



MARTY GEHRES, CLERK
DAYTON MUNICIPAL COURT
SELF-HELP CENTER

UNDERSTANDING EVICTION SEALING

EVICTION SEALING OVERVIEW

- The Dayton Municipal Court has added Section Q Sealing of Eviction Records to court rule 3.7 Forcible Entry and Detainer Procedures to allow for the sealing of an eligible eviction record.
- There is no fee to file an Application to seal an Eviction Record.
- **Restrictions apply.** Please call 937-333-4483 to see if you may be eligible.
- If approved, the case will be removed from the case management system, the website, and the file will be stored and sealed in a secured location away from the public files.



REQUIREMENTS FOR FILING*

First Cause Status	Waiting Period to File	Additional Requirements
Dismissed by the Court	60 days from Dismissal	n/a
Judgment for Tenant	60 days from Judgment	n/a
Dismissed by Landlord before court date	60 days from Dismissal	n/a
Eviction was granted	6 months from judgment on first cause	Tenant has not had any other eviction judgments against them in this court within the past 3 years

*The chart above assumes that any second cause of action is dismissed or satisfied.

AFTER FILING

- The clerk will send notice of filing the application, along with a response form, to the landlord's attorney or landlord. The landlord has 21 days to file their response.
- Either party may request a hearing on the application.
 - If no request for hearing is filed, the Magistrate may rule on the application without a hearing. The magistrate may choose to set a hearing if they find it necessary.
 - Any eviction involving criminal activity will be set for a hearing.
- If the application is granted, the magistrate will prepare an entry, the judge will prepare an entry; those entries will be filed with the clerk's office, be processed, and mailed to all parties.
- After the objection period has expired, the case will be removed from the case management system, the website, and the file will be stored and sealed in a secured location away from the public files.
- A party or government agency may request to unseal a record. They would need to file a Motion to Unseal Court Record, along with an affidavit explaining why the record should be unsealed.