



EVICITION DEFENSE

A toolkit for preventing and navigating evictions in the City and County of Denver.

MEI SUET LOO
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Photo taken at the Renters Day of Action in Denver, Colorado on Sept. 22, 2017. By Nicholas Archer.

ACKNOWLEDGEMENTS

This Eviction Defense tool kit is a part of 9to5 Colorado's housing work.

ABOUT 9to5's RENTER'S RIGHTS CAMPAIGN

At the beginning of 2015, 9to5 Colorado began working on a renter's rights campaign to strengthen protections for renters. We are a proud partner of *Right to the City's* "Homes for All" campaign and share the belief that people deserve to stay in their communities regardless of income, and that housing and land access is a human right. We also believe that housing and land access is fundamentally about racial and economic justice and should be controlled by communities. Housing policy focused on renters must stand on five pillars; affordability, accessibility, long-term stability and protection from displacement, health, sustainability and quality, and community control.¹

To learn more about our housing campaign and how you can get involved, please contact 9to5 Colorado's Housing Organizer, Andrea Chiriboga-Flor at andrea@9to5.org or 303-628-0925.

ABOUT 9to5 NATIONAL ASSOCIATION OF WORKING WOMEN

9to5 is a 44- years old national membership organization of women in low-wage jobs, organizing to build a movement for economic justice by engaging directly affected women to improve working conditions.

This tool kit was put together by Mei Suet Loo, a 2016-17 *Bill Emerson National Hunger Fellow* working for 9to5 Colorado.

ABOUT THE EMERSON HUNGER FELLOWSHIP

The Bill Emerson National Hunger Fellowship is a social justice program that trains, inspires, and sustains leaders. Fellows gain field experience fighting hunger and poverty through placements in community-based organizations across the country, and policy experience through placements in Washington, D.C. The fellowship is hosted under the Congressional Hunger Center, a 501(c)3 nonprofit that works to make issues of domestic and international hunger a priority to policymakers in the U.S. government, and to raise a new generation of leaders to fight against hunger and poverty.

¹ "Rise of the Renter Nation," *Homes for All Campaign of Right to the City Alliance*, June 2014.

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INTRODUCTION

WHY RENTERS RIGHTS

In the spring of 2015, 9to5 Colorado began collecting renter's rights surveys to identify the biggest barriers renters face when looking for rental homes and when trying to remain in their housing. Our goal was to identify the needs and issues faced by some of the residents who are most vulnerable to displacement and most impacted by the regional development boom. The issues that emerged from our community engagement process parallel many national patterns: shrinking affordable and public housing, development in urban areas, increase in the number of renters, gentrification and displacement. A renter's rights campaign is one of many strategies to strengthen protections for renters and fight back against gentrification efforts in Colorado. Learn more from our report at 9to5.org/housingreport.

WHY EVICTION DEFENSE

Every week in Denver, about 130 families are evicted from their homes.² Evictions can stay on your record for up to 7 years,³ significantly decreasing a person's chances of finding housing. Additionally, landlords don't need a just or good cause to evict tenants in the state of Colorado. *The National Law Center on Homelessness and Poverty* (NLCHP) lists "strengthening housing protections and eliminating unjust evictions" as a significant way to prevent homelessness.⁴ Eviction defense is vital because more and more families are becoming homeless as rents are skyrocketing in the Denver Metro Area. Wages have not met the demands of rent increases and tenant protections have not been improved to protect low-income and residents of color. Unfortunately, there is little legal aid for poor people going through housing court, even though the NLCHP reports that legal representation could reduce the chances of getting evicted by more than 75%.⁵ One in five Americans qualify for free legal assistance, but most are turned away due to lack of available resources, and this does not include those who do not qualify for free representation but are still too poor to afford aid.⁶ There is much needed relief for vulnerable residents.

WHY THIS TOOLKIT

² "Warning Gentrification in Process: Community perspective on the Denver Metro Housing Crisis," *9to5 Colorado*, September 22, 2016.

³ *Ibid.*

⁴ "Housing Not Handcuffs: Ending the Criminalization of Homelessness in U.S. Cities," *National Law Center on Homelessness and Poverty*, 2016.

⁵ *Ibid.*

⁶ *Ibid.*

This toolkit is intended to support those who are in immediate need of eviction defense. According to sociologist Mathew Desmond, “Evictions are not just a condition of poverty, but also a cause of poverty.”⁷ We understand that evictions are not just about losing stable housing, but it is also a contributing factor to losing jobs, family stability, and economic security. With the increasing movement to criminalize homelessness, such as the passing of the “Urban Camping Ban” in the City of Denver⁸, it is vital that we work on preventing homelessness. Therefore, in addition to the long-term renter’s rights campaigns we are working on at *9to5 Colorado*, we want to be able to support and organize those who are currently experiencing or at risk for evictions.

WHY WE NEED NEXT STEPS

From the findings in our housing report and feedback of allies, it is clear that rent costs and increases are by far the number one issue residents are facing in the Denver Metro Region. According to the NLCHP, “A lack of affordable housing is the leading cause of homelessness, and the problem is worsening...for every 100 extremely poor households in the country, only 31 will find affordable and available rental units.”⁹ Rent control is illegal in the state of Colorado, and the statute is written in such an extremely broad manner that even small measures such as restricting deposit amounts and other fees is considered to be rent control. One of our long-term eviction defense strategies is to push for enacting rent control in Colorado.

Another long-term goal is to enact Just Cause Eviction because currently in Colorado, residents can be evicted for nearly any reason. “This means that renters in market-rate housing can be evicted after their lease expires – or any time, if they don’t have a lease – without any reason given, and without having done anything to cause or deserve the loss of their housing,” explains the Right to Remain Coalition.¹⁰ We are pushing for policies that protect tenants and preserves communities.

These are just a few of 9to5 Colorado’s housing campaigns. To learn more, please contact 9to5 Colorado’s Housing Organizer, Andrea Chiriboga-Flor at andrea@9to5.org or 303-628-0925.

⁷ Mathew Desmond, *Evicted: Poverty and Profit in the American City*, (New York: Crown/Archetype, 2016).

⁸ Chris Walker, “Is Denver Going for a Clean Sweep of the City’s Homeless?” *Westword*, April 15, 2016.

⁹ “Criminalization of homelessness,” *National Law Center on Homelessness and Poverty*, 2016.

¹⁰ Right to Remain Coalition, “What is Just Cause Eviction?” *Just Cause Boston*, March 14, 2016.

EVICTION PREVENTION

Colorado is named number 3 on the list of “Top Landlord Friendly States,”¹¹ and therefore the best eviction defense happens before eviction proceedings even begin. This section includes:

Strategies for Paying Rent.....6

Important Things to Document.....7

Know Your Renter’s Rights.....9



Photo taken at the Renters Day of Action in Denver, Colorado, September 22, 2017. By Nicholas Archer.

¹¹ “Top Landlord Friendly States,” *Landlord Station*, May 12, 2015.

EVICTION PREVENTION

Strategies for Paying Rent

PRIORITIZING RENT

Non-payment is the most common cause for evictions, therefore it is important to prioritize budgeting for rent each month. In Colorado, there are few resources for rental assistance, but there are resources for utility and food assistance. There are additional resources for those who are seniors, veterans, or disabled.

We recommend calling all organizations ahead of time to verify that they are able to provide assistance.

RENTAL + UTILITY ASSISTANCE

- Colorado Affordable Legal Services Rental Assistance List (Appendix, pg. 20)
- Denver Urban Matters Rental Assistance List (Appendix, pg. 22)
- Denver Urban Matters Utility Assistance List (Appendix, pg. 24)
- Colorado Housing Connects Resources for Rental and Utility Assistance (Appendix, pg.26)

FOOD ASSISTANCE

- Call Hunger Free Colorado for food assistance guidance. They will walk you through what you could qualify for and where you could get food assistance. Both phone hotlines are in Spanish and English. They are open Monday through Friday, from 8AM to 4PM. Messages left after hours will be returned the next business day.
 - Denver Metro Area 1(720) – 383 – 2920
 - Toll Free Hotline 1(855) – 855 – 4626
 - Hearing Impaired Line 1(800) – 659 – 2656<http://www.hungerfreecolorado.org/hunger-free-hotline/>
- Denver Urban Matters Food Pantry List (Appendix, pg. 28)

*If you foresee that paying rent is not feasible, try to find affordable or transitional housing before you get behind!

AFFORDABLE / TRANSITIONAL HOUSING OPTIONS

- Denver Urban Matters Subsidized Housing Referrals (Appendix, pg. 31)
- Transitional – Affordable Housing Resources (Appendix, pg. 35)
- Colorado Affordable Housing Guide (can be found on Colorado Affordable Legal Services' website, <http://coloradoaffordablelegal.com/>)
- Colorado Financial Assistance Guide (can be found on Colorado Affordable Legal Services' website, <http://coloradoaffordablelegal.com/>)

EVICTION PREVENTION

Important Things to Document

HAVE EVERYTHING ON RECORD

Documenting all communications with the landlord, with code inspection, police department, etc. and having payment receipts is important for building a strong defense in housing court.

REQUEST A COPY OF THE LEASE

Landlords do not have to provide you with a copy of the lease, but you do have the right to ask for one. It is important for you to have a copy and be familiar with your lease. You can go to the Self-Help Room at the Denver County Court for assistance if you have trouble understanding the lease (1437 Bannock Street, Room 281). You could also bring your lease to a free legal clinic for assistance (Appendix, pg. 37).

DOCUMENT COMMUNICATIONS WITH THE LANDLORD

Try to have all conversations with the landlord over email, text, or letters to have a record of the conversation. You could create a folder from the moment you move into a rental unit and print and file each conversation you have with the landlord. This is especially important for conversations regarding maintenance, payment, and other things related to the lease.

Colorado is a one-party consent state, therefore you could voice or video record any conversation without the other party's consent. We say this with caution as not all landlords know this policy and could get the police involved.

DEMAND RENT PAYMENT RECEIPTS

Landlords are not required to give receipts for rent, but you have the right to ask for one. If the landlord refuses or charges a fee, you could try creating a paper trail through paying by online bank transfer, check, money order, etc. You could also take photos or videos of making the payment or bring a witness that would be willing to testify in court on your behalf if needed.

