



JEFFERSON COUNTY SHERIFF'S OFFICE

EVICITION INFORMATION

When filing your paperwork with the courts, please be aware:

- A Sheriff's Deputy must be present at all evictions.
- At the eviction, the Deputy will only be able to remove from the property the people who are listed on your paperwork as defendants.
- Adding the phrase "and all other occupants" to the defendants listed on your paperwork allows the Deputy to remove any other persons who may be present at the property during the eviction (for example: additional occupants not listed on the lease, friends or guests of the tenants, etc.)
- If only a portion of a property is to be evicted, this should be specified on your paperwork (for example: "basement only", "rear bedroom only"). If only certain occupants at a property are to be evicted while other occupants will remain, this should be specified on your paperwork (for example: "John Doe and his belongings only").

SERVICE OF PROCESS FOR EVICTION PAPERWORK

The eviction process has three steps. As the plaintiff (landlord/owner), it is your responsibility to inform the defendant (tenant) of each step in the eviction process through the options described below.



Guide to Residential Evictions

Step-by-Step

① Give Notice (landlord)



Notify the Tenant why/when to leave.

a) Use the *Notice* that fits your situation:

- JDF 99 A Demand for Compliance
 - Unpaid rent.
 - Lease violations.
 - Disturbing conduct.
- JDF 99 B Notice to Terminate Tenancy
 - Repeat lease violations.
 - Criminal behavior.
- JDF 99 C Notice of No-Fault Eviction
 - Not renewing a lease.

b) The *Notice* has important information on how to properly give it to the Tenant (*service*).

- JDF 98 Affidavit of Service (just do §§ 1-4)

c) Wait the time stated in the *Notice* before Step 2.

Mandatory Mediation

Check the Notice to see if you need mediation before filing a case (Step 2). If so, schedule at:

[\[www.ColoradoODR.org\]](http://www.ColoradoODR.org)

② Start an Eviction Case (landlord)



Complete these forms. The Court Clerk will schedule a Return Date when you file:

- JDF 101 Complaint
- JDF 102 Summons (signed by Clerk)

Print a blank copy for each tenant:

- JDF 103 Eviction Answer
- JDF 108 Request for Documents

③ Personal Service (landlord)



Provide copies of all four Step 2 forms to the local Sheriff or a process server, along with:

- JDF 98 Affidavit of Service (just do §§ 1-4)

The process server completes service, finishes the form, and returns it to you. Then, file with the Court.

Service must be completed at least seven days before the return date.

④ Answer (tenant)



File your response on or before the Return Date or bring it with you to the Courthouse.

- JDF 103 Eviction Answer

⑤ Return Date & Trial (both parties)



The parties may meet and try to resolve the matter at the Return Date. If no agreement, the Court will schedule the case for trial.

If parties agree to terms, file:

- JDF 106 A Stipulated Agreement
- JDF 106 B Order (just do §§ A-C)

If there is **no agreement**, file:

- JDF 108 Request for Documents

⑥ Enforcement (landlord)



If evicted, the Court will issue a Writ.

- JDF 109 Writ of Restitution (signed by Judge)

a) Wait the time on the writ.

b) Take it to the Sheriff to enforce the eviction.

More Information

Find Forms

Forms can be found on the Court's website:

[\[www.ColoradoJudicial.gov\]](http://www.ColoradoJudicial.gov)

How to File

Start the case:

- File at the courthouse in the county where the rental home is located.

After the case is started:

- File in-person, or online at:

[\[www.jbits.courts.state.co.us/efiling\]](http://www.jbits.courts.state.co.us/efiling)

Not available for cases in Denver County Court.

Filing Fees

Landlord:

Tenant:

If you can't afford the fees, also file:

- JDF 205 Motion to Waive Fees
- JDF 206 Order re Court Fees (Just do §§ A-C)

Attending Court

You can attend court events in person or remotely (via internet video conference).

Mark your preference in the Complaint (JDF 101) or Answer (JDF 103). Or file:

- JDF 105 Notice About Remote Participation

If chosen, the court will send you information on how to participate remotely.

Additional Step 3 Service (for landlords)

Review the Summons (JDF 102 § 13 on pg. 4) for an additional service method. In short:

- a) Mail the Step 2 documents to the Tenants before filing with the Court.
- b) Note this on Summons (§ 13) when you file.
- c) Still submit JDF 98 (signed by a process server or Sheriff) showing the documents were also posted at the home.

