

# **Business Identity Recovery**

**Office of the Minnesota Secretary of State**

**Minnesota House Committee on State Government  
Finance and Policy**

**February 26, 2026**

# Purpose

## New Business Identity Theft Protections Begin January 1, 2026

December 17, 2025

SAINT PAUL - On January 1, 2026, the Office of the Minnesota Secretary of State will launch a set of protections for business owners impacted by business identity theft.

Business identity theft is a nationwide problem. It occurs when someone creates a company in the name of someone else without permission, reactivates a business entity without the knowledge or consent of the business owner, or changes the address on business filings. Victims often face debts, collection calls, or damaged credit histories - all without a clear path to resolution. Previously, the only options for targeted business owners were costly court actions or law enforcement intervention.

Victims of business identity theft often face debt collection or damaged credit histories, plus countless hours trying to unravel the mess made by an often malicious third party.

The new Business Identity Recovery program allows the Office of the Secretary of State to determine whether a filing is fraudulent. Prior to implementation, victims would need to seek relief in court or from law enforcement. This process ensures most disputes are resolved faster and at less cost to the victim.

# Declaration of Wrongful Filing

An individual files a declaration with the Office.

They may allege their business records have been tampered with or otherwise altered without their permission.

Or their name, address, or other personal information may have been used in a business filing without their permission.



OFFICE OF THE MINNESOTA SECRETARY OF STATE

**BUSINESS SERVICES**

First National Bank Building,  
332 Minnesota Street, Suite N201  
Saint Paul, MN 55101  
✉ [bir.oss@state.mn.us](mailto:bir.oss@state.mn.us)  
☎ 651-296-2803 | 🌐 [sos.mn.gov](http://sos.mn.gov)

## 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](mailto: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](http://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: \_\_\_\_\_

.....

**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): \_\_\_\_\_

.....

**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.

Upon receiving the declaration, the Office of the Secretary of State (OSS) sends a letter to the filer in question describing the complaint and asking for a response.

They have 21 days to respond, and if the letter is returned as undeliverable or no response is received in 21 days, the filing is deemed fraudulent.

If a response is received, the Office obtains additional information from the parties and determines whether filing is fraudulent. Once the information is reviewed, a final determination of the complaint is made.

The Office considers several factors in making its assessment, including:

- Previous declarations of wrongful filing related to the business, complainant, or filer;
- Previous filing history of the business, complainant, or filer; or
- Publicly available information

The non-prevailing party can appeal to the district court if the determination is in dispute.

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

Name: \_\_\_\_\_

Relationship: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Additional individuals or information:

.....  
**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: \_\_\_\_\_

.....  
**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.

Minnesota Business Name

[Redacted]

Business Type

Limited Liability Company (Domestic)

MN Statute

322C

File Number

1543996100025

Home Jurisdiction

Minnesota

Filing Date

2/16/2025

Status

Active / In Good Standing

Renewal Due Date

12/31/2026

Registered Office Address

[Redacted]

Registered Agent(s)

[Redacted]

Filings deemed fraudulent are redacted.

Filing History

Select the item(s) you would like to order:

<input type="checkbox"/>	Filing Date	Filing	Effective Date
<input type="checkbox"/>	2/16/2025	Original Filing - Limited Liability Company (Domestic) (Business Name [Redacted]) Professional Service - Social Work	
	7/17/2025	Registered Office and/or Agent - Limited Liability Company (Domestic) - Removed Per MN Statute 300	

Minnesota Business Name

Rugged Threads LLC Limited Liability Company - Removed Per MN Statute 300

Business Type

Limited Liability Company (Domestic)

MN Statute

322C

File Number

1611676300028

Home Jurisdiction

Minnesota

Filing Date

12/22/2025

Status

Inactive

Registered Agent(s)

(Optional) Currently No Agent

Comments

Removed Per MN Statute 300

Filing History

Select the item(s) you would like to order:

<input type="checkbox"/>	Filing Date	Filing	Effective Date
<input type="checkbox"/>	12/22/2025	Original Filing - Limited Liability Company (Domestic) (Business Name: Rugged Threads LLC Limited Liability Company - Removed Per MN Statute 300) - Removed Per MN Statute 300	

Filings are redacted, rather than removed, so that banks and government agencies that rely on these records know if certain documents were submitted fraudulently