UTILIZE CODE INSPECTION + POLICE REPORTS

It is important to have evidence in court. If you want to bring the landlord to court or argue that they have not been maintaining the property as expected by the Warranty of Habitability or by the lease, you must have evidence. Issues regarding rodents, vermin, unsafe or not working infrastructure (roofing, gas, lighting, running water, heating, etc.), and unsanitary common areas, are all important to note.

In addition to photos, you can call for code inspection to check out your rental unit and write a report of the conditions. Code inspection is run by different departments depending on county, therefore call your county (dial 311) to find out how to request a code inspection.

In Denver County, you can call Public Health Inspections with the Department of Environmental health Monday thru Friday between 7:30AM to 5:00PM. Call and say you would like to request a housing code inspection and list the problem that you have.

- 311 (Denver Residents)
- 720-913-1311 (Denver residents and outside of Denver residents)
- 720-865-5401 (Public Health Inspections main line)

The same practice of evidence goes for cases of domestic violence or harassment. Filing a report with the police is one of the ways to provide evidence. Another is to speak with a medical provider for a written statement.

EVICTION PREVENTION

Know Your Renters Rights (Colorado Affordable Legal Services)

You have the right, upon written request to the rental property owner or manager, to a prompt response to requests for repairs.

You may terminate your lease under some circumstances for uninhabitability (maintenance problems) after proper notice and landlord's failure to cure. You should NOT withhold rent in order to get it fixed – non-payment is grounds for an eviction. Instead, you can build a case by documenting the evidence. You can take photos of the problems you have been having, order a code inspection (pg. 7), and make maintenance and repair requests in writing so that you have a copy. Meeting with an attorney is highly recommended (Appendix, pg. 38)

You have the right to post your rent to the court registry if your landlord has not been compliant with repairs and maintenance but they are evicting you for non-payment. This is under the Warranty of Habitability. In order for this to be a plausible defense, you must have the rent money ready to deposit to the court, on your answer date.

You may terminate a lease early where sexual assault, sexual abuse, or domestic violence occurred. You may be responsible for 1 extra month's rent. Your case would be stronger if you had evidence of the assault, this could be through a police or doctor's report, or another witness, etc.

You are required to receive a written signed Three-Day Demand For Compliance Or Possession ("Notice to Quit) BEFORE landlord can file a suit to evict you for nonpayment of rent. You have the option of either paying the past due rent or moving out within three days. The landlord can serve you this demand by posting a three-day notice in an obvious place on the premises or by leaving a copy with a resident in your household who is over the age of 18.

The deadline for returning a security deposit is one month, unless the lease provides for a longer period, not to exceed 60 days. You must provide an address for your landlord to mail you the security deposit.

You may initiate a security deposit action to recover disputed funds if the landlord does not return the security deposit or does not send an itemized list of deductions (for damages that you may have left in the rental unit) within the required time period, or if you disagree with the deductions made by the landlord. You can go to the Self-Help room in the Denver County Court or a legal clinic for action steps.

Your landlord may not take any of the following actions based on race, color, national origin, religion, sex, familial status or handicap:

Refuse to rent or sell housing

Refuse to negotiate for housing

Make housing unavailable

Set different terms, conditions or privileges for sale or rental of a dwelling

Provide different housing services or facilities

Falsely deny that housing is available for inspection, sale, or rental

If you are disabled, the landlord may not refuse to let you make reasonable modifications to your dwelling or common use areas, at your expense, if necessary for the disabled person to use the housing. (Where reasonable, the landlord may permit changes only if you agree to restore the property to its original condition when you move.)

For Low Income Housing Credit Tenants, any fees charged to you by landlord must be reasonable and in line with those charged by similar properties.

You have the right to be given notice prior to any entrance into a rental residence by landlord or his/her agent (except in an emergency).

TIPS FOR EVICTION PROCEEDINGS

You should consult an attorney as soon as possible after receiving a “Notice to Quit.” Free legal clinics are listed in the Appendix, page 37. Most tenants do not have access to a lawyer and go to court *pro se*, meaning they are representing themselves. Most landlords have lawyers. Most times at court, tenants are expected to negotiate with the landlord’s lawyer. The following are tips for going to court *pro se*.

Eviction Timeline Overview.....12

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Photo taken at the Renters Day of Action in Denver, Colorado, September 22, 2017. By Yolanda Begay.

TIPS FOR EVICTION PROCEEDINGS

Eviction Timeline Overview

THE EVICTION PROCESS BEGINS when you receive a 3-day notice, also known as a “Notice to Quit,” or “Demand for Compliance,” or “Notice of Termination” from the landlord. There is no official format for this notice therefore it could have been a written piece of paper that included the last day for payment or compliance before the landlord begins the eviction process through the court. This document must be served to you personally, mailed, posted on your door, or given to someone else in the household who is at least 15 years old. Tenants in subsidized housing may receive additional notices with additional rights. Section 8 tenants will have 10 days to meet with the landlord to resolve the problem. You have the right to remain in their rental unit during these three days.

- The notice **MUST** be (1) in writing, (2) specify why the landlord is beginning eviction procedures, (3) describe the property (address), (4) state the time when the property must be returned to landlord, and (5) signed by landlord or their agent. If the notice is missing one of these things, consult a lawyer¹²
- During these three days, you have the right to pay your rent in full. If it is within the three days stated on the notice, the landlord must accept the payment (note that they do not have to accept partial payment or if the payment is delivered after the date stated on the 3-day notice).
- To prepare for court, **it is best if you can provide evidence of this payment** through a receipt from the landlord, a witness, photos, video footage, audio recording, or even a money order receipt.

***If Tenant has committed a substantial violation, see last paragraph.

IF YOU HAVE NOT PAID OR COMPLIED AFTER THE 3-DAY NOTICE, the landlord has the right to serve you an F.E.D, which is a document that includes a Summons, Complaint and Answer Date. A “summons,” is the request for you to go to court; a “complaint” is the reason why the landlord is evicting you, and the “answer date” is the date both you and landlord (or landlord’s lawyer) have to appear in court. This document requires a court stamp because the landlord had to have filed the F.E.D through the court, officially beginning the eviction process through the court. This document has to be personally served to you by the landlord or posted by an uninterested third party. The F.E.D must be served to you at least five business days prior to the court hearing. You have the right to remain in your rental unit while waiting for the court date.

¹² There is a list of free legal clinics in the Appendix, page 37.

- It is best if you can consult an attorney for the best options available to you. Especially if you believe that the landlord has not followed the procedure mentioned above.¹³
- You have the right to call the court clerk to make sure that the F.E.D. has been filed through the court. If it has not been, then the landlord cannot legally evict you.
- **If you do not go to your answer date, the judgment will default to the landlord's demands**, meaning the Court will side with the landlord. You will get evicted and it will be on your record, unless otherwise stipulated by the landlord.
- You have the right to go to your “Summons date”, or also known as “Answer Date,” and file an Answer in defense of why you should not be evicted. You must be prepared to provide evidence during court. You can go to the self-help center at the court to get help filing an Answer (pg. 14).

IF YOU HAVE COMMITTED A SUBSTANTIAL VIOLATION, the written notice only has to give you 3 days to MOVE OUT. Substantial violations include:

1. An act that endangers someone living at or near their home or property
2. A violent or drug-related felony
3. A crime punishable by a jail sentence of 180 days or more and is an act that is a public nuisance

Note: Consult a lawyer if your landlord has not followed proper eviction procedure. They must successfully deliver to you (1) 3-day Notice to Quit, (2) Summons, and (3) Complaint. A tenant has the right to argue improper procedure as a defense.

Graphic interpretations of this information are available in the Appendix, page 39.

¹³ There is a list of free legal clinics in the Appendix, page 37.

TIPS FOR EVICTION PROCEEDINGS

Preparing for the Summons / Answer Date

- You should be on time, or early, especially if you plan on using the Court's Free Childcare or Self-Help Center
- You should get to know your lease! It is important to know the conditions of the lease. If there are parts that you do not understand or just want to go over it with someone, you can go to the Self-Help Center!
- You should bring all written communication and other forms of evidence such as a copy of the lease, rent receipts, emails, photographs of the property, etc.
 - Label each piece of evidence as "exhibit A, exhibit B, etc."
 - Make copies of each piece of evidence for the other party and the judge (3 total copies)
 - Prepare notes on how they want to present the evidence and the questions they want to ask the witness (if there will be one)
 - Best to not store evidence on tenant's phone as the Court might take the phone for evidence
- Refer to the judge as "Your Honor" or "Judge"

CIVIL SELF-HELP CENTER

If you will be representing yourself (*pro se*), the self-help room could help with understanding court procedure and the options available to you.

Denver County Court, Room 281
Mon-Fri, 8AM-5PM

They are not lawyers, but they can help with:

- Understanding legal documents, court procedures, and applicable housing rules and regulations
- Filing court documents and applying for court fee waivers
- Referrals to community resources

***The information you share with the staff is not confidential or privileged.

FREE CHILDCARE

Free childcare is available for children between the ages of 6 weeks and 12 years old. Staff speaks both English and Spanish.

Denver Warm Welcome Court Childcare
270 14th Street, Denver CO 80202
Mon-Fri, 7:30AM-12PM and 1PM – 5PM

720-865-9930

*** The court prefers that children be not brought into the courtroom.

TIPS FOR EVICTION PROCEEDINGS

Step-by-step, What happens on the Summons / Answer Date

Denver County Court
1437 Bannock St. Denver, CO

WHEN YOU ARRIVE TO DENVER COUNTY COURT

1. Go through security (x-ray machine + metal detector)
2. Go to Room 164 (you can ask the security guard to direct you)
 - Check-in with the judge. They will give you two forms, one for a stipulation and one for an answer.
 - Watch the video advisement that is playing on repeat in both English and Spanish
 - Wait for your landlord's lawyer to speak with you (many times landlords will not be present). They will work with you on an agreement for the stipulation. The lawyer is speaking for the best interests of your landlord, not you. You do not have to sign the stipulation if you do not agree with the terms or if there are things you do not understand. You can consult the Self-Help Center if you need clarification.