Then, if you can't get personal service completed:

- a) The Court can still order an eviction.
- b) But it can't award you a money judgment.

Default

Someone defaults in the case when:

- a) The Tenant doesn't file an Answer (JDF 103);
- b) The Landlord doesn't file a Reply (JDF 74) if the Tenant makes Counterclaims;
- c) Or, a Party doesn't attend the Hearing.

Then file:

- JDF 107 A Motion for Entry of Judgment
- JDF 107 B Judgment Order (Just do §§ A-C)

My Notes

- §§ means "sections"

JEFFERSON COUNTY EVICTIONS

INSTRUCTIONS FOR PARTIES WITHOUT ATTORNEYS

ON THE DATE AND TIME LISTED ON THE SUMMONS PARTIES MAY APPEAR IN PERSON, BY PHONE OR BY VIDEO

THE DATE ON THE SUMMONS IS THE DEADLINE FOR THE TENANT TO FILE AN ANSWER, IT IS NOT A COURT APPEARANCE, YOU WILL NOT SEE A JUDGE

TENANTS:

1. You must appear on the return **date and time** indicated on your summons or file an answer on or prior to that date. You may appear in person (recommended), by video or by phone.
2. A mediator will be available to help you and your landlord reach an agreement. The mediator is free.
3. If you chose to appear by phone or by video, you must use the following contact information:
Video: <https://judicial.webex.com/meet/Sara.Garrido>
Phone: 1(415) 655-0001
Access code: 925 269 060
4. If you were not able to reach an agreement, you can dispute your eviction by filing an answer by the end of the day on the return date indicated on your summons.
5. You may file an answer and pay the filing fee:
 - a. In person: by coming to the Jefferson County Courthouse Clerk office, first floor, civil window, completing the answer form and paying the filing fee.
 - b. By Mail: the mailed answer must arrive to the Court on or before the return date indicated on the summons. The mailing address is 100 Jefferson County Parkway, Golden, CO 80401. You must also mail a check or money order for the filing fee. **DO NOT MAIL CASH.**
 - c. E-filing: <https://www.courts.state.co.us/Administration/Unit.cfm?Unit=efilenooty>
6. The answer will not be accepted unless you pay the filing fee. If you cannot afford to pay the fee, you can fill out a form to see if you qualify to have the fee waived. You can do that through the e-filing system or in person at the Clerk's office civil window on the first floor of the Jefferson County Courthouse.
7. If you have any questions about how to file your answer you can call the main Clerk's office at (720)772-2560.
8. After you file the answer the clerk will contact you to schedule the eviction trial.
9. If you don't file an answer or reach an agreement, a default eviction may enter against you.

FOR MORE INFORMATION, VISIT THE COURT'S WEBSITE AT: <https://www.courts.state.co.us>. If you need assistance, you may visit the Court Resource Center located on the second floor of the courthouse or contact them at 720-772-2501 or 01SelfHelp@judicial.state.co.us.

For frequently asked questions you can email 01evictions@judicial.state.co.us or call 720-772-2455. If you need an interpreter, you will need to inform the Court when you file your complaint or answer.

JEFFERSON COUNTY EVICTIONS

INSTRUCTIONS FOR PARTIES WITHOUT ATTORNEYS

LANDLORDS:

1. You must appear on the return **date and time** indicated on the summons in person (recommended), by phone or by video.
2. If you chose to appear by phone or by video, you must use the following contact information:
Video: <https://judicial.webex.com/meet/Sara.Garrido>
Phone: 1(415) 655-0001
Access code: 925 269 060
3. A mediator will be available to help you and your tenant reach an agreement. The mediator is free.
4. If the tenant files an answer, the clerk will contact you to schedule the eviction trial. The trial will be scheduled within 7 to 10 days from the summons return date.
5. If the tenant does not file an answer you can talk to the judge to ask for the judgment for possession (eviction). If you did not appear in person, you must file a motion for default judgment for possession along with proof of service.
6. You can file a motion for judgment for possession in the following ways:
 - a. In person: by coming to the Jefferson County Courthouse Clerk office, first floor, civil window, completing the answer form and paying the filing fee.
 - b. By Mail: the mailing address is 100 Jefferson County Parkway, Golden, CO 80401.
 - c. E-filing: E-filing: <https://www.courts.state.co.us/Administration/Unit.cfm?Unit=efilenoaty>

FOR MORE INFORMATION, VISIT THE COURT'S WEBSITE AT: <https://www.courts.state.co.us>. If you need assistance, you may visit the Court Resource Center located on the second floor of the courthouse or contact them at 720-772-2501 or 01SelfHelp@judicial.state.co.us. The Clerk's office phone number is (720) 772-2560.

