point, persons will not be able to discover that a lawsuit was filed against you. However, Courts can maintain records for years. For example, currently, Denver County maintains records that appear to go back approximately nine (9) years.



An eviction has two parts or court proceedings. The first part of the eviction is to resolve possession of the property ("the possession part"). The second part of the eviction is to resolve Landlord's demand for money damages against you if any. If the court determines that the Landlord is entitled to possession, the Court enters a "judgment for possession" against you. A possession judgment is also known as "an eviction" or "an eviction judgment". If the Court determines that you owe the landlord money, the Court enters a "money judgment" against you. Thus, in any eviction case, the Court can enter both a possession judgment and money judgment against you.

Tschetter Hamrick Sulzer (THS) does not report the results of eviction cases to any third-party, including any consumer credit reporting agency. Accordingly, THS cannot alter or remove the fact that an eviction case or a filing may appear on your credit report.

An eviction can still be reported to your credit regardless of whether a sheriff's physical eviction took place. In other words, just because you were not physically evicted by the sheriff, doesn't mean that the eviction cannot appear on your credit report.

If a judgment for possession is still on record, it can be modified. A motion can be filed with the court to vacate the judgment and dismiss the case without prejudice. This will modify the court record. The court record will now indicate that an eviction was filed but was dismissed.

As a consumer of credit, it is your responsibility to ensure that the information on your credit report is correct. You must dispute any errors directly with the credit bureaus. For example, if we have filed a motion to vacate a possession judgment and dismiss the case, and a possession judgment still remains on your record, you would need to dispute this error directly with the credit bureaus. You can obtain a copy of relevant court orders or records from the County Court where your eviction case was heard.

You are always free to present a copy of the case dismissal to a prospective landlord. This may or may not solve your problem.

Request to Vacate a Possession Judgment Form

If you want to have a possession judgment vacated and the eviction case dismissed, you will need to complete this form. Completion of the form does not guarantee that a previous eviction possession judgment against you will be vacated by the County Court or removed from your credit record. However, when we file a motion to vacate a possession judgment in an eviction case, the Court entering the possession judgment almost always enters an order vacating the possession judgment and dismissing the case. If a money judgment has been entered against you, a landlord will almost never agree to vacate that judgment unless you pay the landlord the amount of the judgment.



Upon completion of the form, we will submit the form to the landlord who has judgments against you. If the landlord instructs us to vacate a possession judgment or file a satisfaction of a money judgment, we will promptly file such motions with the applicable court.

Multi-family apartments or rentals are sold and management changes over time. The current owner or manager of an apartment community or rental may not be the owner or manager that holds a judgment against you. If the landlord has changed, you will need to track down the owner or manager that you dealt with at the time you lived there, was your landlord, and has the judgment against you.

[Click Here to Complete](#)

Handling of Your Request: (Please allow 30 days for processing)

Once you have submitted your request (Form Requesting Removal of Judgment), please allow thirty (30) days for processing. We will respond to your request by email thus you need to provide a current valid email. If your request has been approved, then our email will indicate what, if any, motions have been filed with the court. It may take up to several months after approval for your dispute with the credit bureaus to be reflected on a credit report.