YOU CAN EITHER SIGN THE STIPULATION OR FILE AN ANSWER WITH A DEFENSE

- A stipulation is an agreement between you and your landlord on the outcomes of the eviction case. Your landlord's lawyer will likely present to you an agreement for you to sign. The outcomes (such as how much you owe, when you will have to move out, if this eviction will be on your record, etc.) are usually stated on the stipulation.
 - It is important that all agreements and promises are written in the stipulation. If the landlord or lawyer refuses to include a verbal agreement into the stipulation, you have the right to report that to the Judge.
 - It is important that you understand all of the conditions listed in the stipulation. If there is something you do not understand, you can ask the judge for clarification or go to the self-help room (pg. 14). You should not sign anything you do not understand.
 - If you sign the stipulation, you will be instructed to go to another courtroom to present it to the Judge for the final judgment. Your case is then over and next steps are listed in the stipulation, unless otherwise instructed by the Judge.
 - Remain in court until you have reported the stipulation to the court or Judge, even if the landlord or lawyer says you can leave. Once you leave the court, it will be too late to say you didn't understand or were forced into signing the stipulation.

- An answer is a form for you to assert your defense, or reasons why you should not get evicted.
 - If you file an answer, you will receive a trial date for the following week to present your defense to the judge. During this court date, you will need to provide the judge with a defense and the related evidence. Keep the facts as simple as possible and use evidence whenever you can. The judge will then decide the final outcome.
 - The filing fee is \$92.00. If you cannot afford to pay the court fee, you can apply for a waiver. See Appendix, page 41.
 - **For a list of sample defenses to use in your Answer form, see Appendix, page 45.**

Please note: **the judge in Room 164 calls defaults at 8:30AM, but you have until 12PM to file an answer.** A default means that the court automatically sides with your landlord.

TIPS FOR EVICTION PROCEEDINGS

Rights and Things to Keep in Mind

You have the right to remain in your rental unit after you received a “Notice to Quit.”

You have the right to pay your rent in full during the three days stated in your “notice to quit.” Your landlord must accept the payment (note that they do not have to accept partial payment or if they payment is delivered after the date stated). A violation of this could be used as a defense in your answer.

The landlord can only evict you through filing an action and obtaining a court order. The landlord must go through the court to legally evict you.

You have the right to go to the Self-Help room if you do not understand the language of the stipulation or if you need a clarification of your options. The lawyer is hired by your landlord and is here for their best interests, not yours.

You have the right to ask for a “non-judgment” in your stipulation with the landlord. If the stipulation includes a “judgment for possession,” “possession judgment,” “judgment against tenant,” “The Defendant confesses judgment,” Judgment will be entered in favor of he Plaintiff” or “writ of restitution,” it means that you WILL have an *eviction* on your record and it will impact your future housing prospects. However, you can negotiate with your landlord or their lawyer that they can win the case at the time you sign the stipulation, but the eviction will be dismissed if you comply with what is agreed upon in the stipulation (moving out, paying amount owed, etc.). In the stipulation, it can say “Case to be dismissed if (insert agreed upon condition),” or “Judgment to be vacated if”. Make sure this is written in the stipulation and not just a verbal agreement.

You have the right to ask for more time to move out in your stipulation with the landlord, even if the eviction goes through. Under the “Writ of Restitution,” you have at the least 48 hours to leave the premises, but you can negotiate with the lawyer for more time. If you decide to file an answer and get a trial date, you will have at least 9 days to move from the day you file. You can write in the stipulation, “No physical move-out before (enter date agreed upon),” or “Stay of execution of the Writ of Restitution until (enter date agreed upon).

You have the right to report to the Judge if your landlord or landlord’s lawyer refuses to include a verbal agreement into the written stipulation. The court will only enforce written agreements.

You have the right to ask for a “neutral landlord-tenant reference” if you agree to move out. This ensures that the landlord will not say bad things about you to future landlords.

You have the right to file a *Counterclaim* for any violations your landlord may have committed. Violations unrelated to the eviction case cannot be used as a defense, but you could start a new case, called a counterclaim. The court fee for filing a counterclaim is \$96.00. If you cannot afford to pay, then you can apply for a waiver. See Appendix, page 41.

You have the right to have your full security deposit returned to you within 30 days, or the days agreed upon in the lease (cannot be more than 60 days), after your lease ends unless your landlord presents to you an itemized list of the damages and rent deducted. You must provide a current address to receive your deposit.

If the landlord does provide a list of deductions and you disagree with the deductions taken for expenses and damages, or if the landlord has not provided such a list, within 30 days (or days stated in the lease), you may send a “Seven-Day Letter” to the landlord, itemizing the charges with which you disagree and stating that you may sue the landlord for three times the amount of the deposit withheld if the entire deposit or the disputed portion is not returned to you within seven days of receipt of the letter. Document these communications in case you need to bring the landlord to court.

You have the right to ask for mediation before going to trial. If your landlord’s lawyer agrees to it, a neutral person, the mediator, can help both parties come to a mutually agreeable solution. Instead of being limited to the rules of evidence in the Court, you can talk about what your priorities are in the outcomes of the case. If it fails, you can still go to court. There is a fee of \$100 each for both parties to hire a mediator at the Denver County Court, but the fee could be subsidized based on income. See Appendix, page 41 for the court fee waiver form.

You have the right to post your rent to the court registry if your landlord has not been compliant with repairs and maintenance but they are evicting you for non-payment. This is under the Warranty of Habitability. In order for this to be a plausible defense, you must have the rent money ready to deposit to the court, on your answer date.

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APPENDIX

Legal Terms to Know

Answer: Defendant's (usually tenant) written response to what the plaintiff (usually the landlord) says in the complaint

Complaint: a list of facts that explains why tenant is being sued

Counterclaim: a written statement you can make if the plaintiff has caused you damages

Defendant: the person who is being sued in the eviction case, usually the tenant

Default Judgment: an order stating that the plaintiff (usually the landlord) won the case because the defendant (usually the tenant) did not appear in court and file an answer

Judgment: the final decision for the outcome of the case from the court

Mediator: a third party who tries to get tenant and landlord to agree on a solution that works for both parties.

Plaintiff: the person or company (usually landlord) who files an eviction against the tenant

Return Date: the date that the defendant (usually the tenant) must file their answer by and/or appear in Court. This is listed on the Summons.

Stipulation: an agreement between the landlord and tenant settling the eviction instead of having a judge decide

Writ of Restitution: a court order allowing the sheriff to evict the tenant. It is signed to be effective 48 hours after the judgment. Eviction will be on tenant's record.

Also known as:

- Judgment for Possession
- Possession Judgment
- Judgment against tenant

APPENDIX

Rental and Utility Assistance

Colorado Affordable Legal Services Rental Assistance List

The Denver Colorado Mile High Rental Assistance Hotline
(303) 561-2130 (English)
(303) 561-2133 (Spanish)

Homeless General Assistance
(720) 944-2174 or (720) 944-2185
Rental Assistance x2170

Christian Broadcasting Network (700 Club)
(303) 431-8295

Adventist Community Services
5045 W 1st Ave
Denver, CO 80219
(303) 935-7386

Mennonite Urban Ministry
430 W 9th Avenue
Denver, CO 80204
(303) 892-6416

Save Our Section 8 Colorado
655 Broadway Ave
Denver, CO 80203
(303) 825-6266

Senior Assistance Center
2839 W 44th Ave
Denver, CO 80211
(303) 455-9642

Saint Mary Magdalene
2771 Zenobia St.
Denver, CO 80212
(303) 477-4533
Good Shepherd, Saint Vincent de Paul Society
2626 E. 7th Ave.
Denver, CO 80212

(303) 322-7706

Association For Senior Citizens

(303) 455-9642

Colorado Coalition for the Homeless Eviction Assistance Program

303.293.2217

Almost Home

568 Bridge St.

Brighton, CO 80601

(303)659-6199

Catholic Charities

4045 Pecos St

Denver, CO 80211

(303) 742-0828

Jewish Family Services of Colorado

3201 S. Tamarac Dr.

Denver, CO. 80231

(303) 597.5000

Operation Blessings

303-431-8295

(Motel vouchers, bus tokens, rental assistance)

1455 Ammons St. #200

Lakewood, CO 80215

APPENDIX

Rental and Utility Assistance



Denver Urban Matters Rental Assistance List

Agency	Phone #	Address	Requirements
Jewish Family Service	720-248-4716	3201 S. Tamarac Drive Denver, CO 80231	Extremely limited funding available only on a monthly basis. Denver, Adams, and Arapahoe counties. Calls are taken until appointments are filled or funds are out. Must have active lease. No Rental assistance for June 2015 , but they will have utility assistance for the month of June 2015 – they will begin taking calls on Tuesday, June 9th for utility assistance.
Denver Human Services	720-944-2185 720-944-3666	1200 Federal Blvd, Denver	Denver resident for at least 60 days. For eviction asst. must have picture ID, lease, proof of income, and bank statement. Also, must have verifiable emergency that caused inability to pay, 12 month lease, 3 day eviction notice, verification of ongoing income – must be able to maintain their unit. If they have a checking or savings account they need current statement. For aid with first month's rent – must have verification of being homeless in Denver county, or staying in a Denver county homeless shelter. Cannot have received previous assistance in the last 24 months, no more than one month's rent past due. (Also help with first month's rent and deposits For rent, bring picture ID, lease, income verification, and bank statement – must have verification of homelessness.) Must meet with office member between 9 AM and 3PM
The Gathering Place (Women and children only)	303-321-4198	1535 High Street Denver, Colorado 80218	There is a representative from Denver Human Services who can provide assistance every M-F 9 AM to Noon. First come, first serve.
Almost Home	303-659-6199	5231 N. Main St. , Brighton, CO 80601	Adams County only. Only families with children. Able to pay partial rent; no back-rent; call for funding availability. Call in advance. Seen by appointments only. Must be able to prove you can pay the portion they can't, and that you can pay next month's rent. Mostly help TANF recipients.
Interfaith Community Services	303-789-0501	3370 S. Irving St. Englewood, CO 80110	Arapahoe County-not Aurora; Northern Douglas County. Eviction prevention. Call for appointment to determine additional requirements. Occasional mortgage assistance. Start taking calls on the first business day of the month at 8am – first come first serve.
St. Vincent De Paul Society	http://svdpden.org/Contact_Us.html	Visit individual church locations or website.	Limited assistance for eviction prevention. See back of sheet for local church contact info.
Broadway	303-893-4108 (call	1449 W Littleton Blvd	Residents living in the City of Littleton with the zip code: 80210. Must have ID & be facing eviction. Will pay last

Assistance Center	or walk-in)		\$200 of rent. M/F 9:00, line up early, first come – first served.
Support Service for Veteran Families Program – VOA	303-279-0408 X 13155	2660 Larimer St., Denver, CO 80205	Veterans who meet income requirements.
Denver Rescue Mission: Family and Senior Homeless Initiative Program	303-313-2440	N/A	First Month's Rent and Deposit up to \$1000. Must be homeless without a lease and a family w/ children age 17 or under or a senior 60 or older. Must have income, SSI or SSDI to cover monthly expenses. Must be able to meet 7 times with a mentoring team in order to receive services. Call hotline.
First Mennonite Church	303-892-1039	430 W. 9 th Ave., Denver, CO 80204	Resident in church's area. (south of Colfax, west of Downing, east of Federal, north of Exposition) Hours: M/W 9 AM to 11:30 AM
Family Tree	303-467-2604	3805 Marshall St., Suite 201 Wheat Ridge, CO	Denver County. Grants provided on occasion to assist residents in other counties. Need 3 day demand and proof of income. Call for phone screen and intake.
Jeffco Action Center	303-237-7704	8755 W 14 th Ave Lakewood CO	For families who are residents of Jefferson County only. No Rental Assistance for the past few months. Utilities assistance: Leave a message any time during the week M,T,W,F 9AM – 3:30PM and Thursday 11:30AM-3:30PM. Will only get a call back on Thursdays – limited number they can help per week. Calls are helped on a first come first serve basis, call on Monday at 9 for best chance of help.

