



Eviction Legal Defense Fund Five-Year Evaluation

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Colorado Judicial Department

Office of the State Court Administrator
1300 Broadway, Suite 1200
Denver CO 80203
coloradojudicial.gov

EXECUTIVE SUMMARY

The Eviction Legal Defense Fund (Fund) was created in 2019 by the General Assembly with Senate Bill 19-180 (codified in Section 13-40-127, C.R.S.) to assist in increasing access to legal representation for Coloradans experiencing or at immediate risk of experiencing an eviction. Since its creation, the Fund has had the following impact in communities throughout the State:

- It has distributed over \$6.6 million dollars in grants to seven qualified Colorado organizations committed to supporting low-income and cost burdened individuals and families. These organizations have served over 16,000 individuals since 2020.
- Of those served, over 5,000, or nearly one-third, received legal representation, while others received essential resources, such as legal information and guidance, and referrals to rental assistance and mediation programs.
- Between 2020 and 2024, grant recipients reported positive tenant outcomes for 2,399 clients.
- When grant recipients were involved with limited or full legal representation, eviction proceedings far more often resulted in positive tenant outcomes.
- Statewide data related to eviction cases indicate an improvement in statutorily identified measures, including an increase in the percentage of cases with defendant representation, decreases in the percentage of cases with judgments and writs of restitution, as well as an increase in the percentage of cases with answers filed by defendants.

Overall, the data support the Fund's goals of providing legal representation for tenants in eviction proceedings, increasing positive outcomes for tenants, and improving housing stability.

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EVICTION LEGAL DEFENSE FUND

In 2019 the General Assembly passed Senate Bill 19-180 (codified in Section 13-40-127, C.R.S.) to help address a specific procedural aspect of Colorado’s eviction landscape: the availability of legal counsel for low-income individuals who are experiencing an eviction or are at immediate risk of eviction. As the legislative declaration for SB 19-180 states, landlords nearly always have legal counsel in eviction cases while tenants rarely do. The legislative declaration further recognizes that evictions contribute to extreme hardship, including negative health effects, higher housing costs, decreased housing quality, and an increased likelihood of future housing insecurity.

SB19-180 established the Eviction Legal Defense Fund (ELDF or Fund) and authorized the State Court Administrator’s Office (SCAO) to create a grant program for organizations that provide civil legal services to “indigent” (hereafter “eligible”) Coloradans. Statute establishes what types of organizations can receive ELDF grants and who they can serve with these monies. Qualified organizations are organizations that:

- Are tax exempt pursuant to Section 501(c)(3) of the Internal Revenue Code and are based in Colorado.
- Have demonstrated experience and expertise in providing full-service civil legal services to eligible clients.
- Obtain more than 20 percent of their funding from sources other than ELDF grants.

Persons served with ELDF grant funds must have annual incomes that do not exceed 200 percent of the family federal poverty guidelines, adjusted for family size, as determined annually by the U.S. Department of Health and Human Services (DHHS). The following table shows the income eligibility threshold for a single-person household since program inception:

**Table 1:
Eviction Legal Defense Fund Income Eligibility Threshold
2019 to 2024**

Year	Annual Individual Income	200 Percent Threshold
2019	\$12,490	\$24,980
2020	\$12,760	\$25,520
2021	\$12,880	\$25,760
2022	\$13,590	\$27,180
2023	\$14,580	\$29,160
2024	\$15,060	\$30,120

Source: U.S. Department of Health and Human Services and SCAO analysis

Per the DHHS guidelines, a person is living in poverty if their annual income is lower than the figures in the middle column. Federal guidelines further account for multi-person households but, for simplicity’s sake, the figures in the table represent single-person household incomes. To receive legal assistance from organizations using ELDF grant monies, individuals must have annual incomes equal to or below the figures shown in the “200 Percent Threshold” column. Grantee

organizations use various intake screening tools to ensure the individuals served with ELDF funds qualify for assistance according to these guidelines.

Colorado's standard minimum wage is currently \$14.42 although rates in individual jurisdictions vary. A single person working a full-time job who earned this wage or a bit more (\$14.48/hour) in 2024 would qualify for ELDF-grant funded legal assistance. This same person would be considered cost-burdened or extremely cost-burdened if they spent \$753 to \$1,255 each month on housing (one-third to one-half of their income, respectively). According to the National Low Income Housing Coalition, the monthly fair market rate for a one-bedroom rental in Colorado was \$1,601 in 2024.

GRANT PURPOSES

Grantee organizations can use ELDF funds to provide legal advice, counseling, and representation for, and on behalf of, eligible clients who are experiencing an eviction or are at immediate risk of an eviction. Covered services include:

- Providing direct legal representation to resolve civil legal matters related to an eviction or impending eviction. This may include direct, in-person representation in Forcible Entry and Detainer (FED) proceedings and legal actions for monetary damages regarding nonpayment of rent or other lease violations. Providing legal assistance prior to the filing of an FED or representing a tenant's interests in other, non-FED judicial actions are additional examples of direct representation.
- Establishing clinics designed to educate and assist tenants in eviction proceedings, including providing information about the rights and responsibilities of landlords and tenants.
- Offering general legal information and advice.
- Referring clients to appropriate persons or agencies that provide housing-related assistance.
- Providing mediation services for disputes between landlords and tenants that could prevent or resolve the filing of an eviction.

Given these parameters, grantees use the bulk of their ELDF funding for personnel costs (attorneys, paralegals) with a smaller portion going toward supplies and miscellaneous costs like travel on behalf of clients.

FISCAL OVERVIEW

The ELDF grant program is supported by general funds appropriated by the General Assembly each year. The Fund also earns interest which is credited monthly to the Fund. If any unexpended money remains at fiscal year-end, it stays in the Fund and does not revert to the general fund or any other fund. The SCAO is authorized to spend a portion of annual ELDF appropriations to cover direct and indirect program administration costs. One staff person manages this grant program, along with several other grant programs administered by the Financial Services Division at SCAO, and a portion of that position's salary has been paid from the fund. Since the Fund was created, administrative costs charged to the Fund total about \$71,000, or 1 percent of total appropriations over the five-year period.

The ELDF grant program has distributed over \$6.6 million in grant funds to qualified organizations across Colorado since its establishment. In the early years of the grant program, certain agencies struggled to hire staff and were not able to utilize their full awards within the grant year. Those

funds were reverted by the agencies, retained in the fund, and allocated out in the following grant cycle. It should be noted that in the early years of the grant program, funds were disbursed in scheduled quarterly installments, but the program has since changed, and funds are disbursed on a reimbursement basis. Grantees must submit for reimbursement at least quarterly but may submit more frequently. The SCAO has developed standardized grant rules to aid in the administration of the program.