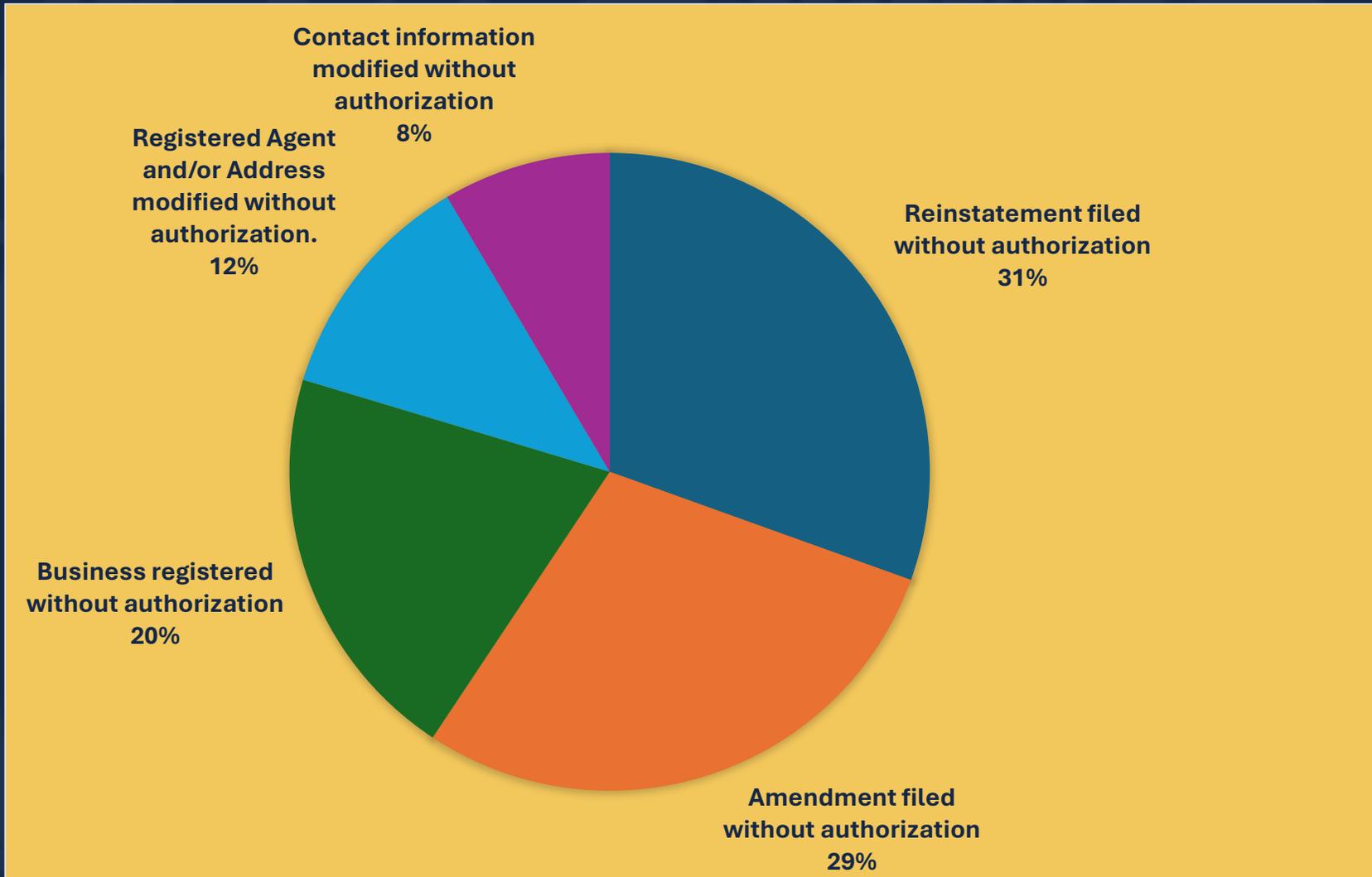
# Implementation

The Declaration of Wrongful Filing form became available on December 24, 2025 and filings were accepted beginning January 1, 2026.

To date:

- 54 cases have been filed
- 24 cases have been resolved without response from the filing party
- 29 cases are awaiting the 21-day deadline for a response
- 1 case handled with a simple phone call to clear up a misunderstanding.