If you need an interpreter, you will need to inform the Court when you file your complaint or answer.

JDF 102	Eviction Summons Forcible Entry and Detainer	
A. Court <input type="checkbox"/> District <input type="checkbox"/> County Colorado County: Mailing Address: _____ _____	<i>This box is for court use only.</i>	
B. Parties to the Case Landlord: <i>(Plaintiff)</i> v. Tenant: <i>(Defendant)</i>		
C. Landlord's Attorney Information <i>(if any)</i> Name: _____ Bar #: _____ Mailing Address: _____ City: _____ St: _____ Zip: _____ Phone: _____ Email: _____	D. Case Details Number: _____ Division: _____ Courtroom: _____	

1. Eviction Case

You (*the Defendant*) are now involved in a court case to decide whether you should be evicted from your rental unit.

Along with this summons, you will get a document called a Complaint. The Complaint will explain why the Landlord (*the Plaintiff*) is evicting you (*cause/grounds/claims*) and what they want the court to do (*relief/damages*).

2. Your Next Steps

You must attend an introductory meeting (*Return Date*) and/or file a written answer.

a) Return Date

On: *(date)*

At: *(time)*

- In room: _____ at the Court's address above.

Depending on the outcome of the *Return Date* meeting, the Court may schedule the case for a formal Trial.

You can appear by phone or video for court events. See [Section 6].

b) Written Answer

You must submit an *Answer*, due on the Return Date. The Landlord must provide a blank answer form with this summons.

Your *Answer* to the court should explain:

- Why you think you have a right to stay in your rental unit,
- Whether what your landlord says is true or not true,
- Whether you have any legal defenses,
- Whether you think you were given proper notice of the landlord's reasons for wanting to evict you, and
- Whether you have a reason to file a case against the landlord for something they did (called a *counterclaim*).

c) Submit Forms

- 1) Create an account at: [www.jbits.courts.state.co.us/efiling]
Note: Not available for cases in Denver County Court.
- 2) Submit your completed forms (*efile*) and send them to the Landlord (*eservice*).
- 3) View your case file and receive notifications when new filings are submitted.

Or, bring the completed paperwork with you to the *Return Date* or mail/deliver it to the court before then. Then, mail a copy of those forms to the Landlord.

Note on Fees

There are no filing or service fees for Tenants in Eviction Cases.

3. Consequences

If you do not file a written *Answer* or attend the *Return Date* meeting, the judge will not know if you have any defenses and may enter a default judgment against you. This means you may be evicted and have to pay the landlord the money you owe.

In other words:

If you do not respond to the landlord's complaint by filing a written answer with the court on or before the date and time in this summons or appearing in court at the date and time in this summons, the judge may enter a default judgment against you in favor of your landlord for possession. A default judgment for possession means that you will have to move out, and it may mean that you will have to pay money to the landlord. In your answer to the court, you can state why you believe you have a right to remain in the property, whether you admit or deny the landlord's factual allegations against you, and whether you believe you were given proper notice of the landlord's reasons for terminating your tenancy before you got this summons.

C.R.S. § 13-40-111(1).

4. Privacy and Fee Notifications

- a) Any documents filed in this case can only be seen by the parties, not the public.
- b) If the Court orders an eviction, the case documents will be made public unless both parties agree to keep them private.
- c) Fees are non-refundable. In some cases, a jury trial will be denied because it is not authorized by law, even though you paid the jury trial fee.

5. Legal Authority and Attachments

This summons is issued under Colorado Revised Statute (C.R.S.) section (§) 13-40-111.

Along with this summons, you should receive: *(Form Used)*

- a) A copy of the complaint.
- b) A blank answer form. *(JDF 103 – Residential Tenants) / (JDF 143 – Mobile Homeowners)*
- c) A blank request for documents form. *(JDF 108 – Request for Documents)*

6. Notice about Remote Participation

You can choose to participate in Court events by phone or video. You can do that in your *Answer* form or by filing *JDF 105 – Notice About Remote Participation*.

