



INSTRUCTIONS FOR FILING A MOTION TO SET ASIDE DECISION AND ORDER OF DEFAULT

This Motion must be filed within 21 days from the date of the Decision and Order of Default

Step 1: Verify Your Eligibility to File this Motion

- a. You have a Decision and Order of Default Judgment for one or more Blight Violation Notices (BVN);
- b. No more than 21 days have elapsed from the date of the Decision and Order of Default;
- c. The Default Judgment is not in collections or in garnishment status;
- d. You did not adjourn the scheduled hearing at the Department of Appeals & Hearings (DAH) that resulted in the Decision and Order of Default;
- e. You did not admit responsibility for or pay any portion of the BVN or judgment; and
- f. Lastly, you are ineligible to file this Motion if you were found responsible by determination at a scheduled hearing at the Department of Appeals & Hearings (DAH) regarding one or more BVNs.

Step 2: Submit Payment of the Motion Fee and Bond

- a. **Motion Fee:** There is a \$20 motion fee for each Default Judgment.
- b. **Bond:** The judgment amount specified in each Decision and Order of Default judgment.
- c. Pay the motion fee and bond for each Default judgment before submitting your Motion. Options to pay:
 1. Online: <https://app.detroitmi.gov:8443/DAHOnline/> or at detroitmi.gov/dah
 2. Kiosk: Located throughout City. Find one near you at divdatkiosk.com. Cash accepted.
 3. Telephone: (313) 224-0098 for assistance Monday through Friday between 8:30am and 4:00pm
 4. In person: Coleman A. Young Municipal Center, 2 Woodward Ave., 10th floor, Suite 1004, Detroit. Please note cash is not accepted at DAH offices.
 5. Please note submitting payment by mail is discouraged, your payment may not be received and/or processed within the 21-day filing deadline, resulting in denial of your motion.

Step 3: Complete the Motion Form

- a. Access the Motion to Set Aside Decision and Order of Default form:
 - i. Quickest method to file is on the DAH's website **{HERE}**
 - ii. In person at Suite 1004 in the Coleman A. Young Municipal Center, 2 Woodward Ave.
 - iii. By calling Customer Service at (313) 224-0098.
- b. Complete one form submission for each judgment date.

- c. You may list up to three (3) case numbers (Blight Violation Notice number) on each form.
- d. Fill out the form completely. Please ensure all information is complete, legible, and accurate or your documents cannot be processed.
- e. Endorse the motion by typing your first and last name in the online form or signing the hard copy, which acknowledges that you declare under the penalties of perjury that you have reviewed your motion and that its contents are true and accurate statements of fact.

Step 4: Submit Your Motion after Payment of the Motion Fee and Bond

- a. You will receive confirmation that your Motion was submitted. Incomplete Motion information or lack of payment will result in denial of your Motion.

Important Notes

- Ensure that all the above steps are completed within 21 days from the entry of the Decision and Order of Default judgment.
- Failure to comply with any of these instructions will result in an automatic denial of your Motion.
- If all filing requirements are met, your Motion will be processed, and you will receive a written order within 30 days of the DAH's receipt of your Motion.
- If your motion is denied, you have 28 days to file an appeal to the Third Judicial Circuit Court.
- If your motion is granted, you will be notified of your rescheduled hearing date. If you are held not responsible at the rescheduled hearing, instructions to obtain a refund of your bond will be provided to you. If you are held responsible at your rescheduled hearing, you have 28 days to file an appeal to the Third Judicial Circuit Court.

By following these instructions carefully, you can ensure that your Motion is properly filed and considered by the Department of Appeals & Hearings (DAH). If you have questions, please visit our website at detroitmi.gov/dah or reach out to DAH, customer service representatives are available Monday-Friday between 8:30 am – 4:00 pm at (313) 224-0098.