APPENDIX

Rental and Utility Assistance



Denver Urban Matters Utility Assistance List

Call the Heat Help Line at 1-866-HEAT HELP or 1-866-432-8435 and try the following agencies.

Adams County

Agency	Phone #	Address	Requirements/Information
Aurora Interchurch Task Force	303-360-0260	1553 Clinton St, Aurora, CO 80010	Aurora residents only. No walk-ins. Call early in the morning (8:30 a.m.) for appointment.
Almost Home	303-659-6199	231 N Main St, Brighton, CO 80601	Low-income families within Adams County and Ft. Lupton, facing loss of utility service. One time only assistance available. Call for an appointment. (Budget runs out after first 5-6 days in month)
St. Veronica Outreach	720-377-1313	4045 Pecos St, Denver, CO 80211	Limited emergency funds for gas and electric. Appointments made by phone only from Mon – Thurs, 8am-9am

Arapahoe County

Agency	Phone #	Address	Requirements/Information
Inter-Faith Community Services	303-789-0501	3370 S Irving St, Englewood, CO 80110	Low income residents in N. Douglas county and Arapahoe County except City of Aurora.
St. Veronica Outreach	720-377-1313	4045 Pecos St, Denver, CO 80211	Limited emergency funds for gas and electric. Appointments made by phone only from Mon – Thurs, 8am-9am

Denver County

Agency	Phone #	Address	Requirements/Information
Colorado Aids Project	303-837-0166	2490 W. 26 th Ave., Suite 300A Denver, CO 80211	Must be a client.
Community Ministry	303-935-3428	1755 S. Zuni, Denver, CO 80223	Must have applied for LEAP and live in the community boundaries. By appointment only.
Denver Indian Health & Family	303-953-6600	1633 Fillmore St., GL-1, Denver, CO 80206	Must be enrolled. Eligible once per year. First come first served.
1 st Mennonite Church	303-892-1039	420 W. 9 th Ave., Denver, CO 80204	Available to residents living south of Colfax, east of Federal, north of Exposition and west of Downing. M and W, 9 – 11:30 am
Focus Points Family Resource Center	303-928-7139	2501 E 48th Ave, Denver, CO 80216	Limited assistance to residents of 80216 and 80205. Must have disconnect notice.

Metro Caring	720-515-9888	1100 E. 18 th Ave., Denver, CO 80203	Must have acceptance/denial from LEAP during LEAP season. Limited assistance when funds available. Must call at 4:00 p.m. on Tuesdays
Salvation Army	303-295-3366	2201 Stout Street, Denver, CO	Call for information.
Senior Assistance Center	303-455-9642	2839 W. 44 th Ave, Denver, CO 80211	Partial payment for seniors 55+ who meet income requirements.
Senior Support Services	303-832-1622, X208	846 E 18th Ave, Denver, CO, 80218	for seniors 55+. Call Tuesdays at 9:00 a.m.
St. Veronica Outreach Ministries	720-377-1313	4045 Pecos St, Denver, CO, 80211	Limited emergency funds for gas and electric. Appointments made by phone only from Mon – Thurs, 8am-9am
St. Vincent DePaul Society	303-960-9163		Call for local office info and more details. Go to www.stvincentdenver.org for list of closest help.
32 nd Jubilee Center	303-477-3944	2222 W. 32 nd Ave Denver, CO 80211	Call Tue-Wed. 11am – 4pm and Thursday, 10:30 – 5pm

Jefferson County

Agency	Phone #	Address	Requirements/Information
Action Center	303-237-7704ext.280	8755 W. 14th Ave., Lakewood, CO 80215	Jefferson County residents only. Call for an appointment.
Arvada City Government	720-898-7494	8001 Ralston Rd, Arvada, CO 80002	Arvada residents at risk of shut off. Can't help those in section 8 housing
Evergreen Christian Outreach	303-670-1796	27640 Hwy 74 Evergreen, CO 80439	Residents in the Evergreen area. Please call for an appointment.
<u>Mountain Resource Center, Inc.</u>	303-838-7552ext20	11030 Kitty Dr., Conifer, CO 80433	Mountain residents only. Call to make an appointment. Helps with utilities and firewood
Seniors' Resource Center	303-235-6923	3227 Chase St, Wheat Ridge, CO, 80212	Seniors 55+ or adults with disabilities living in the mountain region of Jefferson County.
St. Veronica Outreach	720-377-1313	4045 Pecos St, Denver, CO, 80211	Limited emergency funds for gas and electric. Appointments made by phone only from Mon – Thurs, 8am-9am
Jeffco Action Center	303-237-7704	8755 W 14th Ave Lakewood CO	Leave a message any time during the week M,T,W,F 9AM – 3:30PM and Thursday 11:30AM-3:30PM. Only will get call back on Thursdays – limited number they can help per week. Calls are helped on a first come first serve basis, call on Monday at 9 for best chance of help.

APPENDIX

Rental and Utility Assistance



Colorado Housing Connects Rental Assistance List

ORGANIZATION	SERVICE	REQUIREMENTS	CONTACT
Almost Home	Rental Assistance - Families with children can qualify for up to \$200. - Families with no children can qualify for up to \$100.	<ul style="list-style-type: none"> Adams or Weld County resident for the last 3 months (need proof) Must be a U.S. Citizen or have legal residency Verifiable and ongoing income - income from cash, babysitting or temp. Agencies will not count. Monthly income must be \$200 or more than your rent / mortgage. All heads of households must have a CO ID and S.S. Card All children must have insurance or Medicaid 	<i>By Appointment</i> 303-659-6199 almosthomeonline.org 231 N Main Street Brighton, CO 80601
Almost Home	Utility Assistance	<ul style="list-style-type: none"> Adams or Weld County resident for the last 3 months (need proof) Must be a U.S. Citizen or have legal residency Not required to have verifiable and ongoing income Must first apply to LEAP and provide approval or denial letter 	<i>By Appointment</i> 303-659-6199 almosthomeonline.org 231 N Main Street Brighton, CO 80601
Catholic Charities	Rental Assistance	<ul style="list-style-type: none"> Adams, Arapahoe, Denver, or Jefferson County Picture ID (Does not have to be CO ID) Current Proof of Address Proof of Emergency (loss of job, unexpected expenses, etc) Proof of Income An eviction notice for the current month's rent Current Lease 	<i>By Appointments</i> 720-377-1313 <i>Call Monday-Friday, 8AM-8:45 AM</i> ccdenver.org 4045 N Pecos St. Denver, CO 80211
Catholic Charities	Utility Assistance	<ul style="list-style-type: none"> Adams, Arapahoe, Denver, or Jefferson County Picture ID (Does not have to be CO ID) 	<i>By Appointments</i> 720-377-1313

		<p>ID)</p> <ul style="list-style-type: none"> • Current Proof of Address • Proof of Emergency (loss of job, unexpected expenses, etc) • Proof of Income • Utility bill must be in client's name • Utility bill must be at least one day arrears (late) • Xcel bill must be less than \$1,000 	<p><i>Call Monday-Friday, 8AM-8:45 AM to make an appointment</i></p> <p>ccdenver.org</p> <p>4045 N Pecos St. Denver, CO 80211</p>
Denver Human Services	Eviction assistance, deposit, first month's rent and mortgage programs	<ul style="list-style-type: none"> • Proof of Emergency (loss of job, unexpected expenses, etc.) 	
First Mennonite Church Assistance Program	Rental and Utility Assistance	<ul style="list-style-type: none"> • Residence is north of Exposition Ave, west of Federal Blvd, east of Downing St., and south of Colfax Ave. 	<p>Call or Walk-in</p> <p>303-892-1039</p> <p>Monday and Wednesday, 9AM-11:30AM</p>
Aurora Interfaith Community	Groceries, clothing, layettes, utility, emergency medication, bus tickets, and school supplies for children	<ul style="list-style-type: none"> • Call to confirm 	<p><i>Call for appointment</i></p> <p>303-360-0260 Monday, Tuesday, and Friday, 8:30-1:30PM</p> <p>Wednesday, 8:30-5:30PM</p>
Jewish Family Service	Rental Assistance	Denver Area	720.248.4716
Metro Caring	Utility Assistance, financial coaching	<p>Must have already applied for LEAP during the LEAP season</p> <p>Call 720-515-9888 Tuesdays at 4pm and leave a message with your first and last name spelled correctly, phone number, address that was on your LEAP application, and utility account number. Due to resource limitations, we will call you to schedule an appointment for a Financial Literacy Course if you are one of the first 20 to call.</p>	<p>Phone or online appointments</p> <p>Metrocaring.org</p> <p>Monday-Friday, 9:30AM-3PM</p> <p>Tuesday, 6:00-8PM</p> <p>303-860-7200</p>

APPENDIX

Food Assistance



Denver Urban Matters Food Pantry List

It is best to call any food bank before going to verify hours and requirements. Most food banks require IDs & proof of address.

Es mejor llamar a un banco de comida antes de visitar para asegurar las horas y requisitos para servicio. La mayoría de bancos de comida necesitan ID y prueba de dirección.