If you select remote participation, the Court will send/provide information on how to attend. If disconnected during the event, try to reconnect or contact the court.

In other words:

For a residential action filed in County Court pursuant to this article 40, either party has a right to appear in person or remotely by phone or video on a platform designated by the court. If a party participates remotely and the party is disconnected or there is a technology failure, the court shall make all reasonable efforts to contact the party and shall allow reasonable time for the party to reestablish connection. If the party is unable to reestablish connection, the court shall reschedule the hearing in person on the first available date after the date of the originally scheduled hearing, to the extent practicable. The Court shall not enter a default judgment if a party is unable to participate remotely due to a technological disconnection or failure.

C.R.S. § 13-40-111(4)(c).

7. Signed and Dated

Signed by: Court Clerk Plaintiff's Attorney

Signature:

Dated:

Plaintiff's Address:

Plaintiff's Phone:

8. Certificate of Mailing

Plaintiff, be sure to file *JDF 98 – Affidavit of Service* when service has been completed.

- If checked, I swear that on *(date)* this summons, eviction complaint, blank answer form, request for documents, and fee waiver forms were mailed by first class mail to the Defendants at the following address: *(include city, state, and zip-code)*

Plaintiff or Plaintiff's Agent Signature:

9. Resources

Court Self-Help Centers

Your local Self Help Center can be found by following this link:

[www.coloradojudicial.gov/self-help-resources]

Colorado Legal Services

Free legal services to low income tenants facing evictions.

Call (303) 837-1313 ext. 444 or visit [www.coloradolegalservices.org]

Colorado Department of Local Affairs

The Division of Housing can help with rental assistance programs, housing counseling, eviction and foreclosure prevention, and other programs.

Call (303) 864-7810 or visit [cdola.colorado.gov/housing]

Colorado Housing Connects

Free housing, eviction, and foreclosure resources for tenants, landlords, homeowners, and homebuyers.

Call (844) 926-6632 or visit [coloradohousingconnects.org]

Colorado Poverty Law Project

Free legal services to fight eviction and housing insecurity.

Visit [www.copovertylawproject.org]

Community Economic DefenseProject

Free legal aid and guidance to tenants facing eviction and housing insecurity.

Visit [www.cedproject.org]

7. Description of Premises

The Landlords own the following premises (the home):

Street Address:

City:

County:

Zip:

Subdivision:

Lot:

Block:

Does this property have a federally backed-mortgage? (FHA, VA, USDA, etc.) Yes. No.

8. Lease

The Tenants leased and occupied the home under a: (check one)

Written lease. A copy of the lease is attached and labeled "Attachment 1."

Verbal lease. Monthly rent is \$ _____, payable on the _____ day of the month.

Through this lease, the Defendants took possession and occupied the home.

9. Prior Notice

On (enter date) _____, I served the Tenant the following Notice: (check one)

A. Demand for Compliance (JDF 99 A).

B. Notice to Terminate Tenancy (JDF 99 B).

C. Notice of No-Fault Eviction (JDF 99 C).

The amount of time given to the Tenants in the Notice has expired.

A copy of that Notice and its proof of service is attached and labeled "Attachment 2."

10. Cause for Eviction

I'm evicting the tenants because: (check all claims that apply and explain the situation in Section 11)

a) **Unpaid Rent**

C.R.S. § 13-40-104(1)(d)

At the time of filing, the Tenants owe:

\$ _____ in past-due rent.

\$ _____ in late fees.

Tenants failed to pay rent for the following dates:

Rent continues to accrue at \$ _____ per day until the Landlord regains possession of the home.

b) Lease Violation C.R.S. § 13-40-104(1)(e)

Tenants have failed to comply with or violated the lease's material terms or conditions.

Be sure to state which lease term and explain how it was violated in Section 11.