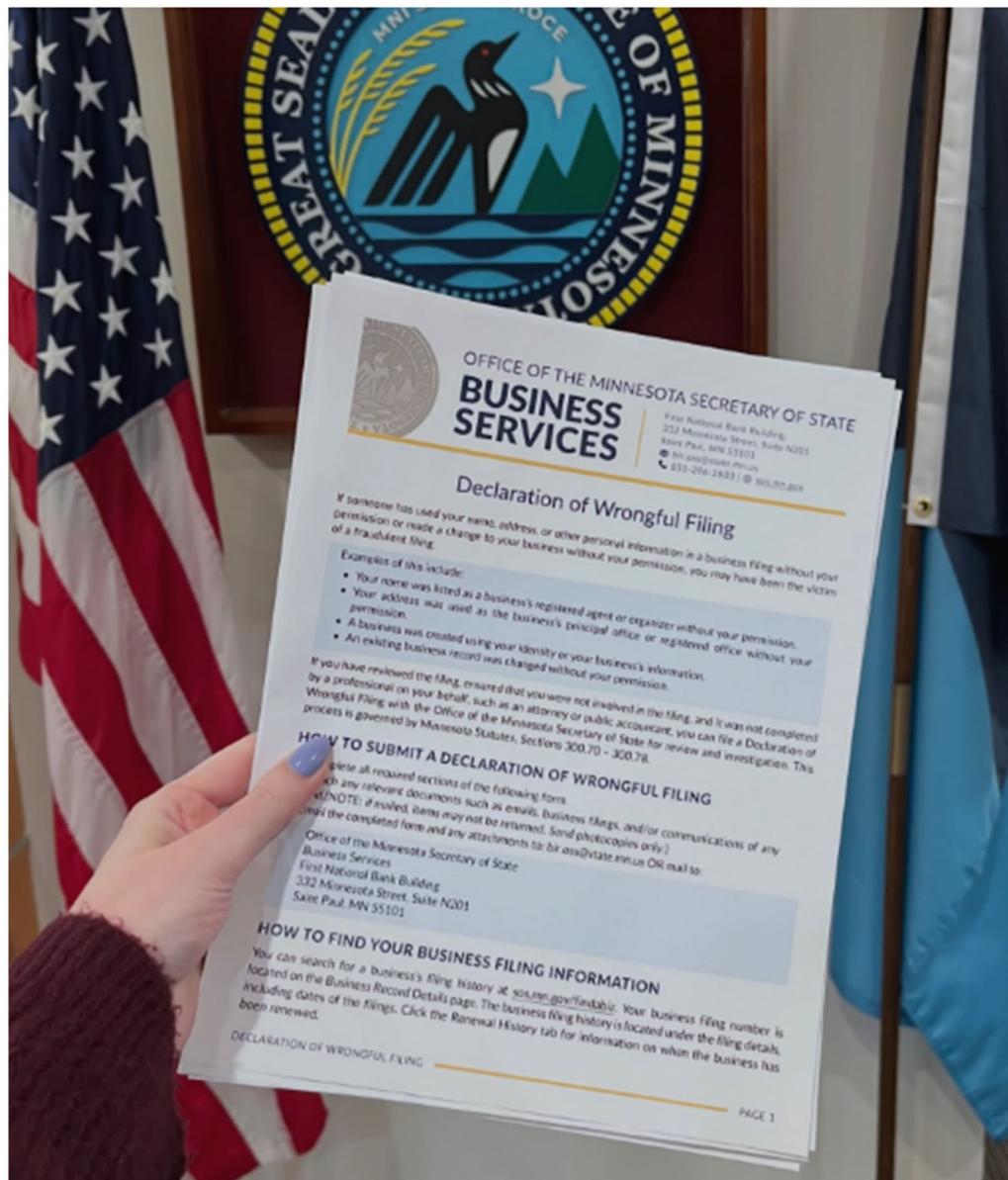
# Reasons for Complaint



Some complaints have more than one item that may have been changed without permission. Multiple filings may be redacted if the determination is that they were fraudulent.

# Benefits

- The form is designed so that it is easy to fill out as this process can be intimidating to a victim
- Individuals may return the form by mail or email
- It gives the individual submitting the declaration the opportunity to provide as much information as they want
- The process also ensures individuals will have the opportunity to submit additional information later, if necessary
- There is no fee vs hundreds in court filing fees and legal costs that victims were faced with before the law was enacted.



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Minnesota



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Today our office accepted the first Declaration of Wrongful Filing, a new tool to help victims of business identity theft.

Through our Business Identity Recovery process, individuals can report wrongful filings to the Office of the Minnesota Secretary of State for us to investigate and correct.

More information is available at [sos.mn.gov/bir](https://sos.mn.gov/bir).



albre\_chtj50 1d

I used this form and it was so easy. The state followed up quickly



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