**Table 2:
General Fund Grant Appropriations, Awards, and Expenditures
Fiscal Years 2020 to 2024**

Grant Fiscal Year	General Fund Appropriation	General Fund Awards	General Fund Expenditures to Grantees	# of Grantees
2020	\$750,000	\$750,000	\$592,081	4
2021	\$2,100,000	\$1,600,000	\$808,486	6
2022	\$1,100,000	\$1,940,000	\$1,421,126	6
2023	\$1,600,000	\$1,970,692	\$1,970,616	7
2024	\$1,100,000	\$1,900,003	\$1,830,944	7
TOTAL	\$6,650,000		\$6,623,253	

Source: SCAO analysis

The program has also received temporary funding from other sources including federal pandemic relief monies and State tobacco and nicotine product tax revenues:

- HB20-1410 appropriated \$350,000 in federal Coronavirus Aid, Relief, and Economic Security Act (CARES) monies to the Fund for the period 3/1/2020 to 12/30/2020.
- HB20-1427 created a temporary transfer of \$500,000 from tobacco and nicotine product tax revenues to the Fund for Fiscal Years 2021-2023.
- SB20B-002 authorized a one-time, pandemic-related transfer of \$1 million in general funds to the Fund to provide supplemental funding to qualified organizations that received Fiscal Year 2021 grants.
- HB21-1329 appropriated \$1.5 million in federal American Rescue Plan Act (ARPA) monies to the Fund for additional grants for the period 7/1/2021 to 3/31/2024.

Awards and expenditures from tobacco and nicotine product tax revenues are included in Table 2 above. Awards and expenditures from federal CARES and ARPA monies are shown below.

**Table 3:
Federally Funded Grant Awards and Expenditures
Fiscal Years 2021 to 2024**

Grant Fiscal Year	Federal Funds	Federal Awards	Federal Expenditures	# of Grantees
2021*	\$350,000	\$121,863	\$121,546	4
2022** (expired in 2024)	\$1,500,000	\$1,500,000	\$1,429,418	5
TOTAL	\$1,850,000	\$1,621,863	\$1,550,964	

*\$228,454 in CARES funds were reverted

**\$70,582 in ARPA funds were reverted

Source: SCAO analysis

APPLICATION PROCESS AND FUNDING MODEL

The ELDF grant application period typically starts in April, with the goal of awarding available funds by July 1st for the ensuing fiscal year. Funds are awarded to qualified organizations that apply in proportion to the number of FED petitions filed in each county or city and county across Colorado. If more than one qualified organization applies for the funding available in a county or city and county, those funds are further divided among the applicants based on the number of clients served in the preceding year. In short, the funding model uses FED data to calculate the amount of funding available for each jurisdiction and then compares it to client service data reported by applicant organizations to arrive at a proportional allocation of funds – that is, ensure grant funding flows to the communities with the highest need and organizational capacity to provide services.

Although the program has a small number of grantees each year, these organizations routinely serve clients throughout the State. Some organizations focus their efforts on serving clients in a just few counties, while others have multiple office locations across Colorado. In addition, multiple organizations serve clients in the Denver Metro area and along the Front Range, where the need for eviction-related services is typically the greatest.

STATUTORY EVALUATION

Section 13-40-127(6), C.R.S., directs the State Court Administrator to evaluate the use of grant monies awarded from the Fund on or before December 31, 2024, and every five years thereafter. The evaluation has two components. The first centers upon statistical information about evictions and, more specifically, how access to legal representation impacts eviction outcomes for tenants. This part of the evaluation must consider the following metrics, and whether each has increased or decreased compared to the years before the Fund was established. These data are collected at the county level and compiled by the SCAO:

- Rate of legal representation among defendants facing eviction. A defendant is considered “represented” if an attorney enters an appearance on their behalf at any point throughout the case. There is no ability to identify at what point in the process that representation may have occurred. In the instances where a case may have had multiple defendants, the data will reflect whether an attorney represented any defendant in a particular case at any time.
- Percentage of FED filings that resulted in judgments ordered against tenants, organized by whether the tenant was represented by an attorney. Judgments against tenants can take various forms ranging from stipulated agreements to judgments for possession (with or without a writ of restitution). For the purposes of statewide data, judgment against a tenant was limited to judgment for possession, default judgment, and monetary judgments.
- Number of writs of restitution issued, organized by whether the tenant was represented by an attorney. A writ of restitution is a court order that allows a landlord to regain possession of the property after an evicted tenant has failed to move out. A landlord may contact the local sheriff’s office to enforce a writ of restitution and oversee the physical removal of a tenant and their possessions from a property.
- Number of answers filed in response to FED petitions, organized by whether the tenant was represented by an attorney. An answer is a formal legal response to an eviction action. Filing an answer is an important way for a tenant to defend themselves in an eviction case and provide the court with affirmative defenses, a jury demand, counter/cross claims, and so forth.

The second part of the evaluation focuses on information reported by grantees. Statutes require grantees to submit an annual report to the SCAO that includes the following information, to the extent that data reported does not violate the privilege and confidentiality of the attorney-client relationship. Grantee-reported data can be further categorized as individual or collective client data:

Individual (case-based) client data:

- Number of clients served.
- Nature of assistance rendered (providing information, advice, mediation, or representation).
- Type of alleged lease violation (if any).
- Amount of disputed rent (if any).
- Demographic information (zip code, household income, family status, race and ethnicity, age, and disability status).
- Case outcome (case dismissed, judgment for possession, stipulated agreement) and whether the client had to move and/or if they received additional time to do so.

Collective client data:

- Number of eligible clients who were provided legal advice.

- Number of referrals to programs that provide emergency rent assistance or mediation services or other public and nonprofit resources that aim to bolster the economic security of tenants and their families.
- Distribution of information to eligible tenants concerning state laws related to the landlord-tenant relationship.
- Number of tenants the organization was unable to serve.

It is important to note that the evaluation includes some data limitations. The system-wide state data surrounding FED filings, judgments, writs of restitution, and rate of legal representation includes both residential and commercial filings. In addition, it is important to note that the system-wide state data does not include county cases from the Denver County Court as it is not part of the state court system. The data collected from grantees by the SCAO contains shortcomings as well. During the five-year period, annual reporting requirements were not always strongly communicated to grantees or enforced, particularly during the first years of the program, which created gaps and inconsistencies in grantee data. For example, some grantees did not report consistent client data (or any data at all) about disputed rent amounts. In the early years of the grant program, grantees provided reports in a narrative format making it difficult to analyze data on an individual client-basis. Grantees also did not always report client demographics as required. Finally, it is important to note that there is no way to tell if ELDF monies supported the legal representation in any of the system-wide cases. Over time, refinements to the SCAO's data collection methods and better enforcement measures with grantees have led to higher quality, more consistent, and reliable information.

SYSTEM-WIDE DATA

Overall, the data indicates that defendant representation rates in eviction matters have increased since the creation of the Fund and other measures indicate positive impacts as well. The following tables analyze data for the five-year period prior to the establishment of the Fund (2015-2019) compared with the five-year period since its creation (2020-2024).

FED FILINGS

The total number of FED filings decreased in 2019 and 2020 but has increased year-to-year since. In 2020 eviction moratoriums likely had the greatest impact on the decrease in filings. Despite a reduced number of filings, the rate of representation for defendants still increased between 2019 and 2020 and has stayed above pre-pandemic levels. During the five-year period before the creation of the Fund, the average representation rate was 1.4 percent but increased to an average of 3.3 percent in the five-year period since the creation of the Fund.

