



Declaration of Wrongful Filing

If someone has used your name, address, or other personal information in a business filing without your permission or made a change to your business without your permission, you may have been the victim of a fraudulent filing.

Examples of this include:

- Your name was listed as a business's registered agent or organizer without your permission.
- Your address was used as the business's principal office or registered office without your permission.
- A business was created using your identity or your business's information.
- An existing business record was changed without your permission.

If you have reviewed the filing, ensured that you were not involved in the filing, and it was not completed by a professional on your behalf, such as an attorney or public accountant, you can file a Declaration of Wrongful Filing with the Office of the Minnesota Secretary of State for review and investigation. This process is governed by Minnesota Statutes, Sections 300.70 – 300.78.

HOW TO SUBMIT A DECLARATION OF WRONGFUL FILING

1. Complete all required sections of the following form.
2. Attach any relevant documents such as emails, business filings, and/or communications of any kind.(NOTE: if mailed, items may not be returned. Send photocopies only.)
3. Email the completed form and any attachments to: bir.oss@state.mn.us OR mail to:

Office of the Minnesota Secretary of State
Business Services
First National Bank Building
332 Minnesota Street, Suite N201
Saint Paul, MN 55101

HOW TO FIND YOUR BUSINESS FILING INFORMATION

You can search for a business's filing history at sos.mn.gov/findabiz. Your business filing number is located on the Business Record Details page. The business filing history is located under the filing details, including dates of the filings. Click the Renewal History tab for information on when the business has been renewed.

SECTION 1: Type of Wrongful Filing (check all that apply)

- ☐ A business was created using my name or personal information without my permission.
 - ☐ My name was listed in a business filing without my permission.
 - ☐ My address was included in a business filing without my permission.
 - ☐ An existing business record was changed without my permission.
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SECTION 2: Your Contact Information

Full Name: _____

Address: _____

City: _____ State: _____ ZIP: _____

Phone: _____ Email: _____

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SECTION 3: Business Filing Information

Follow instructions under "HOW TO FIND YOUR BUSINESS FILING INFORMATION" above to find filing details.

Business Name: _____

Your Relationship to the Business: _____

Minnesota Business File Number (if known): _____

Filing(s) you believe to be wrongful: _____

Date(s) of Filing (if known): _____

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SECTION 4: Description of Wrongful Filing

Explain what happened and why you believe the business filing was made without your permission. Be as specific as possible. Note: Attach additional pages if needed.

SECTION 5: Individuals Believed to Be Involved (if known)

Name: _____

Relationship: _____

Address: _____

City: _____ State: _____ ZIP: _____

Phone: _____ Email: _____

Additional individuals or information:

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SECTION 6: Affirmation

- ☐ I affirm under penalty of perjury that the information provided in this complaint is true and correct to the best of my knowledge and that I believe this complaint complies with Minnesota law.

Signature: _____ Date: _____

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What to Expect After you Submit your Declaration of Wrongful Filing

After reviewing the submission, the Office of the Minnesota Secretary of State will send a notice to you and the person who made the filing that describes the allegations made in this declaration. The person who made the filing has 21 days to respond to the notice to dispute the allegations in this declaration.

If they do not respond, our office will determine that the filing is fraudulent and take action to remove the filing or redact information from the record.

If the person who made the filing does respond within 21 days, we may ask for additional information to make a determination. We will then send notice of a preliminary determination to you and the person who made the filing. If no response to the preliminary determination is received, the determination is final.