Denver County

ACTS Resource Center (M-F 9-11:30 & 1-3)	3030 Downing St.	720-298-3874
Agape Christian Church (Fri Only: 11-2:00)	25 th & California (2501 California St.)	303-295-6180
Campbell Chapel AME (4 th Fri Month 10-12)	1500 E. 22 nd Ave.	303-839-5058
City Square Denver (T/W 10-2)	2575 S. Broadway	303-783-3777
The Basilica of the Immaculate Conception (M-F 1-1:30)	E. Colfax & Logan (1530 Logan St.)	303-831-7010
Christ Body Ministries (Sat 2:00 pm)	1580 Gaylord St (16 th & York)	303-860-1272
Church in the City (T-H 8-9Am, Sat 2-4pm)	1580 Gaylord St (16 th & York)	303-322-5733
Church of the Risen Christ (2 and 4th Th 3-5)	3060 South Monaco Pkwy	303-758-8826
Community Ministry (M,W,Th: 10-1:30, T: 2-4:30)	1755 S. Zuni St.	303-936-0469
Crossroads of the Rockies (T/Th 9-11:15am, Sa 11:00)	2707 W Mississippi Ave	303-922-8772
Denver Indian Center (T/Th 2-4:45pm)	4407 Morrison Rd.	303-936-2688
Denver Inner City Parish (W: 10-12, F: 10-12 pm)	1212 Mariposa #1	303-629-0636
Denver Rescue Mission: Outreach Center (M-F 8:30-11:30, appt 12:30-2)	5725 E. 39th Ave	303-297-1815
East Denver Fish (Mon/Wed/Fri: take calls 8-11:30)	(they deliver to their area zips) only every 3 months. 1st come, 1st served	303-234-5283
Bienvenidos Food Bank through NW (Th 11-12 then 4-5:30)-not 3 rd Th	3810 Pecos St	303-433-6328
Greater Park Hill Comm. (M/W 10 – 1); must be Park Hill Res	2823 Fairfax St.	303-388-0918
His Love Fellowship (Th 8pm)	910 Kalamath St.	303-623-1623
House of Joy Church (Th 11-2)	3082 Leyden St.	303-388-9060
Jewish Family Service (T/W/F 10-1)	3201 S. Tamarac Dr.	First time clients call 720-248-4716 for appt.
Macedonia Baptist Church (T/Th 10-2)	3240 Adams St.	(Call) 303-377-8821
Metro Caring (call the schedule M-F 9:30-3:30 or T 6-8)	1100 E. 18 th Ave.	303-860-7200
Metropolitan Community Church (2 nd , 3 rd , and 4 th , M of each month from 3-6pm)	960 Clarkson St.	303-860-1819

Most Precious Blood Cath Church (2nd and 4th W 9-12)	2250 S Harrison St	303-756-3083
Our Lady of Lourdes Church (M-F 8:30-3:30)	2200 S. Logan St.	303-722-6861
Park Hill 7 th Day Advent. Church (T/W 9-12)	3385 Albion St.	303-333-5089
Praise Center Church (3 rd or 4 th Sat Monthly 10:45-Noon)	3105 W. Florida Ave.	303-922-1131
Rising Star Baptist (3 rd Sat 11-12pm)	1500 S. Dayton St.	303-752-0546
Rose of Sharon Food Bank	5306 Lincoln St.	303-308-1652
Scott United Methodist-2/3rd Th 9-12	2880 Garfield St.	303-322-8967
Senior Assistance Center (Th 11-1, 55 yrs. & older)	2839 W 44 th	303-455-9642
Senior Support Services (55 & older: M-F 7-7)	846 E. 18 th Ave. & Emerson	303-832-1622
Servicios De La Raza (call for appt M-F 8-5)	3131 W 14 th Ave.	303-458-5851
St. Anthony's Church (T 9-12 and F 9-11)	8301 W. Ohio Ave.	303-935-2431
St. Vincent De Paul – Twin Parish Help Center (2 and 3 Tuesday 10-12) must be 60+	3663 Humboldt St.	303-294-0684
Volunteers of America (M-F 9-5)	2660 Larimer St	303-297-0408

Adams County

Adams County Food Distribution (W-F 9-1)	7111 E. 56 th Ave	720-878-3563
Advent Lutheran Church (Tu. & W. 10-12)	7979 Meade St.	303-428-7501
Assumption Church (Th 9-3)	78 th & York St.	303-288-2442
Aurora Interchurch Task Force (M,T,F 10:15-1, W 8:15-5:15 call for apt.)	1553 Clinton St.	303-360-0260
Bennett Community Food Bank (1 st and 3 rd Sat 9-11am)	1100 W. Colfax Ave	303-644-3249
Good Shepard Presbyterian (Tu-Fri 10-12, 1st Th 6:30-8)	10785 Melody Dr.	303-452-5478
Friends of St. Andrews (M-F 10:15-1:15 except W)	1525 Dallas St.	303-364-2329
Immac. Heart of Mary (M,W,F: 9-11:30)	11426 Pearl St. (Boundaries: I-25 to Quebec, 104 th ave to 160 th ave)	303-452-2041
Neighbor Outreach Colorado (3rd Thurs at 3pm)	9371 Wigam St	720-938-4304
Salvation Army Food Bank (Mon-Th 9-12)	2821 W 65 th Place	303-428-6430
Senior Hub (55 or older: M-H 10-3 call for apt)	2360 W 90 th Ave.	303-426-4408
St. Augustine Community Food Pantry (T/Th 9-1)	129 S. 6 th Ave.	303-654-1040
St. Mark Catholic Church (M-F 3:-3:30)	3141 W. 96th Ave	303-466-8720
Thornton Food Bank (M/W/F 1-3)	8990 York St.	303-287-7268
Westminster's United Methodist (M/W/F 12:30-4)	76 th & Lowell Blvd.	303-429-1569

Arapahoe County

Broadway Assistance Center (W 5-7, F 9-12)	1449 W Littleton Blvd	303-893-4108
Covenants Cupboard (1-4 pm Fridays)	5400 S Yosemite	720-841-5129
Potter's House Church of Denver (Registration Sunday 8-9:00 & 10:15-11 and pick-up 10:15-11:15&12:15-1:15)	9495 E Florida Ave.	303-369-8514 ext. 1033
Interfaith Community Services (M, Th, F: 8:30-11:30 & 1-3:00, T 8:30-11:30& 1-5, W:8:30-11:30)	3370 S Irving St.	(Call) 303-789-0501
Queen of Peace Church (St. Vincent De Paul) (M, T, F: 11-2; W&Th: 9-12) Must have appt	13120 E Kentucky Ave.	303-364-3461
Salvation Army (non-Aurora Residents: T 5:30-7pm and Th 9:30-11)	3900 E Arapahoe Rd.	303-779-9662
Salvation Army (Aurora Residents: M-Th 1-4)	802 Quari Ct.	303-366-7585
Ansar Food Pantry (Saturdays 9:30-12)	1480 Lima Street	303-459-2153

Douglas County

Interfaith Community Services (M, Th, F: 8:30-11:30 & 1-3:00, T 8:30-11:30& 1-5, W:8:30-11:30)	3370 S Irving St.	(Call) 303-789-0501
Cherry Hills Community Church (Tues 10-11, 6-7pm)	3900 Grace Blvd	(Call) 303-325-8340
Parker Task Force (T, W, F, Sat 9-1)	19105 Longs Way	303-841-3460
Salvation Army Englewood(M/W/F 12-4)	3460 S Sherman, Suite 202	303-761-6111
Task Force of Douglas County (M-F 9-Noon)	1638 Park St., Castlerock	303-688-1114

Jefferson County

Arvada Community (M-F 12-3:45/W 12-5:45pm, closed 2 nd Wed of each month.	8555 W. 57 th Ave.	(Call)303-424-6685
Green Mountain Christian Church (2nd Fri 6-7pm)	10700 W. Exposition Dr	303-985-0754
Evergreen Christian Outreach M:10-6, T,W,Th:10-4 by appointment	27640 Hwy 74	303-670-1796
InterChurch ARMS (M:11-3, T:12-2, W 1-3, Th 9-2)	6750 Carr St	303-424-6283
Jeffco Action Center M,T,W,Fr: 9-3:30, Th: 11-5:30	8755 W 14 th Ave.	303-237-7704

APPENDIX

Affordable and Transitional Housing Assistance



Denver Urban Matters Subsidized Housing Referrals

<i>Housing Name</i>	<i>Address</i>	<i>Phone #</i>	<i>Additional Info.</i>
Allen Gardens	3030 Richard Allen Ct.	303-322-1377	Felonies over 10 years ok, senior housing
Allied Jewish Apartments	22 S. Adams Street	303-399-1146	Income based for seniors
Archdiocesan Housing	Several Locations	303-830-0215	62+ yrs old, under 62 w disability felonies over 7 yrs
Argonaut	1605 Grant St.	303-861-1876	55+ yrs. or disability
Arapahoe Green	1135 S. Xenia	303-695-7860	Families
Asbury Park	10591 E. Asbury Ave.	303-696-8725	Families, disability
Brothers Redevelopment	Several Locations	303-238-0392	Families or seniors
California Park East	2270 California St.	303-298-8529	AND ok, elderly, disabled and/or low income, felonies over 5 yrs
Capitol Hill	701 E. 14th Ave.	303-861-4247	AND ok, felonies over 7 yrs,
Colburn Hotel	980 Grant St.	303-837-1261	AND ok, no kitchens
Coleman Manor	2261 Humboldt St.	303-861-8150	AND ok, felonies over 7 yrs
Columbine Towers	1750 S. Federal Blvd.	303-934-8797	AND ok, disability or over 62 yrs
Congress Park Commons	1401 Josephine St.	303-333-9357	AND, seniors or disability, felonies
Corona Residents	1445 Corona St.	303-832-1302	Seniors or disabled only
Courthouse Square	901 W. 14 th Ave.	303-825-1104	AND ok, disability required
Emerson Gardens	940 Emerson St.	303-839-5647	Mobility impaired or seniors only
Forum Apartments	250 W. 14 th Ave.	303-573-3704	Felonies ok, must be homeless
Franconia	930 Downing St.	303-832-5567	Felonies over 3 yrs
Franklin Park	1530 Franklin St.	303-832-4859	Felonies ok, no violent offenses, seniors/disabled
GAO Homes	4550 W. 9th Ave.	303-573-9011	62+ or mobility impaired
Golden Spike	3000 W. Yale Ave.	303-922-6606	Disability required
Halcyon House	1955 Arapahoe St.	303-296-1780	Felonies on case by case basis; 62 or over or disability required

