



JEFFERSON COUNTY SHERIFF'S OFFICE

## EVICTIION 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*).

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) Prepare copies of the Step 2 documents to mail to the tenants.
- b) Note this on Summons (§ 13) when you file.
- c) Mail those copies (with a case number and return date) to the Tenants **immediately** after you file with the Court ([by the next business day](#)).
- d) 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 any applicable fees:
  - 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: [www.coloradojudicial.gov/e-filing-non-attorneys](http://www.coloradojudicial.gov/e-filing-non-attorneys)
6. If you have any questions about how to file your answer you can call the main Clerk's office at (720)772-2560.
7. After you file the answer the clerk will contact you to schedule the eviction trial.
8. 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: [www.coloradojudicial.gov](http://www.coloradojudicial.gov). 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](mailto:01SelfHelp@judicial.state.co.us).**

**For frequently asked questions you can email [01evictions@judicial.state.co.us](mailto: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: [www.coloradojudicial.gov/e-filing-non-attorneys](http://www.coloradojudicial.gov/e-filing-non-attorneys)

**FOR MORE INFORMATION, VISIT THE COURT'S WEBSITE AT: [www.coloradojudicial.gov](http://www.coloradojudicial.gov). 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](mailto: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.**

|  |   |  |
|--|---|--|
| <b>JDF 102</b>   | <b>Eviction Summons</b><br>C.R.S. § 13-40-111 |  |
| <b>A. Court</b><br><input type="checkbox"/> District <input type="checkbox"/> County<br>Colorado County:<br>Mailing Address:   |   | <i>This box is for court use only.</i>   |
| <b>B. Parties to the Case</b><br>Plaintiff: <i>(Landlord)</i><br>vs.<br>Defendant: <i>(Tenant)</i>   |   |  |
| <b>C. Landlord's Attorney Information <i>(if any)</i></b><br>Name: _____ Bar #: _____<br>Mailing Address: _____<br>City, State, Zip: _____<br>Phone: _____<br>Email: _____ |   | <b>D. Case Details</b><br>Number: _____<br>Division: _____<br>Courtroom: _____ |

## 1. Eviction Case

You *(the Defendant)* are now involved in a court case to decide if you should be evicted from your residence or commercial 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)*.



**Find Videos, Forms, and Guides:**

[\[bit.ly/CoEvictions\]](https://bit.ly/CoEvictions)



## 2. Your Next Steps

**a) Return Date On:** *(date – MM/DD/YYYY)*

**At:** *(time)*

Depending on the county, the *Return Date* may be a meeting to resolve the case before trial. Or, it may just be the deadline for filing your written response.

- ☐ No meeting held. Skip to [Section 2b]. Note:
- ☐ A meeting in room: \_\_\_\_\_ at the Court's address above. Or,
- ☐ Other: \_\_\_\_\_

Depending on the outcome of the [Return Date](#), the Court may schedule the case for a formal trial. You can appear by phone or video for court events. See [Section 4].

**b) Written Answer**

If you disagree that you should be evicted, submit an Answer form, due on the [Return Date](#).

Along with this summons, forms you should receive:

(Form Used)

- 1) A blank answer form. (JDF 103 – Residential Tenants)  
(JDF 143 – Mobile Homeowners)
- 2) A blank request for documents form. (JDF 108 – Request for Documents)

**c) Submit Forms ([online](#), [in-person](#), or [by mail](#))**

- 1) **File Online:** create an account at [[www.jbits.courts.state.co.us/efiling](http://www.jbits.courts.state.co.us/efiling)].
  - File, serve, and see the case file from your smartphone or computer.
  - **Note:** Not available for cases in Denver County Court. For more info, visit [[www.denvercountycourt.org](http://www.denvercountycourt.org)].
- 2) Bring the completed paperwork to the [Return Date](#) or mail/deliver it to the court before then. Then, mail a copy of those forms to the Landlord.



**No 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 could be evicted and have to pay the money you owe to the landlord.

**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. If you are claiming that the landlord's failure to repair a residential premises is a defense to the landlord's allegation of nonpayment of rent, the court will require you to pay into the registry of the court, at the time of filing your answer, the rent due less any expenses you have incurred based upon the landlord's failure to repair the residential premises; unless the court determines that you qualify to have this requirement waived due to your income.

C.R.S. § 13-40-111(1).

#### 4. Notifications

##### Privacy and Fees

- 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) The Jury Fee is non-refundable. Sometimes, a jury trial will be denied because it is not authorized by law, even though you paid the jury trial fee.

##### Virtual Participation

- a) You can choose to participate in Court events by phone or video. You can do this in your [Answer](#) form or by filing *JDF 105 – Notice About Remote Participation*.
- b) If you select to participate virtually, 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:

Any records associated with the action are suppressed and not accessible to the public until an order is entered granting the plaintiff possession of the premises. If the plaintiff is granted possession of the premises, the court records may remain private if both parties agree to suppress the records. 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 but no later than once week after 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).

#### 5. Signed and Dated

Signed by: ☐ Court Clerk ☐ Plaintiff's Attorney

Signature: \_\_\_\_\_ Dated: \_\_\_\_\_

Plaintiff's Address: \_\_\_\_\_

Plaintiff's Phone: \_\_\_\_\_

#### 6. 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 [\(and attachments\)](#), blank answer form, and request for document forms were mailed by first class mail to the Defendants at the following address: [\(include city, state, and zip-code\)](#)

Landlord or Landlord's Agent Signature: \_\_\_\_\_



## **7. Resources**

### **Court Self-Help Centers**

Find a Local Self-Help Center: [[www.coloradojudicial.gov/self-help-resources](http://www.coloradojudicial.gov/self-help-resources)]

### **Colorado Legal Services**

Free legal services to low-income tenants.