**Table 4:
Total Number of FED Cases with Representation
Calendar Years 2015 to 2024**

Year	Total FED Cases	Total FED Cases with Attorney	Representation Rate
2015	37,471	529	1.4%
2016	37,702	548	1.5%
2017	38,979	548	1.4%
2018	39,351	537	1.4%
2019	36,448	512	1.4%
2020	15,832	535	3.4%
2021	22,098	840	3.8%
2022	37,118	1,270	3.4%
2023	39,620	1,300	3.3%
2024*	33,601	944	2.8%

*Data for 2024 is current through 9/30/2024

Source: SCAO analysis

JUDGMENTS

As shown below, the total number of cases with judgments declined significantly along with FED filings in general in 2020. In the five-year period prior to the creation of the Fund, the average percentage of FED cases with judgments was about 70 percent. In the five years since the creation of the Fund, that average has dropped to about 60 percent. In addition, the representation rate for defendants in cases with judgments has also increased since the creation of the Fund. The average representation rate for cases with judgments was 0.7 percent prior to the creation of the Fund and rose to 2.1 percent in the five years since its creation.

**Table 5:
Number of Judgments Entered with Attorney Representation
Calendar Years 2015 to 2024**

Year	Total FED Cases	Total Judgments	% of Cases with Judgments	Total Judgments with Attorney	Representation Rate
2015	37,471	26,013	69.4%	170	0.7%
2016	37,702	26,302	69.8%	194	0.7%
2017	38,979	27,116	69.6%	185	0.7%
2018	39,351	27,133	69.0%	177	0.7%
2019	36,448	25,570	70.2%	158	0.6%
2020	15,832	9,788	61.8%	179	1.8%
2021	22,098	13,881	62.8%	322	2.3%
2022	37,118	21,552	58.1%	485	2.3%
2023	39,620	24,044	60.7%	497	2.1%
2024*	33,601	19,992	59.5%	364	1.8%

*Data for 2024 is current through 9/30/2024

Source: SCAO analysis

WRITS OF RESTITUTION

Similarly, the percentage of FED cases with writs of restitution has seen a decline since the creation of the Fund. In the five years prior to the creation of the Fund, the average percentage of cases with writs was nearly 53 percent. That average decreased to about 45 percent in the five-year period since the Fund was created. Notably, as with other measures, in 2020, the number of writs of restitution saw a considerable decline. The average rate of representation in cases with writs since the Fund was created (1.4 percent) is higher than the five years prior to its creation (0.6 percent).

**Table 6:
Total Number of Writs with Attorney Representation
Calendar Years 2015 to 2024**

Year	Total FED Cases	Total Writs	% of Cases with Writs	Writs with Attorney	Representation Rate
2015	37,471	19,899	53.1%	110	0.6%
2016	37,702	19,334	51.3%	139	0.7%
2017	38,979	20,437	52.4%	148	0.7%
2018	39,351	20,366	51.8%	103	0.5%
2019	36,448	19,717	54.1%	118	0.6%
2020	15,832	7,244	45.8%	117	1.6%
2021	22,098	9,911	44.9%	202	2.0%
2022	37,118	16,542	44.6%	249	1.5%
2023	39,620	18,626	47.0%	256	1.4%
2024*	33,601	14,926	44.4%	132	0.9%

*Data for 2024 is current through 9/30/2024

Source: SCAO analysis

ANSWERS FILED

The number of answers filed in FED cases has increased since 2020 along with the number of answers filed with defendant representation. In the five years prior to the establishment of the Fund, the average percentage of cases with answers filed was 9 percent while that average percentage rose to over 16 percent in the five years since the Fund was created. Notably, 2020 had the highest rate of attorney representation for cases with answers, with a slight decline in the rate since. Nevertheless, the average rate of representation in cases with answers was higher in the five years since the Fund was established (15.7 percent) than the prior five-year period (12.3 percent).

**Table 7:
Total Number of Answers Filed with Attorney Representation
Calendar Years 2015 to 2024**

Year	Total FED Cases	Total Answers	% of Cases with Answers	Total Answers with Attorney	Representation Rate
2015	37,471	3,597	9.6%	435	12.1%
2016	37,702	3,552	9.4%	428	12.1%
2017	38,979	3,540	9.1%	423	12.0%
2018	39,351	3,329	8.5%	410	12.3%
2019	36,448	3,022	8.3%	396	13.1%
2020	15,832	2,353	14.9%	411	17.5%
2021	22,098	4,181	18.9%	627	15.0%
2022	37,118	5,850	15.8%	983	16.8%
2023	39,620	6,539	16.5%	1,030	15.8%
2024*	33,601	5,222	15.5%	735	14.1%

*Data for 2024 is current through 9/30/2024

Source: SCAO analysis

GRANTEE DATA

Between Fiscal Year 2020 and 2024, a total of seven qualified organizations received funding from the ELDF and have provided critical services to the Colorado population experiencing eviction. Throughout these years, the agencies served a total of 16,724 individuals and were unable to serve 1,031. Those unserved either did not qualify for services and/or were referred to other entities. As mentioned above, grantee-reported data has some limitations and gaps, particularly from the early years of the grant program. As a result, we do not have complete information to report for every client served for the entire period of grant funding. Further, not all clients provided demographic information, which also impacts the data we are able to report. In the tables below, we provide our best aggregation of grantee-reported data to date. SCAO has improved communications with grantees and is now collecting more consistent and robust data for future reporting.

**Table 8:
Number of Clients Served Fiscal Years 2020 to 2024**

Grantee	Number of Clients Served
9 to 5	746
Alpine Legal Services	422
Bridge to Justice	387
Colorado Legal Services	9,357
Colorado Poverty Law Project	3,538
Community Economic Defense Project	1,824
Uncompahgre Volunteer Legal Aid	450
Total	16,724

Source: SCAO analysis of grantee-reported data

**Table 9:
Number of Clients Not Served Fiscal Years 2020 to 2024**

Grantee	Number of Clients Not Served
9 to 5	104
Alpine Legal Services	5
Bridge to Justice	11
Colorado Legal Services	702
Colorado Poverty Law Project	177
Community Economic Defense Project	2
Uncompahgre Volunteer Legal Aid	30
Total	1,031

Source: SCAO analysis of grantee-reported data

NATURE OF ASSISTANCE

As mentioned above, services the grant recipients can provide include direct legal representation, legal assistance prior to the filing of an eviction, and other judicial actions that protect the interests of the eligible tenant. Additionally, clinics to educate and assist, referrals to appropriate agencies or persons, and mediation services are also approved services. For the purposes of this data the nature

of assistance is categorized as legal representation, legal advice or information, referrals to other agencies, mediation services, and number of educational clinics.