Higgins Plaza	1380 Detroit St.	303-320-4990	Mobility impaired or seniors only
Hilltop	1705 Franklin St.	303-863-9209	Felonies over 5 yrs
Kappa Towers	2160 Downing St.	303-863-0043	Seniors with disabilities
Liggins Tower	5150 E. 34th Ave.	303-321-3891	Seniors
Metro Manor	1523 Quitman	303-572-7716	Independent living for 62+ yrs
Monte Vista Homes	724 S. Utica St.	303-860-7885	Felonies over 5 yrs, disability required
Olin Apts.	1420 Logan St.	303-861-8052	Felonies on case by case basis, 62 and older or disabled
Park West	2920 W. 32nd Ave.	303-458-7693	Disability required
Pencol Apts.	1476 Pennsylvania	303-839-1034	May work with felonies
Sabin Group	1540 S. Albion St.	303-860-7885	Felonies over 5 yrs, disability required
Sheridan Glen	5350 W. 52nd Ave.	303-202-6340	
Sunset Park	1865 Larimer St.	303-295-1876	62+ yrs or disabled
Towers at Speer	1255 Galapago	303-592-7272	Disability required
Urban Inc.	Several locations	303-850-7440	
Whittier Housing	1414 E. 31 st	303-295-1980	Felonies over 10 yrs
William Tell	1599 Williams	303-321-8250	
Wise Harris	605 26 th Ave	303-296-7530	Felonies ok, disability required

Non Denver Residences

Allison Village	350 Allison St, Arvada	303-422-0502	Felonies over 5 yrs, JeffCo Housing Authority
Aspen Meadows	651 Potomac, Aurora	303-364-4628	Seniors only
Creekside Place	9189 Gale, Thornton	303-428-9986	AND ok, mostly families
Dawson Square	8670 Dawson, Thornton	303-288-4580	Felonies over 5 yrs, families
Helios Station	550 N. 111 th St, Lafayette	303-666-4348	
Highland South	6360 W. 38 th Ave, Wheat Ridge	303-425-0197	Felonies ok, must be 62+ or disabled
Holly Park	5520 E. 60 th Ave, Commerce City	303-287-9087	Felonies over 7 yrs, drug related felonies 3 yrs
Marcella Manor	6555 Schneider Way,	303-425-	Felonies over 10 yrs, disability

	Arvada	5086	required
Montview Heights	14389 Montview Blvd, Aurora	303-341- 6949	Families only
Orchard Crossing	4183 W. 72 nd , Westminster	303-428- 9068	Felonies over 7 yrs
Park Terrace	8538 W. 54 th , Arvada	303-424- 0042	Felonies over 5 yrs, no evictions
Parkview Village	5383 Carr St, Arvada	303-421- 6869	Felonies over 10 yrs
Sheridan Gardens	4300 S. Lowell, Englewood	303-797- 0242	2 & 3 Bedroom Apts.
Squire Village	1180 Grant Dr, Northglenn	303-451- 5736	Seniors and disabled only
Summersong Townhomes	10024 E. Evans, Aurora	303-696- 0698	Felonies over 2 yrs, for 2+ people
Villa Maria	2461 W. 82 nd , Westminster	303-426- 1513	Seniors only
Village 88	388 E. 88 th Ave, Thornton	303-430- 0157	
Village Carmen	13141 E. 13 th Pl, Aurora	303-366- 8483	Felonies over 5 yrs
Walnut Creek	10350 Dover, Westminster	303-404- 1560	Disability required, felonies over 5 yrs
Waterview on the Parkwy	620 Coronado Pkwy, Thornton	303-289- 5428	
Weatherstone	15594 E. 12 th , Aurora	303-366- 7874	
Westminster Commons	3180 W. 76 th Ave, Westminster	303-428- 2786	62+ yrs or disabled
Windrift	1490 S. Reed, Lakewood	303-989- 2408	

Section 8

Local Housing Authorities

Housing Authority	Contact Information
Adams County Housing Authority	7190 Colorado Blvd., 6th Floor Commerce City, CO 80022 303-227-2075
Arapahoe Housing Authority	Littleton and Glendale, 303-794-9608; Aurora, 720-251-2100; Englewood and Sheridan, 303-761-6200.
Aurora Housing Authority	10745 E. Kentucky Avenue Aurora, Colorado 80012 Main 720 .251 .2100
Commerce City Housing Authority	303.289.3698
Denver Housing Authority	777 Grant Street

	Denver, Colorado 80203 720.932.3000
Englewood Housing Authority	3460 S Sherman St # 101 Englewood, CO 80113 (303) 761-6200
Jefferson County Housing Authority	7490 West 45th Ave., Wheat Ridge, Colorado 80033
Lakewood Housing Authority	480 South Allison Parkway, Lakewood, CO 303-987-7599

APPENDIX

Affordable and Transitional Housing Assistance



Denver Urban Matters Transitional-Affordable Housing Resources

**Call for availability.

Brandon House	(303) 620-9190	Shelter for women and children. Call for space available. \$4 a day plus work exchange.
Comitis Center	(303) 343-9890 2178 N. Victor Street, Aurora	Housing for families with children only 7pm-7am. There is also residential childcare for homeless runaway youth (12-17).
The Crossing	(303)-953-3900 6090 Smith Road, Denver	Transitional housing for men, women, and families. Intake required.
Denver Rescue Mission -Champa House	(303) 294-9961 2544 Champa Street, Denver	Long-term transitional shelter for single mothers and their children, or pregnant women. Must be eligible for TANF, with kids under 12. 1-2 year commitment. Cannot be in school or employed.
Family Homestead	(303) 623-6514 999 Decatur Street, Denver	35 units of emergency housing for 30-90 day stay for homeless families (must have one child under 18). Also has a 90 day transitional housing program- must be working 32 hrs/wk.
Family Tree	(303) 467-2604 3805 Marshall St., Suite 201, Wheat Ridge	Housing and Family Services.
Father Ed Judy House	(303) 866-7641 4024 S. Newton St. Denver, CO 80236	Short-term transitional group home for single mothers and their children. Have to have income, ID, Social Security, Birth Certificate, and proof of income.
Family Promise	(303) 675-0713 915 E 9th Avenue, Denver, CO	Provides emergency shelter, meals and supportive services to families experiencing homelessness in the Greater Denver area. Required to be working or seeking employment.
Jeffco Action Center	(303) 237-7704 8755 West 14 th Avenue, Lakewood	One-time, 45 day shelter for families, singles, and couples. Interview, ID required. Must be working or seeking work. No drugs/alcohol.
Joshua Station	(303) 592-1555 2330 W Mulberry Place, Denver	2 year transitional housing for families. Weekly rent based on family income. No violence or sex crimes. Must attend counseling, community service. No drugs/alcohol.
New Genesis Shelter	(303) 638-6897 1680 Sherman Street, Denver, CO	Men only. Must obtain full-time work while there. Twelve-week program included. Intakes from 4:30 to 6:30 pm. Overflow at 10:00 pm. Working 32 hours a week or currently seeking work.
VOA Transitional Housing for Youth and Young Parents	(720) 217-3884 455 Bannock Street, Denver	
Warren Village	(303) 321-2345 1323 Gilpin Street,	Warren Village provides two year transitional housing for low-income single parents.

	Denver	
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For AFFORDABLE HOUSING: Search engine for affordable and income-based housing in Colorado.
<http://www.coloradohousingsearch.com/>

Or Contact Your Local Housing Authority At:

Adams County Housing Authority	7190 Colorado Blvd., 6th Floor Commerce City, CO 80022 303-227-2075
Arapahoe Housing Authority	Littleton and Glendale, 303-794-9608; Aurora, 720-251-2100; Englewood and Sheridan, 303-761-6200.
Aurora Housing Authority	10745 E. Kentucky Avenue Aurora, Colorado 80012 Main 720 .251 .2100
Denver Housing Authority	777 Grant Street Denver, Colorado 80203 720.932.3000

APPENDIX

Free Legal Nights (Last updated February 2017)



Provided by Colorado Housing Connects

LEGAL NIGHT AT MI CASA

360 Acoma Street	3 rd Tuesday of each month 5:30 – 7:30PM	303-573-1302	Meet with an attorney free of charge and get information in the areas of Immigration, Credit, Housing, Landlord/Tenant, Employment and Family Law. Attorneys provide referrals to appropriate agencies. Spanish-speaking attorneys are available.
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CLINIC FOR DOMESTIC MATTER – Arapahoe Combined Court

7325 South Potomac St, Courthouse 2 Building, Centennial, CO 80112	Every Friday of each month First come, first served		No appointments, first come, first served. An opportunity for low income individuals to consult with an attorney regarding legal issues. No criminal issues.
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LEGAL NIGHT AT CENTRO SAN JUAN DIEGO

2830 Lawrence St. Denver, CO 80205	1 st Wednesday of each month 5:30 – 7:30PM Call to confirm dates	303-295-9470	Meet with an attorney free of charge and get information in the areas of Immigration, Credit, Housing, Landlord/Tenant, Employment and Family Law. Attorneys provide referrals to appropriate agencies. Spanish interpreters will be available.
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LEGAL NIGHT SPONSORED BY COLORADO COALITION FOR THE HOMELESS

2130 Stout St. Denver, CO 80205	3 rd Wednesday of each month 4:00 – 6:00PM	303-293-2217	Volunteer lawyers from CPLP will be available for discussion of legal issues and identification of potential resources and referrals. Sign-up starts at 3:30PM
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DENVER URBAN MATTERS FREE LEGAL CONSULTATION

1717 E. Colfax Ave. Denver, CO 80218	1 ST and 3 rd Tuesday each month	303-355-4896	Lawyers are available for free consultation at DenUM. They will advise you on any subject including civil cases, criminal cases, child
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	Sign-ups begin at 11:30AM. Sessions start at 12:00PM		support, traffic offenses, garnishments, etc. These lawyers cannot represent you in a court of law.
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JUSTICE AND MERCY LEGAL AID CLINICS

Denver Rescue Mission 1130 Park Ave. West Denver, CO 80217	Fridays of each month 1:00 – 4:00PM	303-294-0157	Call ahead to schedule an appointment.
Communities of Faith United 541 E. 99 th Pl, Thornton, CO 80229	Fridays of each month 1:00 – 4:00PM	720-616-1896	Call ahead to schedule an appointment.
Samaritan House 2301 Lawrence St. Denver, CO	Fridays of each month 1:00 – 4:00PM	303-294-0241	Call ahead to schedule an appointment.
Salvation Army 2136 Champa Street, Denver CO 80204	Fridays of each month 1:00 – 4:00PM	303-296-2456	Call ahead to schedule an appointment.
Providence Network 801 Logan St. Denver, CO	One Friday each month 1:00 – 4:00PM	303-860-8404	Call ahead to schedule an appointment.
More Life Center 2220 S. Chambers Rd. Aurora, CO 80014	Fridays of each month 1:00 – 4:00PM	303-256-2090	Call ahead to schedule an appointment.
Centro San Juan Diego 2830 Lawrence St. Denver CO 80205	3 rd Friday of each month 9AM – 12:00PM	303-297-8696	Call ahead to schedule an appointment.