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

### **Colorado Department of Local Affairs**

Help with rental assistance, housing counseling, eviction and foreclosure prevention, and more.

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

### **Colorado Poverty Law Project**

Free legal services to fight eviction and housing insecurity.

Visit [[www.copovertylawproject.org](http://www.copovertylawproject.org)]

### **Community Economic Defense Project**

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

Visit [[www.cedproject.org](http://www.cedproject.org)]



## 7. Tenants (defendants)

I'm evicting the following tenants: *(List all, use full names)*

## 8. 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.

## 9. 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.

## 10. Prior Notice

I certify on *(enter date)* , the Tenant was served 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 Notice was served by:

- ☐ a) Personal service under C.R.S. § 13-40-108.
- ☐ b) Posting on the Property. The two prior attempts at Personal Service occurred on:
  - 1) Enter Date:
  - 2) Enter Different Date:

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

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

## 11. Cause for Eviction

I'm evicting the tenants because: *(check all claims that apply and explain the situation in Section 12)*

☐ **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 12.*

☐ **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 12)*

☐ **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) for each missed payment.)*

C.R.S. § 13-40-104(1)(c)

- ☐ 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.

C.R.S. § 13-40-104(1)(j)

## 12. Cause for Eviction: Explanation

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

**13. Damages**

☐ If checked, the Tenants owe damages in the amount of \$

Damages continue to accrue at \$ \_\_\_\_\_ per day until the Landlord regains possession of the home.

The total amount the Landlord requests in unpaid rent and damages is \$ \_\_\_\_\_ \*

\* If the amount exceeds \$25,000, and I still file in County Court, I agree to limit the possible award to that amount.

**14. Military Service**

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

☐ Yes. ☐ No.

**15. 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.*

**16. 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.

**17. 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.*

## 18. 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)*

**19. Additional Information** (if any)





## 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?

This image shows a single sheet of white paper with horizontal blue ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper has a slight shadow on the right side, suggesting it's resting on a surface.

**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](http://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](http://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)

|  |                              |  |
|--|------------------------------|--|
| <b>JDF 108</b>   | <b>Request for Documents</b> |  |
| <b>1. Court</b><br><input type="checkbox"/> District <input type="checkbox"/> County<br>Colorado County: _____<br>Mailing Address: _____ |                              | <i>This box is for court use only.</i>   |
| <b>2. Parties to the Case</b><br>Landlord: <i>(Plaintiff)</i> _____<br>v.<br>Tenant: <i>(Defendant)</i> _____                            |                              |  |
| <b>3. Filed by</b><br>Name: _____<br>Mailing Address: _____<br>City: _____ St: _____ Zip: _____<br>Phone: _____<br>Email: _____          |                              | <b>4. Case Details</b><br>Number: _____<br>Division: _____<br>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. [\[www.jbits.courts.state.co.us/efiling\]](http://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: \_\_\_\_\_



|  |                             |  |
|--|-----------------------------|--|
| <b>JDF 98</b>  | <b>Affidavit of Service</b> |  |
| <b>A. Court</b><br>Type: (ex: County or District)<br>Colorado County:<br>Mailing Address:  |                             | <i>This box is for court use only.</i>                       |
| <b>B. Parties to the Case</b><br>Plaintiff / Petitioner:<br>Vs.<br>Defendant / Respondent: |                             |  |
| <b>C. Filed by</b><br>Name:<br>Mailing Address:<br>City, State, & Zip:<br>Phone:<br>Email: |                             | <b>D. Case Details</b><br>Number:<br>Division:<br>Courtroom: |

### 1. My Information

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

### 2. Documents Served

I served these documents and any attachments:

*(Warning! Check only the documents that were actually served.)*

- ☐ Petition/Complaint    
 ☐ Summons    
 ☐ Case Cover Sheet  
☐ Blank Answer Form    
 ☐ Blank Fee Waiver Forms    
 ☐ Subpoena  
☐ Protection or Restraining Order / Citation  
☐ Other Documents: *(please identify)*

### 3. Where and When Served

I served the documents above on: *(Name)*

In County:

State:

On: *(date – mm/dd/yyyy)*

At: *(time)*

At the following location:

#### 4. How Served

I delivered the documents: *(check one)*

##### a) To the Intended Recipient

☐ By handing them to *(print name)*

a person identified to me as the documents' intended recipient.

☐ By identifying and offering the documents to the intended recipient, but they refused service. I left the documents in a conspicuous place.

##### b) At Home

☐ By leaving them with *(print name)*

at the intended recipient's home *(usual abode)*, who is at least 18-years old and is the intended recipient's: *(enter family relationship)*

##### c) At Work

☐ By leaving them with *(print name)*

at the intended recipient's work *(usual workplace)*.

They are the intended recipient's: *(Check one)*

☐ Secretary ☐ Admin Assistant ☐ Bookkeeper ☐ Managing Agent

☐ Supervisor ☐ Human Resources Representative

☐ By leaving them with *(print name)*

who as *(enter title)* is authorized by appointment or law to receive service of process for the intended recipient.

##### 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 indented recipient 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 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)*

**5. 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).

**6. 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<br>100 Jefferson County Parkway, Golden, Colorado |                |
| Plaintiff:<br><br>v.<br><br>Defendant  |                |
|  | COURT USE ONLY |
|  | Case Number:   |
|  | Division:      |
| <b>C.A.R.E.S. ACT AFFIDAVIT</b>  |                |

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