Between Fiscal Years 2020 and 2024, the most common nature of assistance that was provided by the grantees was legal advice or information, followed by providing legal representation and referrals. Notably, legal representation peaked at the highest in 2022 with over 1,500 individuals receiving legal representation services from the grantees. While serving clients, the grantees made over 1,200 referrals to other agencies or internal resources for rental assistance and mediation programs. These referrals are critical in bolstering support for tenants and their families. It is important to note that clients receiving services from grantees may have accessed multiple services, meaning individual clients could be counted more than once across different service categories.

**Table 10:
Number of Clients Served by Each Grantee by Nature of Service
Fiscal Years 2020 to 2024**

Grantee	Legal Representation	Legal Advice or Information	Referrals to other agencies	Mediation Services
9 to 5	438	252	49	1
Alpine Legal Services	84	197	62	11
Bridge to Justice	275	97	18	35
Colorado Legal Services	2,944	5,369	838	25
Colorado Poverty Law Project	867	10,040	230	279
Community Economic Defense Project	555	1,269	-	-
Uncompahgre Volunteer Legal Aid	59	243	92	13
Total	5,222	17,467	1,289	364

Source: SCAO analysis of grantee-reported data

CLINICS

Grant recipients hosted a total of 433 clinics between Fiscal Year 2020 and 2024. These clinics were held throughout the State with a total of 8,422 individuals attending. This translates to an approximate average of 19 people in attendance per clinic. These legal clinics are essential, grass-root efforts taking place in the community, sometimes in the apartment or mobile home complexes themselves. The grantees can disseminate legal education about topics specifically requested by the community members and provide same-day answers to discrete legal issues. The clinics provide information about Colorado state laws related to landlord-tenant relationships and promote awareness of tenant rights through “Know-Your-Rights” sessions where attendees can learn about various topics like reasonable accommodations, repairs, deposits, and more. These clinics also foster partnerships between the grant recipients and other local agencies that provide support for services like rental assistance, court resource access, and housing navigation. One agency, Community Economic Defense Project, offers these comprehensive, wrap-around services all in-house. Year-to-year the total number of clinics being held, and the total number of attendees has increased.

Table 11:
Total Number of Clinics Held by Agency and Number in Attendance
Fiscal Years 2020 to 2024

Grantee	Clinics Held	# of Person's Attending Clinics
9 to 5	169	3,072
Alpine Legal Services	-	-
Bridge to Justice	-	-
Colorado Legal Services	28	974
Colorado Poverty Law Project	106	2,650
Community Economic Defense Project	102	1,411
Uncompahgre Volunteer Legal Aid	28	315
Grand Total	433	8,422

Source: SCAO analysis of grantee-reported data

Table 12:
Number of Clinics Held and Number of Clients Attending
Fiscal Years 2020 to 2024

Fiscal Year	Clinics Held	# of Person's Attending Clinics
2020	17	843
2021	29	812
2022	59	1,337
2023	156	2,584
2024	172	2,846
Grand Total	433	8,422

Source: SCAO analysis of grantee-reported data

LEASE VIOLATIONS

Lease violations occur when tenants breach the terms and conditions outlined in their rental agreement. Grant recipients gathered self-reported lease violations from the individuals they served. Due to some of the data limitations already discussed, nearly 5,300 responses were unreported and over 1,000 individuals indicated a lease violation but did not provide specifics. This may be attributed to a variety of reasons that could include but are not limited to grant recipients not collecting specific violations, tenants reporting landlord violations rather than their own lease violations, or large numbers of no-cause evictions or lease terminations. No-cause evictions, or lease terminations, happen when landlords want to regain possession of the property despite the tenant not doing anything wrong. When a lease violation was reported, the most common violation was non-payment of rent, followed by warranty of habitability, and end of lease.

**Table 13:
Total Number of Lease Violations
Fiscal Years 2020 to 2024**

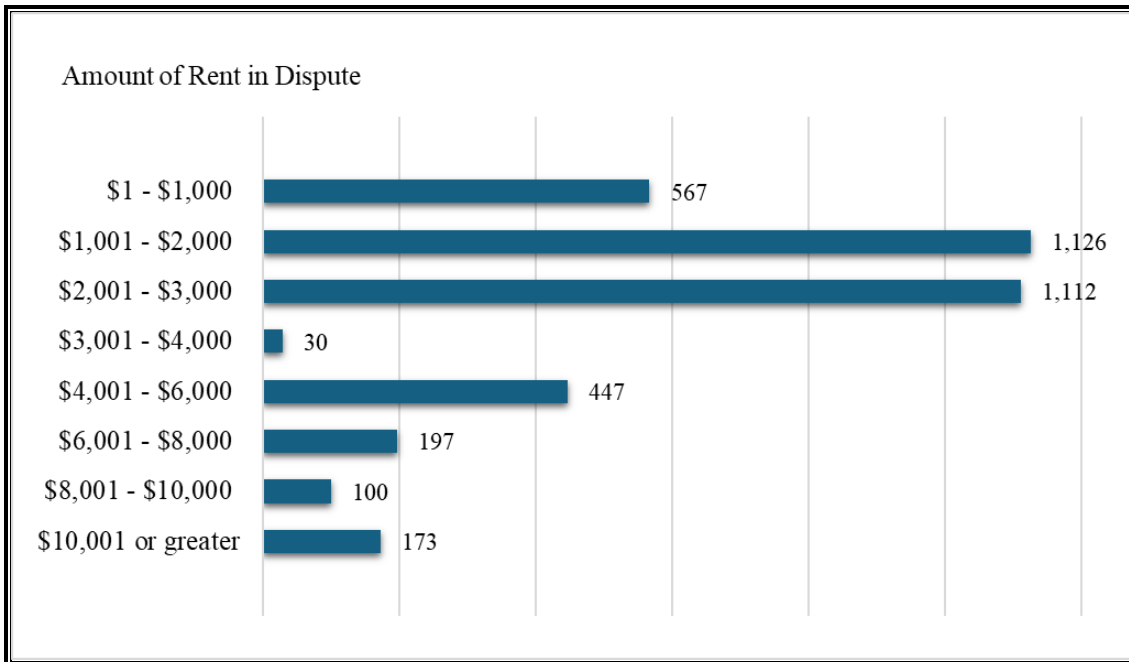
Lease Violation	Total
Nonpayment	4,407
Warranty of Habitability	561
End of Lease	537
Substantial Violation of Lease	335
Breach of Contract	260
Unlawful Evictions	230
Rule Violation Evictions	59
Mobile Home Park Act	39
Constructive Eviction	28
Employee Housing	11
Section 8	1
No Specifics Provided	1,244
Unreported Lease Violations	5,279

Source: SCAO analysis of grantee-reported data

AMOUNT OF RENT IN DISPUTE

Nonpayment of rent is the leading cause of eviction in Colorado. Unfortunately, the self-reported data supplied by the grantees was incomplete and was collected in different formats for some responses, making the evaluation of this information difficult to parse out. For example, some grantees collected exact amounts of rents in dispute where others would gather data in ranges. Recognizing those challenges, the total reported amount of rent in dispute between Fiscal Years 2020 and 2024 was an estimated \$12.4 million. The greatest number of individuals had rental amounts in dispute ranging between \$1,001 and \$2,000 with the next highest ranging between \$2,001 and \$3,000.