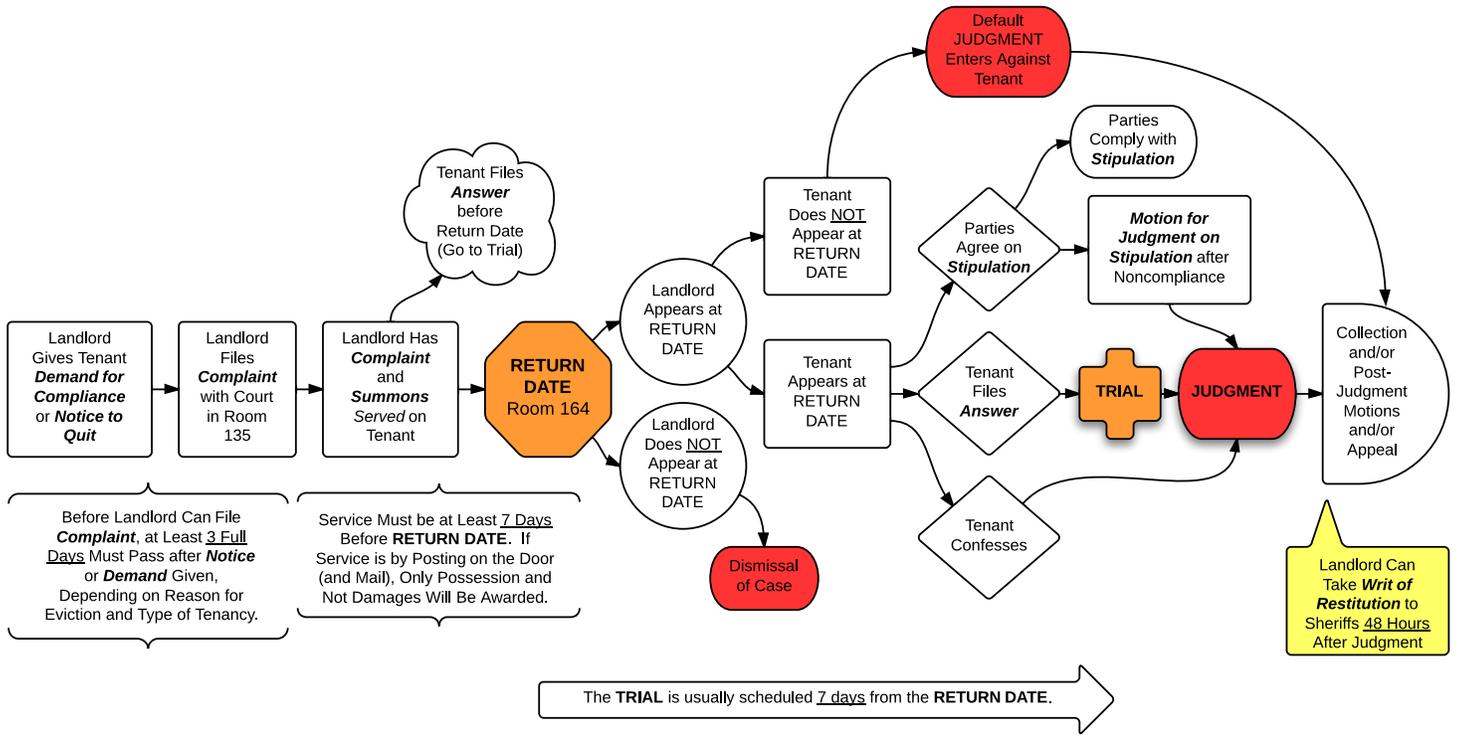
COLORADO POVERTY LAW PROJECT (CPLP) LEGAL CLINICS

Father Woody's Haven of Hope 1101 W. 7 th Ave., Denver, CO	1 st Wednesday of each month 7:30AM – 9AM	303-293-2217	Volunteer lawyers from CPLP will be available for discussion of legal issues and identification of potential resources and referrals. Please sign up at the front desk when you arrive and bring all legal documents related to your case.
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APPENDIX

Eviction Timeline Overview (Denver County Court)

Provided by Colorado Poverty Law Project



For More Information, Read the Eviction Laws - Colorado Revised Statutes 13-40-101 through 13-40-123, Which Can be Found Through the DenverCountyCourt.org Website --> Self Help --> Legal Research --> Colorado Revised Statutes.
 This Chart Is Only an Overview of the County Court Civil Money Claim Process, and Should Not Be Construed as Legal Advice.

APPENDIX

Eviction Timeline Overview (Denver County Court)



Provided by Colorado Housing Connects

** Please note that this timeline is simply meant to be a helpful resource, and certain time frames may vary depending on each person's circumstances. This is not an official document of the Colorado Legal System. **



- 1** The Three-day Notice informs the tenant that they are being asked to leave the property and why. This notice can be given in person or posted on the door of the property, and also may be called a Notice to Quit, Notice to Vacate, or Demand for Compliance.
- 2** The Summons, Complaint and Answer is found in the F.E.D. This document informs the tenant that there is a court hearing regarding the eviction. The F.E.D. must be personally served or posted by an uninterested third party (e.g. NOT the landlord or property manager).
- 3** You should always make an effort to attend the court hearing regarding your eviction. If there is a chance to negotiate with your landlord/property manager about time frames for leaving the property and money owed, this is it! At the time of the court date, the Writ of Restitution is issued. This is what allows the Sheriff's deputy or police officer to evict the tenant of a property. This document **MUST** be served by the Sheriff/Sheriff's Deputy before an eviction can take place.
- 4** A minimum of 48 hours must pass after the Writ of Restitution is issued before the tenant can be evicted. At the time of the eviction, the tenant will have 1.5 hours to remove their belongings from the property. **If there are no** delays in the eviction process, a tenant could be evicted in as few as 10 days from the time the Three-day Notice is posted.

APPENDIX

Waiving Court Fees

Form downloaded from the Colorado Judicial Department
https://www.courts.state.co.us/Forms/Forms_List.cfm?Form_Type_ID=176

2-page form found on the next page.

MOTION TO FILE WITHOUT PAYMENT SUPPORTING FINANCIAL AFFIDAVIT, AND SUPPORTING DOCUMENTATION REQUESTED

General Information

It is important that you accurately complete all sections of this form as appropriate based on your personal circumstances. If a section does not apply, please write N/A.

A. Gross Monthly Income. Includes income from all members of the household who contribute monetarily to the common support of the household.

◆ **Income categories to include:**

Wages, including tips, salaries, commissions, payments received as an independent contractor for labor or services, bonuses, dividends, severance pay, pensions, retirement benefits, royalties, interest/investment earnings, trust income, annuities, capital gains, unemployment benefits, Social Security Disability (SSD), Social Security Supplemental Income (SSI), Workman's Compensation Benefits, and alimony.

Note: Income from roommates should not be considered if such income is not commingled in accounts or otherwise combined with the applicant's income in a fashion which would allow the applicant proprietary rights to the roommate's income.

◆ **Income categories do not include:**

TANF payments, food stamps, subsidized housing assistance, veteran's benefits earned from a disability, child support payments, or other public assistance programs.

B. Liquid Assets. Includes cash on hand or in accounts, stocks bonds, certificates of deposit, equity, and personal property or investments which could readily be converted into cash without jeopardizing the applicant's ability to maintain home and employment.

Expenses. Nonessential items such as cable television, club memberships, entertainment, dining out, alcohol, cigarettes, etc., **shall not** be included. Allowable expense categories are listed on JDF 205.

If you are applying to have your filing fee waived you may be asked to supply:

- Copies of the previous three months bank statements, including checking and savings. **DO NOT provide originals.**
- Copies of the previous three months pay stubs and/or proof of income must be included. **DO NOT provide originals.**

<input type="checkbox"/> Supreme Court <input type="checkbox"/> Court of Appeals <input type="checkbox"/> Denver Juvenile Court <input type="checkbox"/> Denver Probate Court <input type="checkbox"/> County Court <input type="checkbox"/> District Court _____ County, Colorado Court Address: _____ <hr/> Plaintiff/Petitioner: _____ v. Defendant/Respondent: _____ <hr/> Attorney or Party Without Attorney: (Name & Address) _____ <hr/> Phone Number: _____ Atty. Reg. #: _____	▲ COURT USE ONLY ▲ <hr/> Case Number: _____ Courtroom: _____
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MOTION TO: FILE WITHOUT PAYMENT OF FILING FEE WAIVE OTHER COSTS OWED TO THE STATE AND SUPPORTING FINANCIAL AFFIDAVIT

I, _____ respectfully move the Court for an order to waive the following filing fee(s):
 complaint petition answer response motion to modify other: _____ and as grounds state that I am without funds, have no adequate funds available, and have a meritorious claim.