Repeat Violation C.R.S. § 13-40-104(1)(e.5)

If checked, this same lease term was violated before. The Demand for Compliance detailing the prior violation is attached and labeled "Attachment 3."

c) Substantial Lease Violation (criminal behavior) C.R.S. § 13-40-104(1)(d.5)

Tenants, or their guests, have substantially violated the lease under C.R.S. § 13-40-107.5(3): *(explain what happened in Section 11)*

d) No-Fault Eviction C.R.S. §§ 13-40-104(1)(d.8) and 38-12-1303(3)

As cause for not renewing the lease, the landlord terminated the tenancy because (of):

- 1) Planned home demolition or conversion.
- 2) Plans for substantial home repairs or renovations.
- 3) Plans to live in the home (Landlord Use).
- 4) Plans to sell the home.
- 5) Tenants declined the new rental agreement.
- 6) Tenants' history of late payments. *(Attach the Demand for Compliance (JDF 99 A) and its proof of service (JDF 98) for each missed payment.)*

e) End of Tenancy C.R.S. § 13-40-104(1)(c)

The lease period has ended, the Tenants have not moved out, and the Landlord qualifies to end the lease without cause because:

- 1) The property is a short-term rental.
- 2) The property is a single-family home, a duplex, or a triplex. The Landlord lives on the property *(or an adjacent property)* as their primary residence.
- 3) The property is leased pursuant to an employer-provided housing agreement.
- 4) The Tenant has been a resident for less than a year.

f) Disturbing Conduct C.R.S. § 13-40-104(1)(j)

The Tenants' conduct is disturbing or causes a nuisance to the quiet enjoyment of the owners, other occupants, or neighbors. *(explain what and how in Section 11)*

13. Military Service

Are any of the Tenants engaged in military service for the United States of America?

Yes. No.

14. Jury Demand

If checked, the Landlords demand a trial by jury. *(Additional non-refundable fees apply.)*

Note: *Not all claims are entitled to a jury trial.*

15. Request for relief

Landlords request a judgment for possession of the premises, rent due or to become due, present and future damages and costs, and any other relief to which we are entitled.

16. Facts regarding Mandatory Mediation

Note about Mediation

Tenants who receive:

- a) Supplemental Security Income (SSI),
- b) Social Security Disability Income (SSDI), or
- c) Cash Assistance through the Colorado Works Program

may have the right to mandatory mediation before a case is filed.

I swear or affirm the following information is true:

Did you attend mandatory mediation? *(check one)*

Yes, but it was unsuccessful.

No, because: *(check why not)*

The tenant doesn't qualify for Mandatory Mediation.

The tenant didn't say if they qualified for Mandatory Mediation.

The landlord is a non-profit organization that has already offered mediation.

The landlord doesn't have more than five rental units.

In other words:

The residential tenant receives Supplemental Security Income, Social Security Disability Insurance Under Title II of the Federal "Social Security Act", 42 U.S.C. Sec. 401 et seq., as amended, or Cash Assistance through the Colorado Works Program created in Part 7 of Article 2 of Title 26, and the complainant and residential tenant participated in mandatory mediation and the mediation was unsuccessful;

The complainant and residential tenant did not participate in mandatory mediation because the residential tenant:

Did not disclose or declined to disclose in writing in response to a written inquiry from the complainant that the residential tenant receives Supplemental Security Income, Social Security Disability Insurance Under Title II of the Federal "Social Security Act", 42 U.S.C. Sec. 401 et seq., as amended, or Cash Assistance through the Colorado Works Program created in Part 7 of Article 2 of Title 26; or

Does not receive Supplemental Security Income, Social Security Disability Insurance under Title II of the Federal "Social Security Act", 42 U.S.C. Sec. 401 et seq., as amended, or Cash Assistance through the Colorado Works Program created in Part 7 of Article 2 of Title 26; or

The complainant and residential tenant did not participate in mandatory mediation because the complainant is a 501(c)(3) nonprofit organization that offers opportunities for mediation to residential tenants prior to filing a residential eviction in court; or

A landlord with five or fewer single-family rental homes and no more than five total rental units, including any single-family homes.

17. Landlord Signature

I declare under penalty of perjury under the law of Colorado that the foregoing is true and correct.

Executed on the *(date)* day of *(month)* *(year)*

at City: *(or other location)*

and State: *(or country)*

Print Your Name(s):

Your Signature(s):

Lawyer Signature: *(If any)*

18. Additional Information (if any)

JDF 103	Eviction Answer (Residential Tenancy)	
<p>1. Court</p> <p><input type="checkbox"/> District <input type="checkbox"/> County</p> <p>Colorado County: _____</p> <p>Mailing Address: _____</p> <p>_____</p>	<i>This box is for court use only.</i>	
<p>2. Parties to the Case</p> <p>Landlord: <i>(Plaintiff)</i></p> <p>v.</p> <p>Tenant: <i>(Defendant)</i></p>		
<p>3. Filed by</p> <p>Name: _____</p> <p>Mailing Address: _____</p> <p>City: _____ St: _____ Zip: _____</p> <p>Phone: _____</p> <p>Email: _____</p>	<p>4. Case Details</p> <p>Number: _____</p> <p>Division: _____</p> <p>Courtroom: _____</p>	

5. Background

I submit this Answer under C.R.S. § 13-40-113. I swear or affirm the following is true:

This Answer Contains

Affirmative Defenses.