**Figure 1:
Number of Individuals with Disputed Rents by Rent Range
Fiscal Years 2020 to 2024**



Source: SCAO analysis of grantee-reported data

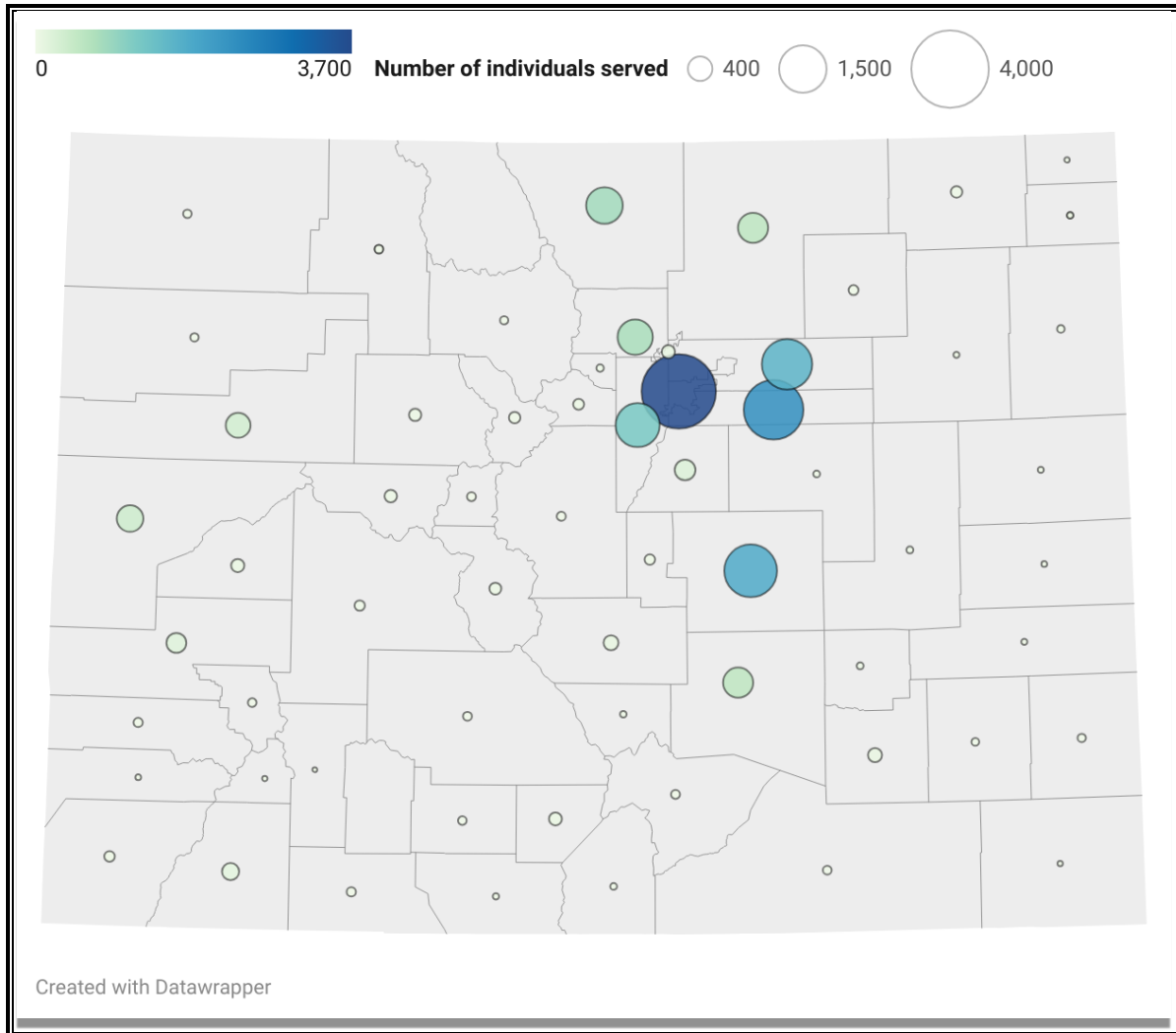
DEMOGRAPHIC DATA

Over the years, the qualified organizations have served Colorado’s diverse population. Despite the SCAO’s requirement for this information, grantees often did not individualize demographic data for clients or capture participants responses, resulting in gaps in the data in this area. As previously noted, we have improved communication of requirements with grantees for more robust and complete future reporting.

COUNTY

Grant recipients provided services to tenants facing evictions throughout the State of Colorado. Since the grant program started, tenants have been served in all counties across the state, except for Jackson and Mineral counties. The highest number of individuals served between Fiscal Year 2020 and 2024 resided in the areas along the front range with the highest populations in the State. Apart from 2023, Denver County tenants have received services from the grantees in the largest numbers. In 2023, Arapahoe County had the most tenants receiving services, with El Paso County following closely behind. The number of clients served by county and the number of clients served by zip code between 2020 and 2024 can be found in the Appendix to this report.

**Figure 2:
Clients Served by County Fiscal Years 2020 to 2024**



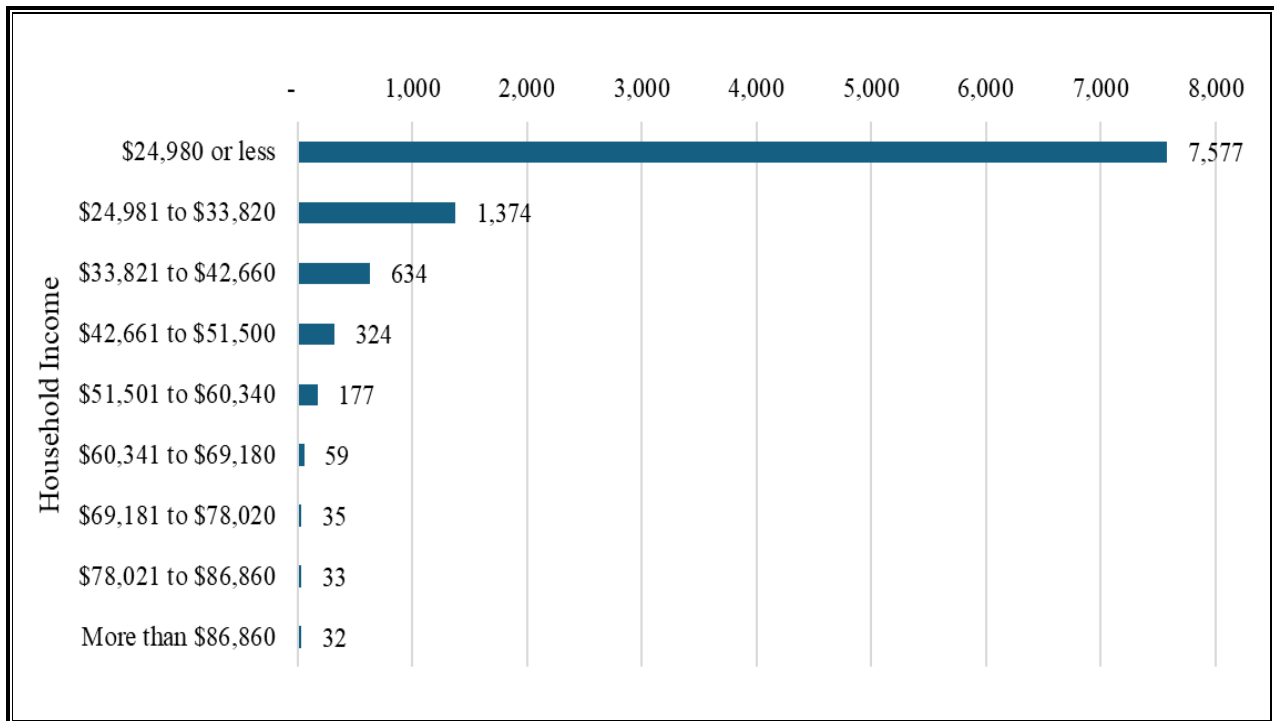
Source: SCAO analysis of grantee-reported data