All items must be fully completed. Print or type neatly. If an item does not apply, please write "N/A"

Name of Applicant		
Last Name	First Name	MI
Street Address (Include Apt. # if applicable) _____		
City	State	Zip Code
<input type="checkbox"/> Own <input type="checkbox"/> Rent Home Phone #: _____		
Social Security #	Driver's Lic. # & State	Date of Birth
Most Recent Employer: _____		
Work Address: _____		
Work Phone #: () _____		
Dates Employed: _____		
Hours/Week: _____ Pay Rate: \$ _____ <input type="checkbox"/> Weekly <input type="checkbox"/> Bi-weekly <input type="checkbox"/> Monthly <input type="checkbox"/> Annual <input type="checkbox"/> Other: _____		
Name of Other Responsible Party(Spouse, Partner, Parent, Other Persons in Household)		
Last Name	First Name	MI
Street Address (Include Apt. # if applicable) _____		
City	State	Zip Code
<input type="checkbox"/> Own <input type="checkbox"/> Rent Home Phone #: _____		
Social Security #	Driver's Lic. # & State	Date of Birth
Most Recent Employer: _____		
Work Address: _____		
Work Phone #: () _____		
Dates Employed: _____		

Hours/Week: _____ Pay Rate: \$ _____ Weekly Bi-weekly Monthly Annual Other: _____

Marital Status: Single Married Partner in a Civil Union Divorced/Civil Union Dissolved Separated
 Widowed

Number in Household: (including yourself) _____

Identify Members:

_____	_____	_____
Name	Age	Relationship
_____	_____	_____
Name	Age	Relationship

Gross Monthly Income (See Information on page 3)		Monthly Expenses (See Information on Page 3)	
Self (wages, salary, commission)	\$ _____	Rent or Mortgage	\$ _____
Spouse/Partner, Other Household Members	\$ _____	Groceries	\$ _____
Parents (if same household)	\$ _____	Utilities	\$ _____
Unemployment Benefits	\$ _____	Clothing	\$ _____
Social Security/Retirement Funds	\$ _____	Maintenance/Alimony and/or Child Support	\$ _____
Maintenance/Alimony	\$ _____	Medical/Dental	\$ _____
Other Income (identify)	\$ _____	Other Expenses (identify)	\$ _____
Other Income (identify)	\$ _____	Other Expenses (identify)	\$ _____
Total Income	\$ _____	Total Expenses	\$ _____
Cash on Hand (Cash you are carrying or which is stored at home, etc.)	\$ _____	Credit Cards: (Show type and balance owed)	
		Type: _____ Balance \$ _____	
		Type: _____ Balance \$ _____	
Checking Account Balance	\$ _____	Name/Address of Bank: _____	
Savings Account Balance	\$ _____	Name/Address of Bank: _____	
Stocks, Bonds, or other Investments Held Balance	\$ _____	_____ Type of Investment Name/Location of Company/Corporation _____	
Vehicles Owned (Autos, boats, recreational vehicles, etc.) - Estimate Value	\$ _____	Year _____ Model _____ License Plate _____ Year _____ Model _____ License Plate _____	
House(s) or other Property Estimate Value	\$ _____	Amount owed \$ _____ Year Purchased _____	

IF ADDITIONAL SPACE IS NEEDED TO PROVIDE COMPLETE INFORMATION, ATTACH A SEPARATE PAGE.

I swear under penalty of perjury that all information provided is true and complete. In addition, if requested I will provide three (3) months of bank statements and pay stubs or other comparable proof of income status. I authorize the Court to make any necessary contacts to verify the information.

Signature: _____ Date: _____

APPENDIX

Waiving Court Fees

Form downloaded from the Colorado Judicial Department
https://www.courts.state.co.us/Forms/Forms_List.cfm?Form_Type_ID=176

Instructions to Request to Reduce Mediation Fees

Fees owed in relation to dispute resolution services are an obligation to another person or entity and so cannot be waived; however if the party is found to be indigent **and** there are funds available, fees may be reduced.

This program is available to indigent persons NOT represented by an attorney OR indigent persons represented by attorneys of, or obtained through, a legal service provider.

1. Fill Out [Form JDF211](#):

The applicant must fill out the form completely. **Incomplete forms are not processed.** This form can be obtained by calling 720-625-5940 or online at www.coloradoODR.org.

2. Required Documentation:

The applicant must attach recent verification of **all household income**. This includes income from all persons living in the home whether part of the case or not. Income verification includes the last six weeks of pay stubs or W-2's, earnings from spouse or other household members, parents' income, unemployment benefits, social security, retirement funds, maintenance/alimony income, or any other money that comes into the home. If the applicant is not working and is receiving public assistance or food stamps, the applicant must send recent verification. Please make sure there is a working phone number on the document, ODR will contact the parties should additional information be needed to qualify parties. **If we can't contact you, your request will not be processed and you will be denied.**

3. Include the Following:

Include case number and county of filing on the form. If the mediation is already scheduled, please include the date of the mediation and the mediator's name so that the determination is sent to the appropriate person.

4. Submit Application and Documentation

Fax to: ODR at 720-625-5987 or Email to: odrmediations@judicial.state.co.us

Or Mail to: Office of Dispute Resolution
Attention: Financial
1300 Broadway, Suite 1200
Denver, CO 80203

5. Follow up

Allow five (5) business days for the application to be processed. If the applicant does not hear from this office within those five (5) business days with either a determination or request for additional information, **it is up to the party to contact our office** at 720-625-5940.

6. Other Important Information

Even if you are waiting for a response on your application, deposits must be received by the mediator no later than ten (10) days prior to the scheduled mediation to keep the scheduled mediation date. **Incomplete applications cannot be processed and are automatically denied.** If you have already qualified as indigent through this office, the court or another organization within the last 6 months, you may not need to submit [Form JDF211](#).

Basis of Determination

ODR has very limited grant money to provide reduced fee services, therefore ODR reserves the right to deny requests as needed. Determination of indigency is based on the household's gross monthly income, number of persons in the household, liquid assets, and what is considered poverty level as determined by the Health and Human Services Department.

All determinations by ODR are final.

APPENDIX

Possible Defenses in Eviction Court

Provided by the Colorado Poverty Law Project

1. Defenses that may apply in any eviction

- a. The landlord did not serve you with a Summons and Complaint or blank Answer form.
- b. You did not receive the Summons and Complaint at least five days before the court date.
- c. The eviction notice does not tell you the actions that violate the lease.

2. If the Landlord is claiming that you did not pay rent or other money due

- a. You paid the rent and any other money due.
- b. You offered to pay the rent and any other money due on time, but the landlord did not take it.
- c. You had an agreement with the landlord to work for the landlord instead of paying rent, and you have done the work.
- d. The landlord agreed to accept your rent late. Therefore he/she waived the right to demand rent on time or to evict you for late payment of rent.
- e. You paid the rent (and any other money due) within three days of being served the landlord's Demand for Payment or Possession.
- f. You offered the rent (and any other money due) with three days of being served with the landlord's Demand for Payment or Possession, but the landlord did not take it.
- g. You used the rent money to repair the premises and have deducted the cost of these repairs from your rent. You told the landlord you were doing this.
- h. Your home is in need of repairs to make it livable, and it is the landlord's responsibility to make repairs. The landlord's failure to make these repairs is a breach of the lease and the warranty of habitability. To have this defense, you must deposit with the Court at the time you file your answer the amount of rent due less any costs for repairs that you made.
- i. You never received a 3-day Demand for Payment or Possession
- j. You are physically or mentally disabled and were unable to pay rent because of the disability. Under the Fair Housing Act, the landlord must make reasonable accommodations to your disability, which may include allowing you to pay your rent late after an eviction case has been filed against you.

3. If the Landlord is claiming that you broke the lease – other than not paying rent.

- a. You did not do what the Complaint and/or eviction notice says.
- b. The actions listed in the Complaint and/or eviction notice are not lease violations
- c. After you received the Demand for Compliance or Possession, you complied with the listed lease provision(s). Therefore, you have fixed the problem.
- d. The landlord has waived the right to evict you by taking your rent after the actions listed in the Complaint and/or eviction notice.
- e. You are not the person who did the actions listed on the Complaint and/or eviction notice. The person who did commit the actions was not your guest or under your control at the time, and there was no way that you could have known in advance that he/she would commit the acts.
- f. The eviction notice and/or Complaint in this case says that this eviction action is for a substantial violation of the lease. According to Colorado statute, a “substantial violation” is an act that occurs at or near your home and:
 - i. Willfully and substantially endangers a person or the property of the landlord; OR
 - ii. Is a violent or drug-related felony; OR
 - iii. Is a crime which carries a sentence of 180 days or more and constitute a public nuisance under state or local law
- g. The action listed in the eviction notice and/or Complaint is not a substantial violation.
- h. The eviction notice and/or Complaint says that this eviction is for a substantial violation of your lease. However, you are a victim of domestic violence; you have reported this violence to the police or obtained a restraining order, and the domestic violence is the reason for this eviction; OR
- i. The eviction notice and/or Complaint says that this eviction is for a substantial violation of your lease. However, the violation was committed by a guest or invitee; you could not have foreseen or prevented the violation; and you immediately notified the police of the violation.
- j. The landlord is evicting you because you complained to the government about your landlord or the property.
- k. Your landlord is evicting you because of your race, color, nationality, creed, religion, disability, or familial status.
- l. You are disabled and are unable to comply with your lease because of your disability. In violation of the Fair Housing Act, your landlord failed to make reasonable accommodations to your disability.
- m. If there were many violations, you may claim that the landlord did not previously give you a Demand for Compliance or Possession for the lease violation that the landlord claims you violated. You may also claim that you did not violate the lease at all.
- n. The landlord did not serve you with a 3-day Demand for Compliance or Possession or a 3-day Notice to Quit before the landlord filed this eviction action.

APPENDIX

Works Cited

- Desmond, Mathew. *Evicted: Poverty and Profit in the American City*. New York: Crown/Archetype, 2016.
- “Criminalization of homelessness.” *National Law Center on Homelessness and Poverty*. 2016. <https://www.nlchp.org/criminalization>
- “Housing Not Handcuffs: Ending the Criminalization of Homelessness in U.S. Cities.” *National Law Center on Homelessness and Poverty*. 2016. <https://www.nlchp.org/documents/Housing-Not-Handcuffs>
- Right to Remain Coalition, “What is Just Cause Eviction?” *Just Cause Boston*, March 14, 2016.
- “Rise of the Renter Nation,” *Homes for All Campaign of Right to the City Alliance*, June 2014. http://www.justcauseboston.org/what_is_just_cause
- “Top Landlord Friendly States,” *Landlord Station*, May 12, 2015. <http://www.landlordstation.com/blog/top-landlord-friendly-states/>
- Walker, Chris. “Is Denver Going for a Clean Sweep of the City’s Homeless?” *Westword*. April 15, 2016. <http://www.westword.com/news/is-denver-going-for-a-clean-sweep-of-the-citys-homeless-7770533>
- “Warning Gentrification in Process: Community perspective on the Denver Metro Housing Crisis.” *9to5 Colorado*. September 22, 2016. www.9to5.org/housingrepor