Jury Demand. (Non-refundable fee. Only specific claims can be decided by a Jury)

Counter/Cross Claims. (Attach claims, if any.)

6. Tenant Information

Do you need an interpreter? No. Yes, in *(language)*

I want to attend court events: In-person. Remotely. *(by phone or web video)*

To switch your choice:

File form *JDF 105 – Notice about Remote Hearings* at least 48 hours *before an event.*

If *different* from [Section 3] above, my *(the Tenant's)* contact information is:

Full Name:

Mailing Address:

City, State, Zip:

Phone:

Email:

Always keep your contact info updated. Use form *JDF 88 – Contact Information Change.*

7. Defenses

Note to Tenant

- a) Review the *Eviction Complaint* to see why the landlord is evicting you.
- b) For each *Cause* the Landlord claimed, check the defenses you plan to present at trial.
- c) Briefly explain each in [Section 8 – Explanation.] You'll present your full case at trial.
- d) This is only a partial list of defenses. Check with a lawyer for which apply to you.

7a) Unpaid Rent

Did your landlord raise unpaid rent claims?

- No. **[Skip to Section 7b]**
- Yes. My Defenses are: (Check all that apply and explain in Section 8)
 - I paid the proper amount of rent due, not the amount the landlord claims.
 - I tried to pay the full rent due within the cure period, but the Landlord refused.
C.R.S. § 13-40-104(1)(d).
 - I paid partial rent to the Landlord **after** they sent me a Demand for Compliance.
C.R.S. § 13-40-104(1)(d).
 - {Affirmative Defense – Unfixed Repairs}** Warranty of Habitability
Complete form *JDF 104 – Unlivable Conditions Affidavit* and file with this form.

7b) Defenses for Lease Violations

Did your landlord raise lease violation claims?

- No. **[Skip to Section 7c]**
- Yes. My Defenses are: (Check all that apply. Explain in Section 8.)
 - I did not violate a material condition of the lease.
 - I did not repeat a violation because the alleged violations are not a part of the same lease term. C.R.S. § 13-40-104(1)(e.5).
 - {Affirmative Defense}** If I did violate the lease, it was primarily because the home was in an unlivable condition. C.R.S. § 38-12-507(2)(f).
 - {Affirmative Defense}** If I did violate the lease, it resulted from my disabilities for which I should be granted a reasonable accommodation and allowed to remain a tenant (Federal Fair Housing Act).

7c) Defenses for Substantial Violations

Did your landlord raise substantial lease violation claims?

- No. **[Skip to Section 7d]**
- Yes. My Defenses are: (Check all that apply. Explain in Section 8.)
 - Neither I nor anyone I invited onto the property: (*all must apply*)
 - 1) purposefully and substantially endangered the property or other tenants,
 - 2) committed a violent or drug-related felony crime, or
 - 3) committed a criminal act that was a public nuisance under law or could result in jail time of 180 days or more.
 - {Affirmative Defense}** I did not know, reasonably could have known, or prevented my guest from committing a substantial violation. But I did immediately notify law enforcement. *C.R.S. § 13-40-107.5(5)(b)(II)*.

7d) Defenses for Ending Tenancy (No-Fault)

Are you being evicted before the end of your lease term?

- Yes. **[Skip to Section 7e]**
- No, my landlord is not renewing my lease.

My Defenses are: (Check all that apply. Explain in Section 8.)

 - {Affirmative Defense}** The landlord didn't follow the process or qualify for a No-Fault Eviction. (Explain how or why in Section 8). *C.R.S. § 38-12-1306*.

7e) General Defenses

My defenses are: (Check all that apply. Explain in Section 8.)

- The Landlord wants attorney or other fees not allowed under the lease or law.
- The Landlord wants illegal or unenforceable late and other fees.
- My notice of an unlivable condition in the home motivated the Landlord to file this case. *C.R.S. § 38-12-509(1.5)*.
- I was served a *Demand for Compliance* but not given the correct cure period of:
 - 5-10 days (normal). *C.R.S. § 13-40-106*.
 - 30 days (federally backed mortgage). *15 U.S.C. § 9058(a)(2)*.