Despite the concentration along the front range, one must not undermine the importance of these services being available to the rural communities of Colorado. The percentage of clients served by grant recipients in rural or rural resort communities, as defined by the Colorado Department of Local Affairs, has remained stable. On average, between Fiscal Year 2020 and 2024, 11 percent of clients were from rural or rural resort areas.

HOUSEHOLD INCOME

When income was captured, over 7,500 clients served had household incomes of \$24,980 or less. This amount was the income threshold for a single individual in 2019 according to the DHHS guidelines. Notably, over 3,000 of the individuals served in 2023 and 2024 reported having that level of income, well below the income thresholds for a single individual in those years (\$29,160 and \$30,120, respectively). The income groupings in the figure below reflect the ranges most commonly used by grantees for reporting.

**Figure 3:
Household Income of Clients Served
Fiscal Years 2020 to 2024**



Source: SCAO analysis of grantee-reported data

FAMILY STATUS

As with other measures, family status was not always captured or reported; however, grant recipients served a diverse range of household types including single individuals, married couples, divorced persons, and other family structures. Of the clients who reported family structure, the largest group was single individuals followed by divorced persons. Year to year, the greatest number of individuals served has consistently been single individuals, with the exception of 2020, when married couples slightly exceeded the number of single individuals served.

**Table 14:
Family Status of Clients Served
Fiscal Years 2020 to 2024**

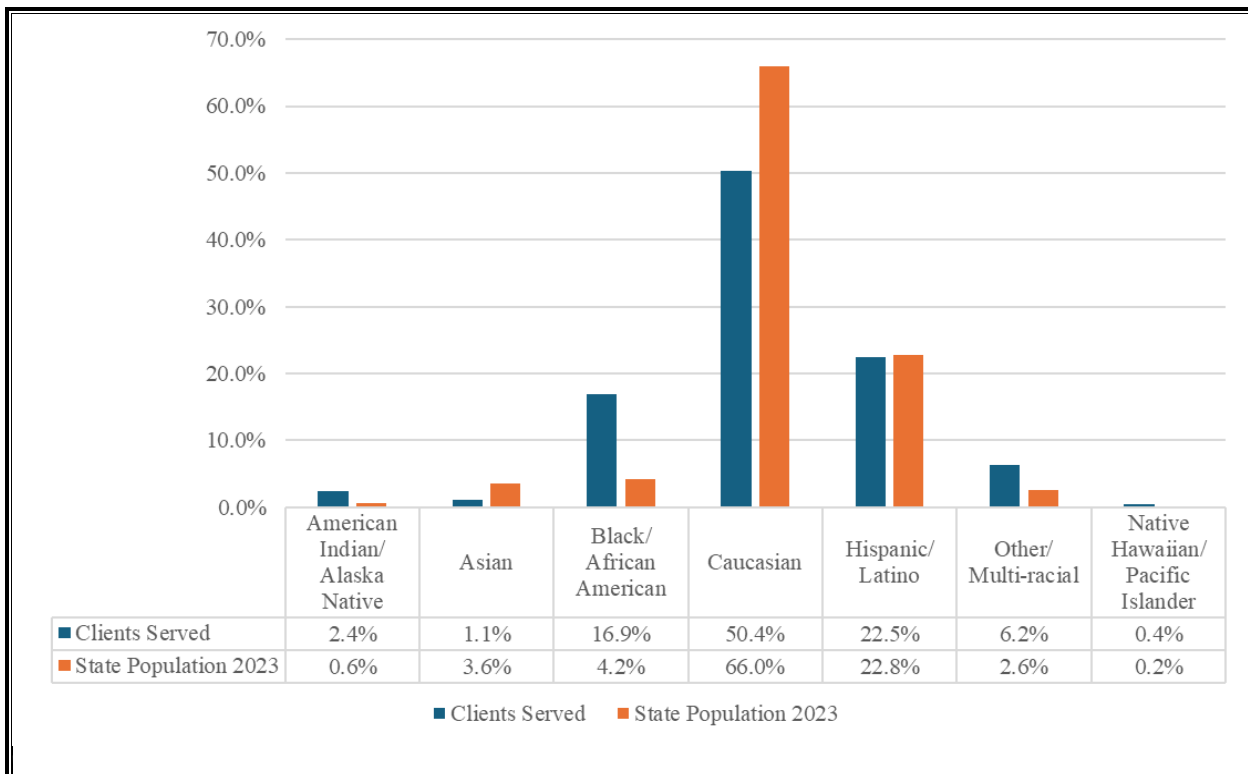
Family Status	2020	2021	2022	2023	2024	Total
Divorced	9	1,135	247	638	373	2,402
Living with a Partner	3	77	129	16	-	225
Married	26	599	178	504	299	1,606
Single	19	1,742	591	1,578	1,309	5,239
Widowed	2	261	26	123	68	480
Total	59	3,814	1,171	2,859	2,049	9,952

Source: SCAO analysis of grantee-reported data

RACE/ETHNICITY

As shown in the figure below, when race/ethnicity was reported, the largest percentage of clients identify as Caucasian (50 percent). Black/African American individuals accounted for 17 percent of clients served, Hispanic/Latino individuals accounted for 23 percent, while smaller proportions were reported among individuals identifying as Other/Multi-Racial (6 percent), American Indian/Alaska Native (2 percent), Asian (1 percent), and Native Hawaiian/Pacific Islander (0.4 percent). For reference, the figure also includes the race/ethnicity breakdown of the state population in 2023, according to the State Demographer’s Office.

