



Kansas Eviction Expungement FAQs: for Renters

What is eviction expungement?

According to the American Bar Association, to “expunge” a record is to erase it or remove it completely. In law, “expungement” is the process of destroying or sealing the eviction from court records. An expungement order directs the court to treat an eviction as if it had never occurred, essentially removing it from a renter's record.

What does this mean?

When an eviction is filed it is recorded in court records whether it is dismissed or ends in a judgment. When your eviction is expunged, it should no longer appear in records when your name is searched. In other words, the eviction will no longer be visible when a landlord runs a background check.

How do I know if I qualify?

A renter may qualify if:

- the eviction case is at least three years old;
- at least three years have passed since any additional eviction judgment; and
- any money owed to the landlord has been paid; or
- payment has not been made but the landlord agrees to expungement anyway

Is there any cost?

Yes, but very minimal. While there are **no court costs** to file for expungement, you are responsible for notifying the landlord of your expungement request by certified mail. The current cost for a certified letter with return receipt is \$8.90.

Does expungement erase money owed?

No. Expungement does not erase unpaid debts.

Is expungement automatic?

No. Renters must apply for expungement through the court using the original eviction case number.

What if I still owe money?

Any money owed to the landlord for that eviction case is required to be paid in order to qualify for expungement unless the landlord agrees to the expungement (in writing).

What if I paid everything I owed years ago?

If you have paid all money owed to the landlord, you should qualify for expungement as long as the eviction is at least three years old and since the eviction you have had a period of three years without any additional eviction judgments.

Continued on back. This is an educational resource; for legal advice, consult a licensed attorney.

FAQs continued...

Can a landlord object?

Yes, a landlord may object but only if the expungement criteria have not been met. A landlord may object if: money owed to the landlord has not been paid, if it has not been three years since the eviction case, or if you have not had a period of three years without an additional eviction judgment since that eviction case.

If my landlord objects, what happens?

The court will hold a hearing. You should consult an attorney to ensure you can prove that the case is at least three years old, that you have gone three years without any additional evictions, and that money owed to the landlord has been paid.

Will there always be a hearing?

No. If the landlord does not object, the court will order the expungement without a hearing.

What if my case was dismissed?

A dismissed case does appear on your eviction record, but it can qualify for expungement, as long as the case was at least three years ago and you have not had any additional eviction cases since then.

If I have multiple evictions, can I expunge all the records with one application?

No. You must apply separately for each eviction case and each eviction case must meet the expungement criteria.

How do I notify the landlord?

Kansas law requires you notify the landlord by mail with return receipt delivery. This can be done at the Post Office.

Will anyone be able to see the eviction after it is expunged?

Only public housing authorities may access limited eviction history when required by federal law.

Can someone help me with the process?

Yes. Service providers, legal aid organizations, and court navigators may be able to help explain eligibility, complete forms, and connect renters to legal or mediation resources.

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