



HB19-1118: Extending Notice to a Tenant Before Eviction **Sponsors: Rep. Jackson and Rep. Galindo and Sen. Williams**

THE IMPACT OF EVICTION

- Forced moves have a domino effect, leading to job loss, poverty, and homelessness.
- Housing instability for tenants with children often destabilize family relationships, children's education, and community.
- Forced moves can be particularly burdensome for older Coloradans and individuals with disabilities.
- Having an eviction on record can make it nearly impossible to secure housing in the future.

THE EVICTION PROCESS

Before filing a Forcible Entry and Detainer (FED or eviction) action in court, the landlord must give the tenant written notice of the lease violation that has taken place and the landlord's intent to evict the tenant if the issue is not remedied. This "3-day notice" states that the tenant must cure the lease violation or vacate the property within three days. If the tenant can remedy the lease violation within this period, they can remain in their home. If the tenant fails to do so, the landlord may file an eviction action.

THE PROBLEM

Current law does not allow sufficient time to remedy a lease violation, for example, to find a new home for a dog or pay the full amount of overdue rent in the case of a financial emergency. This short timeframe also undermines the effectiveness of existing rental assistance programs.

THE SOLUTION: EXTEND EVICTION NOTICE PERIOD

The bill extends the notice required before a landlord can file for an eviction for a non-substantial lease violation, including unpaid rent, from 3 to 14 days. This ensures the tenant has sufficient time to address the complaint. *This would not preclude the landlord from charging and collecting late fees for overdue rent.*

MORE INFORMATION

- *This bill does not change the eviction process when a tenant's behavior endangers the safety or property of the landlord or another tenant, or when a tenant is committing a criminal offense. A tenancy may still be terminated at any time based on a substantial violation and becomes effective three days after written notice is given.*
- 29 states give more notice before eviction than Colorado in the case of unpaid rent, and 37 states provide more notice in the case of other lease violations.

January 23, 2019

Support for HB19-1118

9to5 Colorado	Colorado Poverty Law Project
AARP Colorado	CWEE
Adams County	Denver Homeless Out Loud
All Families Deserve a Chance Coalition	Energy Outreach Colorado
Arc Thriftstores	Enterprise Community Partners
Bayaud Enterprises	Interfaith Alliance of Colorado
B-Konnected	Lutheran Advocacy Ministry—Colorado
Colorado Catholic Conference	Mental Health Colorado
Colorado Center on Law and Policy	Mile High Connects
Colorado Coalition for the Homeless	NAACP CO-MT-WY State Conference
Colorado Council of Churches	The Arc of Colorado
Colorado Cross Disability Coalition	The Denver Foundation
Colorado Fiscal Institute	Violence Free Colorado