**Figure 4:
Reported Race/Ethnicity of Clients Served
Fiscal Years 2020 to 2024**

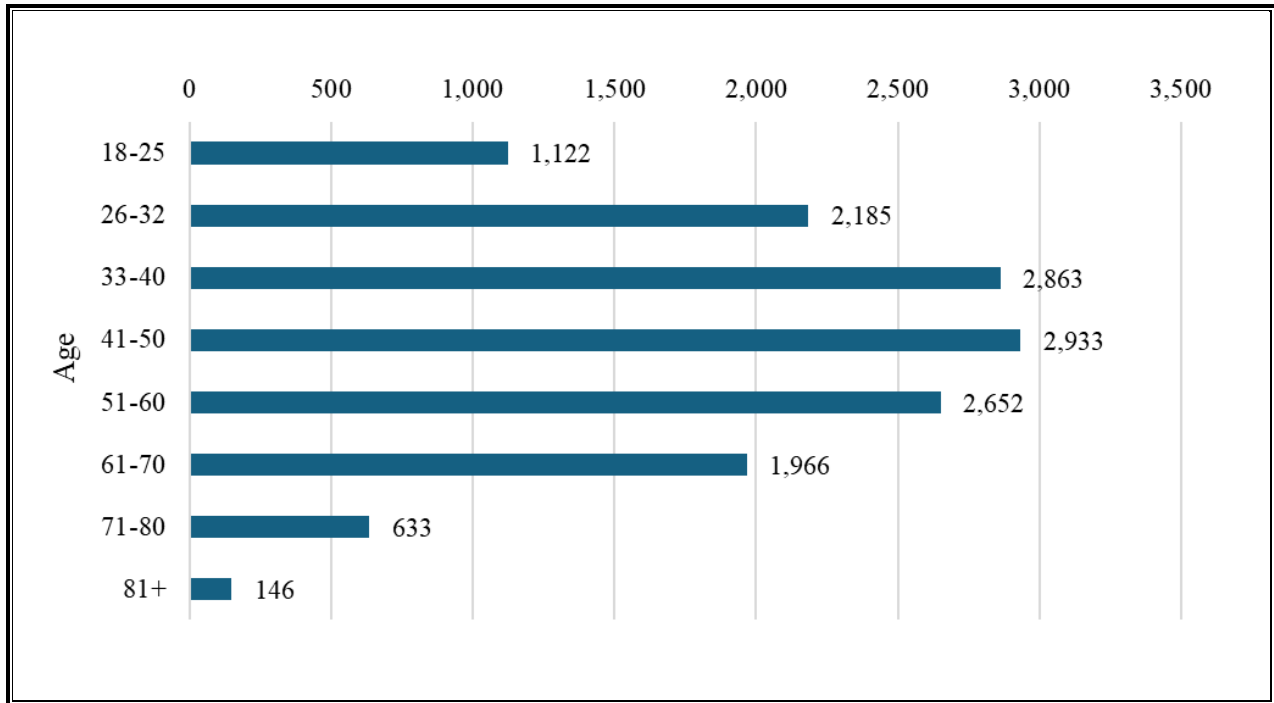


Source: SCAO analysis of grantee-reported data and State Demographer website

AGE

Persons served by the ELDF funding range in ages from 18 to over 80 years old. Those most served by the grantees were 41 to 50 years old, followed closely by 33 to 40 years old. While eviction risks do decline with age, evictions are certainly not limited to the young. Over 5,300 individuals served by the grantees were over 51 years old. The eldest individual served by the grantees received assistance in 2022 at the age of 97.

**Figure 5:
Age of Clients Served Fiscal Years 2020 to 2024**

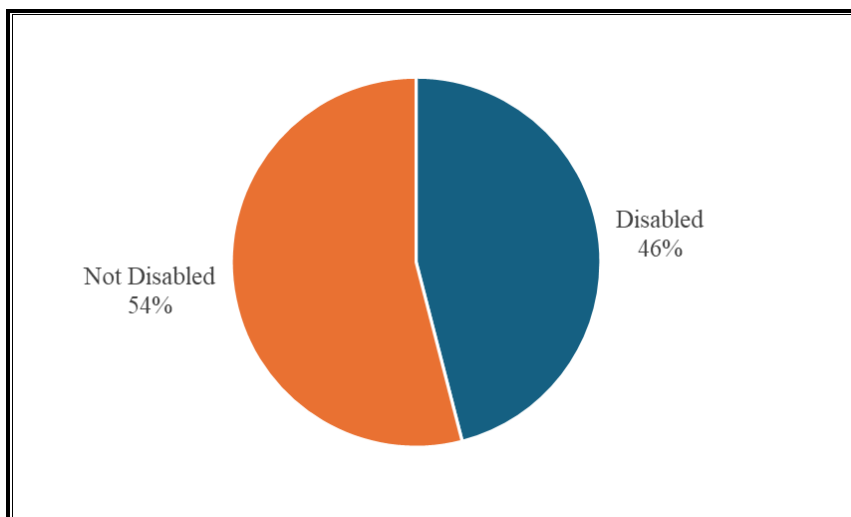


Source: SCAO Analysis of grantee-reported data

DISABILITY STATUS

Disability status was not reported or captured for over 1,700 clients. When this measure was reported, a little over half (54 percent) of clients reported no disability, while 46 percent reported having a disability.

**Figure 6:
Disability Status of Clients Served Fiscal Years 2020 to 2024**



Source: SCAO Analysis of grantee-reported data

OUTCOMES

While many outcomes were not captured (over 3,000 were unreported or not individualized to a specific client and over 1,000 cases were still on-going or had not been resolved at the time the reporting was due), of cases where outcomes were captured, the data reflect that grant recipients had significant positive impact on the clients served. In the early years of the grant program, reporting of outcomes was not standardized across grantees. In more recent years, the SCAO has worked with grantees to create more consistent reporting that will be helpful for future evaluations of the Fund. Recognizing there are some legal nuances associated with distinguishing outcomes, for context, this report considers outcomes that result in dispossession a negative tenant outcome. A list of positive and negative reported tenant outcomes is shown below. A full list of reported outcomes, including those that can be viewed as more neutral (e.g., advice or referral) can be found in the Appendix.

**Table 15:
Reported Outcomes
Fiscal Years 2020 to 2024**

Positive Tenant Outcomes	Reported Totals
Agreement without litigation	15
Agreement without litigation to stay	32
Assisted in obtaining more affordable housing	14
Case dismissed	677
Defeated damages claims	3
Enforced legal rights including warranty of habitability protections	3
Judgment vacated	17
Obtained reasonable accommodation(s) in accordance with federal and/or state laws	16
Obtained repairs	2
Obtained return of full /partial Security Deposit	2
Obtained title to home or mobile home	2
Prevented /delayed /terminated eviction in public /private housing	201
Prevented Eviction	584
Prevented loss of Section 8 or other federal, state, or local housing subsidy	56
Restored access to personal property	3
Section 8 restored/preserved	14
Stipulated agreement without litigation preventing entry of judgment of possession	756
Stopped /prevented housing discrimination	1
Stopped /prevented repossession of mobile home	1
Positive Tenant Total	2,399
Negative Tenant Outcomes	Reported Totals
Agreement without litigation to move	34
Agreement without litigation to pay	42
Client required to move, extra time allowed	352
Client required to move, no additional time	77
Denial of motion to vacate default judgment	1
Judgment for possession	54
Section 8 terminated	4
Stipulated agreement to allow client to vacate a later judgment for possession	69
Stipulation to pay judgment	2
Negative Tenant Total	635

Source: SCAO Analysis of grantee-reported data

When the grantees provided limited or full legal representation to clients, positive tenant outcomes exceeded instances of tenant dispossession year-to-year.