Affirmative Defenses:

- Violation under the Unfair Housing Act C.R.S. § 13-40-113(2.5).
The landlord violated one of the provisions of the Unfair Housing Act under C.R.S. §§ 24-34-501 to 509. (Explain which provision and how it was violated in Section 8).

Examples Include: Discrimination based on gender identity, marital/familial status, national origin, race, religion, sex, sexual orientation ...

- Failure to Attend Mandatory Mediation C.R.S. § 13-40-110(d).
All (1 through 4) must apply:

1) I'm enrolled in one of the following benefits programs: *(must check at least one)*

- Supplemental Security Income Social Security Disability Insurance
- Cash Assistance through the Colorado Works program. And,

2) I notified the landlord, in writing, that I received that benefit. And,

3) The landlord has or is believed to have six or more rental units. And,

4) The landlord failed to schedule and attend mediation before filing the case.

7f) List All Other Defenses *(if any)*

(Examples may include issues of standing, service, or notice. Be sure to explain in Section 8.)

- 1)
- 2)

8. Explanation

Briefly explain your side of the situation. You'll present your full argument at trial.

How do you think the defenses you checked apply? What facts do you think the Complaint got wrong?

9. File Online (no fees)

You can submit this form to the court (*file*) and send it to the landlord (*service*) online for free at:

Colorado Courts Efiling
[www.jbits.courts.state.co.us/efiling]
Note: Not available for cases in Denver County Court.

10. Certificate of Service

On (*enter service date*)

I certify that I sent a copy of this document to the other parties by: (*select one*)

- Colorado Courts E-Filing. [www.jbits.courts.state.co.us/efiling]
- Regular Mail, addressed to: (*name*)
Full address: _____

- Delivery through Court Clerk. (*only available in county court cases – must file at the courthouse*)
- Other: (*explain*)

11. Tenant Signature

I declare under penalty of perjury under the law of Colorado that the foregoing is true and correct.

Executed on the (*date*) day of (*month*) (*year*)
at City: (*or other location*)
and State: (*or country*)

Print Your Name(s):

Your Signature(s):

Lawyer Signature: (*If any*)

12. Additional Information (if any)

JDF 108	Request for Documents	
1. Court <input type="checkbox"/> District <input type="checkbox"/> County Colorado County: _____ Mailing Address: _____	<i>This box is for court use only.</i>	
2. Parties to the Case Landlord: <i>(Plaintiff)</i> _____ v. Tenant: <i>(Defendant)</i> _____		
3. Filed by Name: _____ Mailing Address: _____ City: _____ St: ____ Zip: _____ Phone: _____ Email: _____	4. Case Details Number: _____ Division: _____ Courtroom: _____	

5. My Request

I request a court order requiring the other party to give me all relevant documents to this case, including: (List/check the documents you need to present your case at the trial.)

- The lease
- Any rent ledger or payment histories.
- The Eviction notice.
- Any document relevant to a breach of habitability claim/defense.
(Examples include records, notices, reports, correspondence ...)
- Other: _____
- Other: _____
- Other: _____
- Other: _____

6. Delivery Method

Please send the documents to me at/by: *(Enter mailing or email address, or describe other methods.)*

7. Certificate of Service

On *(enter service date)* _____

I certify that I sent a copy of this document to the other parties by: *(select one)*

- Colorado Courts E-Filing. [www.jbits.courts.state.co.us/efiling]
- Regular Mail, addressed to:
Name & full address: _____
- Other: *(explain)* _____

8. Sign & Date

Print Your Name: _____

Signature: _____ Dated: _____

————— **The Court fills out the rest of this form** —————

9. Court Order

The Court:

- Grants
- Denies

the above request. The Court also orders:

- The documents must be provided at least 96 hours before the day of trial. C.R.S. § 38-12-507(2)(d)(I).

