



Guide to Mobile Home Evictions

1. Basic Information

- This process asks the court to evict a trailer from a mobile home park.
- A case can only be started by a Person of Interest. For example, a property owner or someone identified in the lease. Property managers may need to show proof of authority.
- The case is started in the county where the park is located. There is a County Court and a District Court in each county.
- The case is typically filed in the County Court. But, if the requested judgment is over \$25,000, then it must be filed in the District Court.
- You must file a written response to any claim or counterclaim. Otherwise, the Court will enter a judgment against you.
- The law that directs this process is C.R.S. § 38-12-201 *et seq.*

Also in this Guide:

- | | | |
|----|------------------------------------|-------|
| 2. | Step-by-Step Guide | Pg. 2 |
| | Owner's Response | Pg. 5 |
| 3. | Filing Fees | Pg. 7 |
| 4. | Efiling | Pg. 7 |
| 5. | List of Forms | Pg. 8 |
| 6. | ADA Information | Pg. 8 |
| 7. | Legal Advisory | Pg. 8 |
| 8. | Common Terms | Pg. 9 |

2. Step-by-Step Guide

Step 1 – Avoid the Lawsuit

(Park and Home Owner)

To avoid the hassle and expense of a lawsuit, try these resources:

- a) Housing Counseling

cdola.colorado.gov/housing-counseling

- b) Repayment Agreement

cdola.colorado.gov/eviction-foreclosure-protection

Step 2 – Notify the Tenant

(Park)

Let the Homeowner know what's happening.

- a) Give the Homeowner one of the following:

☐ JDF 139 A – Demand for Compliance.

Note: This lets the Home Owner know they owe rent.

☐ JDF 139 B – Notice to Quit.

Note: This lets the Home Owner know they are in violation of the lease.

- b) Also give the Home Owner:

☐ JDF 139 C – Important Notice to Home Owner.

- c) Wait the time listed in the form.

Note: If the last day falls on a state holiday or weekend, it changes to the next weekday instead.

Step 3 – Mediation

(Park)

Home Owners who receive:

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

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

This requirement may not apply in all circumstances.

Note If you don't complete mediation when required, the case will be dismissed, and you'll have to restart the eviction process.

The Park can schedule through the Office of Dispute Resolution (ODR) website:



www.ColoradoODR.org

Step 4 – Start the Lawsuit

(Park)

If the tenant hasn't moved out, or hasn't fixed the problem, start the lawsuit.

- a) Complete the starting paperwork:
 - ☐ JDF 141 – Complaint.
Attach: Copy of the lease and the forms you posted in Step 2.
 - ☐ Form 1A – Evictions Summons. (Just do the case caption.)
- b) Make a copy of the completed starting paperwork for each Home Owner.
- c) Print a copy of these forms for each Home Owner:
 - ☐ JDF 143 – Eviction Answer.
 - ☐ JDF 205 & JDF 206 – Fee Waiver.
- d) Bring all forms and copies to the courthouse to file.

Once the case is created, create an account and file future filings for this case online at:

 www.jbits.courts.state.co.us/efiling

- e) Pay the filing fee. See [Fees Section](#) for details.
- f) The clerk will schedule a [return date](#) 7 to 14 days out.

Step 5 – Formal Notification

(Park)

You must formally notify the Home Owners at least 7 days before the [return date](#).

Formal Notification | Personal Service

- ☐ Give the forms to a [process server](#).
 - Someone must formally give the forms to each Home Owner.
 - You cannot be the one who completes service.
 - Contact the Sheriff's office in the county where the Home Owner lives or works. Or,
 - Hire a professional [process server](#).
- ☐ The [process server](#) completes JDF 98 - Return of Service.
- ☐ File the Return of Service with the court.

Post and Mail

Note: You can still get an eviction, but the Court can't award a money judgment unless you formally serve the Home Owner.

If you are unable to formally serve the Home Owners, also:

- ☐ Post a copy of the starting paperwork on the front door of the Mobile Home.

- ☐ Mail a copy of the starting paperwork to each Home Owner by first-class mail.
- ☐ Check that option on page 3 of the Summons, sign, and file a copy into your court case.

Step 6 – Response to Lawsuit

(Home Owner)

- a) Complete the forms that fit your situation:

Contested Eviction

- ☐ JDF 143 – Eviction Answer and Defenses.

Park and Home Owner Agree to Terms

- ☐ JDF 106 A – Stipulated Agreement.
- ☐ JDF 106 B – Order re Stipulation. (Just do the case caption.)