- In 2020, ten cases were dismissed, 55 evictions were prevented, and nine stipulated agreements were entered that prevented an entry of judgment for possession. Only three judgments for possession were entered, with nine clients moving with no additional time, and four clients moving with additional time allowed.
- In 2021, seven cases were dismissed, 17 judgments were vacated, 154 evictions were prevented, and there were 310 stipulated agreements that prevented entries of a judgment for possession that were reached. Conversely, 195 clients were required to move with extra time, one client was required to move without extra time, nine judgments for possession were entered, and one Section 8 housing subsidy was terminated.
- In 2022, 222 cases were dismissed, 54 evictions were prevented, 12 stipulated agreements preventing entry of judgment of possession were entered and 245 cases prevented or restored the loss of Section 8 or other federal, state, or local housing subsidies. Anti-tenant outcomes were very rare. In fact, only one judgment for possession was entered, three Section 8 housing subsidies were terminated, three stipulated agreements allowing a client to vacate a later judgment for possession were entered, and one client was required to move with no additional time.
- In 2023, 161 cases were dismissed and 323 stipulated agreements that prevented entries of judgment for possession were entered. On the other hand, only 20 judgments for possession were entered, 115 clients were required to move with additional time, 37 clients were required to move with no additional time, and 18 stipulated agreements with an opportunity to vacate a judgment for possession at a later date were entered.
- In 2024, a total of 150 cases were dismissed, 14 evictions were prevented, and 69 stipulated agreements were made to prevent an entry of judgment for possession. In contrast, one case resulted in an agreement to move without litigation, 22 cases required a move with additional time, and one case required a move without additional time. Only ten judgments for possession were entered, and 39 stipulated agreements were reached that allowed the opportunity to vacate a judgment for possession at a later date.

COMMUNITY IMPACT OF EVICTION LEGAL DEFENSE FUND GRANTS

As part of the annual reporting process, grantees may submit narratives describing the impact that Eviction Legal Defense Fund grants have upon their organizations and the clients and communities they serve. Selected responses from the Fiscal Year 2023 and 2024 grant cycles are shown below.

9 to 5 Colorado

One of the largest issue areas we were able to assist clients with was warranty of habitability. One of our clients, for instance, had gone a month without air conditioning in their apartment unit when they reached out to us. At large, we assist Colorado renters who are facing issues that affect their wellbeing in their units, but we also assist renters in keeping them housed when the clients faced illegal or constructive evictions.

Bridge to Justice

Covid continues to exacerbate a difficult rental housing market in our area. Many clients are unable to work due to long Covid. Others have had to accept part-time work or work with lower wages. Others are trying to work their families out of a financial quagmire from when they could not work in the past. And while rent increases may have slowed slightly from the 20 percent a year we were seeing; they are still extremely high and have outpaced wages and benefits for the last few years.

We are also dealing with the loss of over 1,000 housing units from the Marshall Fire, and the loss of housing units from the 2013 Colorado floods, and restrictions for new buildings in the Front Range and particularly Boulder County. Tenants with disabilities or history of illness, checkered work, credit, and eviction are the last to be given housing and quickly evicted when they miss a rent payment or have other problems, such as kids acting out, domestic violence, or neighbor conflicts. Of course, all of these events occur more often with families dealing with Covid.

Colorado Economic Defense Project

With the grant funding, Community Economic Defense Project (CEDP) has greatly expanded both the type of work we do for tenants and the number of tenants we are able to assist. The organization's in-house law firm, CED Law, has employed two community lawyers tasked with engaging in organizing and education that responds directly to the needs of our community partners and the community members those partners serve. Our community lawyers have worked in close partnership with the East Colfax Community Collective in Denver, hosting monthly legal clinics where all attendees are provided with legal education about topics specifically requested by the community members, and attendees with discrete legal issues receive brief legal advice. Through their advocacy in FED court, the community lawyers obtained an injunction that resulted in heat being restored to an entire building of low-income renters.

CED Law also partnered with numerous other organizations, including Colorado Immigrant Rights Coalition (CIRC) and United for a New Economy (UNE), and tenant associations to host legal education events. Additionally, CEDP has offered in-court resource access and rental assistance to 780 households through our clinics at the Adams, Arapahoe, El Paso, and Denver County Courthouses. CEDP's unique continuum of care model that combines legal representation, rental assistance, and housing navigation has garnered national attention and during the grant period, the

organization was recognized at a White House convening on eviction prevention as an exemplar of best practices.

Colorado Legal Services

Through the ELDF funding, Colorado Legal Services (CLS) staff have worked to preserve housing and thereby prevent homelessness for low-income and vulnerable Coloradans. Because of ELDF funding, CLS staff have also been able to advocate for improved court access for *pro se* litigants through eviction procedural and substantive education to judicial officers and court personnel in judicial districts in both urban and rural areas.

Colorado Poverty Law Project

On August 16, 2022, the District Court in Gunnison County granted Colorado Poverty Law Project's (CPLP) preliminary injunction request, preventing a landlord defendant from increasing rent, imposing late fees, or taking other retaliatory action against the homeowners of a mobile home park. The ruling comes as a result of the resident association filing a lawsuit in June seeking to prevent a 70 percent rent increase against residents of the park. The day after the park exchanged hands earlier this year, the new owners notified residents that rent was increasing by \$300 for this low-income and predominantly Hispanic community. The lawsuit alleged that the rent increase was in retaliation for homeowners complaining about dangerous park conditions and other deferred maintenance. In its ruling, the Court acknowledged the affordable housing shortage and ruled that the resident organization was successful in demonstrating a reasonable probability that the noticed rent increase was done for retaliatory purposes. This is a significant victory for mobile home residents. Rarely—if ever—has a court in Colorado enjoined a landlord from raising rents.

Overwhelmingly, narrative reports from grant recipients recognize and appreciate the value of the funding they receive from the Fund while also highlighting the unmet needs of the eligible tenants that they cannot serve because the requests for assistance exceed the available resources of grantees.

CONCLUSION

Since its creation, the Eviction Legal Defense Fund has distributed over \$6.6 million dollars, supporting seven local agencies across Colorado in the effort to increase the access and availability of legal representation to low-income tenants. The funds have allowed recipients to increase outreach to the community and to host informative and empowering know-your-rights clinics and other events. The funding also allowed for effective legal interventions. For example, an injunction filed by one grant recipient resulted in a favorable outcome on behalf of the tenants, preventing a 70 percent increase in rent. In another, the grant recipient was able to assist a client in obtaining air conditioning that they had been without for an extended period of time. Further, since the Fund was established, statewide data related to eviction cases indicate an improvement in the statutorily identified measures, including an increase in the percentage of cases with defendant representation, decreases in the percentage of cases with judgments and writs of restitution, as well as an increase in the percentage of cases with answers filed by defendants.