

## 2023 Tenant Protection Legislation

Each of these bills is supported by Colorado Center on Law and Policy

Half of Colorado renters pay more than 30% of their income for rent. There are only 102 homes for every 100 Coloradans earning the area median income. For every [100 Coloradans whose income is below 30% of Area Median Income, there are only 26 affordable and available homes.](#)

### SIGNED INTO LAW

**[HB23-1099](#) Portable Screening Report for Residential Leases** Representative Stephanie Vigil (D) and Mike Weissman (D) and Senators Rhonda Fields (D) and Tony Exum (D)

This bill would allow a prospective tenant to reuse a credit report for application to multiple units for 30 days, rather than having to pay for separate credit reports for every unit they apply for.

Fiscal Note: No fiscal impact

Lead Organization: Colorado Poverty Law Project

**[SB23-184](#) Protections for Residential Tenants** Senator Faith Winter (D) and Representatives Meg Froelich (D) and Lorena Garcia (D)

The bill would prohibit any requirement that a prospective tenant to have income greater than 200% of monthly rent. It would limit security deposits to a maximum of equal to two month's rent, and allowing a tenant to assert as an affirmative defense in an eviction proceeding that a landlord violated anti-discriminatory housing laws.

Fiscal Note: No fiscal note

Lead Organization: Colorado Coalition for the Homeless and Colo Poverty Law Project

**[HB23-1120](#) Eviction Protections for Residential Tenants** Reps Junie Joseph (D) and David Ortiz (D) and Senators Rhonda Fields (D) and Faith Winter (D)

This bill requires landlords to mediate before eviction if client identifies as on SSI, SSDI, or TANF. Such tenants would get 30 days to move if evicted.

Fiscal note: \$338,964 in 2023; \$262,989 in 2024-25

Supporters: Disability Law, CCDC, Children's Campaign, Illuminate.

**[HB23-1254](#) Habitability of Residential Premises** Representatives Kyle Brown (D) and Xavier Mabrey (D)

This bills adds "environmental public health emergency event" to coverage for warrant of habitability laws, requiring the landlord to remediate and clean up the damage to habitability standards, with specific attention to vulnerable populations whose health could be more at risk. It also strengthens the prohibition on retaliation against a tenant.

Fiscal Note: No fiscal impact

**[HB23-1257](#) Mobile Home Park Water Quality** Representatives Elisabeth Velasco (D) and Andrew Boesenecker (D) and Senator Lisa Cutter (D) Colorado Department of Public Health and Environment will administer a water testing program for mobile home parks and includes prioritization standards and testing criteria. The bill would require mobile home

park owners to comply with remediation plans if water quality does not meet standards, notify residents, and set penalties for failure to comply.

Fiscal Note: \$4 million in 2023-24; \$5 million in 2024-2025. Cash funds.

Lead Organizations: Voces Unidos and Conservation Colorado

**HB23-1095 Prohibited Provision in Rental Agreements** Representatives Steve Woodrow (D) and Mandy Lindsay (D) and Senators Nick Hinrichsen (D) and Faith Winter (D)

Prohibits leases from including: a fee for being evicted; a prohibition for class action suits; a penalty for failure to provide notice of nonrenewal of a lease except for actual losses; eviction for nonpayment of utilities alone if provider operates under a voucher or subsidy program; and others.

Fiscal Note: No fiscal impact

Lead Organization: 9to5 Colorado

**HB23-1186 Remote Participation in Residential Evictions** Rep Mandy Lindsay (D) and Iman Jodeh (D) and Sens Tony Exum (D) and Sonya Jaquez Lewis (D)

The measure would allow both the tenant and the landlord to participate in eviction proceedings remotely , rather than in person.

Fiscal note: \$431,100 in 2023-4; \$116,200/yr in outyears

Lead Org: Colorado Children's Campaign and Colo Poverty Law Project

VETOED

**HB23-1190 Affordable Housing Right of First Refusal** Reps Andrew Boesenecker (D) and Emily Sirota (D) and Senator Faith Winter (D)

This measure would allow local governments a right to match an offer on a for- sale multi-unit property which is at least 30 years old to help preserve existing affordable units. Such properties must remain affordable to those under the Area Median Income (AMI), with rents only able to increase by the CPI.

Fiscal Note: No Appropriation Needed

Lead Organization: Colo Poverty Law Project

KILLED

**HB23-1115 Repeal Prohibition Local Residential Rent Control** Representative Xavier Mabrey (D) and Elizabeth Velasco (D) and Senator Robert Rodriguez (D)

Removes the state prohibition on local governments enacting rent control, subject to the following limitations: 1. The ordinance must be uniformly applied among all renters and all rental properties similarly situated; 2. Excludes new rentals for 15 years; 3. Excludes properties governed by HUD Fair Market Rents; 3. Any annual rent cap must allow increases of CPI plus 3% plus actual costs incurred for substantial renovations.

Fiscal Note: No fiscal impact

Lead Organizations ; 9to5 Colorado, Colorado Homes for All Community Economic Defense Project

**HB23- 1171 Just Cause Requirement Eviction of Residential Tenant** Reps Xavier Mabrey (D) and Serena Gonzales-Gutierrez (D) and Sen Julie Gonzales (D)

Landlord would not be able to evict a tenant at the end of their lease period for no reason. Landlords could evict tenants for non-payment of rent, a substantial lease violation, refusing to sign a new lease, if tenant does not allow access to unit for landlord after notice; if sale, demolition or conversion or substantial remodeling was planned ,or if a family member was moving in.

Fiscal Note: No appropriation needed

Lead Organizations: UNE, Community Economic Defense Project, 9to5Colorado,

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