- b) Create an account and file your forms online at:

 www.jbits.courts.state.co.us/efiling

- c) The Court must receive your response paperwork by the end of the business day on the return date. Or you can bring the paperwork with you to the courthouse on the return date.
- d) Pay the filing fee. See [Fees Section](#) for details.

Step 7 – Return Date

(Park and Home Owner)

Come to Court on the return date found in the Summons.

- a) If you chose to appear remotely, the court will send you call-in or video appearance information.
- b) The parties will meet to see if they can come to an agreement to avoid trial.

- c) The parties will either reach an agreement (called a stipulation), reschedule the return date, or schedule a trial.

The Home Owner must file a written answer or attend the return date. If they don't do either, they are in default. Then the Park must file:

- ☐ JDF 145 – Motion for Default Judgment.
- ☐ JDF 107 B – Judgment. (Just do the case caption.)

Step 8 – Trial & Prep

(Park and Home Owner)

If the parties can't resolve the matter, then it will move to trial.

- ☐ File a Request for Documents

JDF 185 SC – for cases in county court.

JDF 187 SC – for cases in district court.

Note: This form lets you collect information the other party has so you can prepare your case for trial.

- ☐ Prepare any exhibits or witnesses for trial.
- ☐ Attend the trial.

Step 9 – Enforcement (*as needed*)

(Park or Home Owner)

For the Eviction

The Park can file:

- ☐ JDF 147 – Writ of Restitution.

Notes: If it's been 10 days since the eviction order, the Landlord can take this signed Writ to the local sheriff to have the tenants forcibly removed.

That time extends to 30 days if the tenant receives SSI, SSDI, or Cash Assistance through the Colorado Works Program.

For a Money Judgment

If either party wins a monetary award, review [JDF 82](#) - How to Collect on a Judgment.

3. Fees

Filing Fee

Depends on the amount of the claim:

Amount Claimed	Court Filed in	Complaint	Answer	Answer & Counterclaim
Less than \$1,000	County	\$85	\$80	\$84
\$1,000 – \$15,000	County	\$105	\$100	\$104
\$15,000 – \$25,000	County	\$135	\$130	\$134
Over \$25,000	District	\$235	\$192	\$421

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\$98.00

To Request a Fee Waiver

File Forms:

- ☐ JDF 205 - Motion to Waive Fees.
- ☐ JDF 206 - Order. (Just do the [case caption](#).)

Or, if you receive certain public benefits, file:

- ☐ JDF 209 – Notice of Fee Waiver.

4. File Online

To file online:

- 1) Create an account at: www.jbits.courts.state.co.us/efiling.
- 2) Submit your completed forms.
- 3) Pay with a card or file JDF 205 and JDF 206 to waive fees.
- 4) View your case file and receive notifications when new filings are submitted.

5. **All Forms** *(In numerical order)*

www.courts.state.co.us/Forms/Housing

Form 1A - Eviction Summons.
JDF 98 – Affidavit of Service.
JDF 105 – Notice about Remote Participation
JDF 106 A - Stipulated Agreement.
JDF 106 B - Order re Stipulated Agreement.
JDF 107 B – Judgment Order.
JDF 139 A – Demand for Compliance.
JDF 139 B - Notice to Quit.
JDF 139 C – Important Notice to Home Owner.
JDF 141 – Eviction Complaint.
JDF 143 – Eviction Answer and Defenses.
JDF 145 - Motion for Default Judgment.
JDF 147 - Writ of Restitution.

6. **ADA Information**

For reasonable accommodations under the Americans with Disabilities Act contact your court's ADA coordinator.

7. **Legal Advisory**

These are basic instructions for informational purposes only. They do not constitute legal advice. If you choose to represent yourself, you are bound by the same rules and process as a lawyer. If you do not understand this information, please contact a lawyer.

8. Common Terms

A glossary of legal terms:

Case Caption	The boxes at the top of the form. It contains the court's address, parties' names, the filer's contact information, and the case number.
Complaint	A document that starts a case. It lists the Plaintiff's claims and their demands.
Default	When a party fails to appear to a hearing or file a written response to any claim.
Defendant	The tenants who respond to the eviction.
Plaintiff	The landlord who started the eviction.
Process Server	Someone (not you) who delivers court paperwork. This service of process lets a person know they are officially part of the case and the next steps they need to take.
Return Date	Listed in the Summons. The date the tenant must file a response or appear for court.
Writ of Restitution	The legal document that lets the Sheriff evict a tenant from the property.