So Ordered

By: _____
 Judge Magistrate

Dated: _____

JDF 98	Affidavit of Service		
<p>1. Court</p> <p><input type="checkbox"/> District <input type="checkbox"/> County <input type="checkbox"/> Probate <input type="checkbox"/> Juvenile</p> <p>Colorado County: _____</p> <p>Mailing Address: _____</p>	<i>This box is for court use only.</i>		
<p>2. Parties to the Case</p> <p>Plaintiff / Petitioner: _____</p> <p>v. _____</p> <p>Defendant / Respondent: _____</p>			
<p>3. Filed by</p> <p>Name: _____</p> <p>Mailing Address: _____</p> <p>City: _____ St: _____ Zip: _____</p> <p>Phone: _____</p> <p>Email: _____</p>	<p>4. Case Details</p> <p>Number: _____</p> <p>Division: _____</p> <p>Courtroom: _____</p>		

5. My Information

I am at least 18 years old and not a party to the action.

6. Documents Served

I served these documents: *(Check all that apply)*

- Petition/Complaint Summons Case Cover Sheet.
- Blank Answer form Blank Fee Waiver forms Demand for Compliance
- Notice to Terminate Tenancy Notice of No-Fault Eviction
- Protective Order / Citation
- Other Documents: *(please identify)*

7. Where and When Served

I served the documents above on *(name of party)*

In County: _____ State: _____

On: *(date)* _____, at *(time)* _____

At the following location:

8. How Served

I delivered the documents: *(check one)*

a) To the Party

- By handing them to *(print name)* _____, a person identified to me as the Defendant or Respondent.
- By identifying and offering the documents to the Defendant/Respondent, but they refused service. I left the documents in a conspicuous place.

b) At Home

- By leaving them with *(print name)* _____, at the Defendant/Respondent's home *(usual abode)*, who is at least 18-years old and is the Defendant/Respondent's: *(enter family relationship)*

c) At Work

- By leaving them with *(print name)* _____, at the Defendant/Respondent's work *(usual workplace)*.

They are the Defendant/Respondent's: *(Check one)*

- Secretary. Admin Assistant. Bookkeeper. Managing Agent.

- By leaving them with *(print name)* _____ who as *(enter title)* _____ is authorized by appointment or law to receive service of process for the Defendant/Respondent.

d) Other

- As otherwise allowed by Colorado Rules of Civil Procedure (C.R.C.P.) Rules 4(g) or 304(c)-(e). *(Explain):*

e) Personal Service Not Made

I attempted to serve the Defendant/Respondent on *(number)* occasions, on different dates, but have not been able to complete personal service.

Personal Service Attempt 1 *(enter date)*

Personal Service Attempt 2 *(enter different date)*

I made efforts such as:

If checked, return to the Plaintiff/Petitioner is made on *(date)*

Service by Posting [Eviction Cases Only]

C.R.S. §§ 13-40-108, 112

Because I haven't been able to complete service, I posted a copy of the documents in a conspicuous place at the rental property's address stated in the Complaint or Eviction Notice on *(date)*

9. Service Fees

I am a:

Private process server. Sheriff for *(enter county)*

I charged the following fees:

Base Fee \$ Mileage \$

No Fees Charged. Fees waived (Domestic Violence Protection Order).

10. Verified Signature

I declare under penalty of perjury under the law of Colorado that the foregoing is true and correct.

Executed on the *(date)* day of *(month)* *(year)*

at City: *(or other location)*

and State: *(or country)*

Print Your Name:

Your Signature:

Combined Court, Jefferson County, Colorado 100 Jefferson County Parkway, Golden, Colorado	
Plaintiff:	
v.	COURT USE ONLY
Defendant	
	Case Number:
	Division:
C.A.R.E.S. ACT AFFIDAVIT	

The Corona Virus Aid, Relief and Economic Security Act (CARES)*, enacted on March 27, 2020, requires that landlords give thirty days of notice to tenants, in some cases, if the property is a covered property under the CARES Act.

*[https://uscode.house.gov/view.xhtml?req=\(title:15%20section:9058%20edition:prelim\)](https://uscode.house.gov/view.xhtml?req=(title:15%20section:9058%20edition:prelim))

- 1) I am familiar with the CARES Act,
- 2) I am the owner or an agent of the owner of the property at issue in this eviction,

AND:

- A) **THE PROPERTY IS NOT COVERED BY THE CARES ACT.**

Signature

- B) **THE PROPERTY IS COVERED BY THE CARES ACT** because:

_____ The property participates in a covered or rural housing program as defined by the CARES Act.

_____ The property has a federally backed mortgage loan or a federally backed multifamily mortgage loan as defined by the CARES Act.

Signature