



JEFFERSON COUNTY SHERIFF'S OFFICE

EVICITION INFORMATION

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

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

SERVICE OF PROCESS FOR EVICTION PAPERWORK

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



Guide to Residential Evictions

1. Basic Information

- This process asks the court to evict a tenant from a residential property.
- The Court can also award money for property damage or for back-due rent.
- A case can only be started by a Person of Interest. For example, a property owner or someone identified in the lease.
- The case is started in the county where the property 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. § 13-40-101 *et seq.*

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2. Step-by-Step Guide

Step 1 **Avoid the Lawsuit** **(Landlord and Tenant)**

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

- 1) Housing Counseling

<https://cdola.colorado.gov/housing-counseling>

- 2) Repayment Agreement

<https://cdola.colorado.gov/eviction-foreclosure-protection>

Step 2 **Notify the Tenant** **(Landlord)**

Let the tenant know what's happening.

- a) Give the tenant one of the following:

- JDF 97 – Notice to Quit

Note: Lets the tenant know the lease period is ending.

- JDF 99 – Demand for Compliance

Note: Lets the tenant know they owe rent or are in violation of the lease.

- b) 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** **(Landlord)**

Tenants who receive the following benefits may have the right to mandatory mediation before a case is filed:

- a) Supplemental Security Income (SSI),
- b) Social Security Disability Income (SSDI), or

- c) Cash Assistance through the Colorado Works Program

This requirement may not apply to all landlords.

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

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



www.coloradoODR.org

Step 4

Start the Lawsuit

(Landlord)

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

- a) Complete the starting paperwork:
 - JDF 101 – Complaint.
Attach: Copy of the lease and form from Step 2.
 - Form 1A – Evictions Summons. (Just do the **case caption**.)
- b) Make a copy of the completed starting paperwork for each tenant.
- c) Print a copy of these forms for each tenant:
 - JDF 103 – Eviction Answer.
 - JDF 186 SC – Eviction Info.
 - JDF 205 & JDF 206 – Fee Waiver.
 - Request for Documents: JDF 185 SC or JDF 187 SC.
- 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

(Landlord)

You must formally notify the Tenants 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 Tenant.
 - You cannot be the one who completes service.
 - Contact the Sheriff's office in the county where the Tenant 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 tenant.

If you are unable to formally serve the Tenants, also:

- Post a copy of the starting paperwork on the front door of the rental property.
- Mail a copy of the starting paperwork to each Tenant 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

(Tenant)

- a) Complete the forms that fit your situation:

Contested Eviction

JDF 103 – Eviction Answer and Defenses.

JDF 104 – Unlivable Conditions at Home. (Situational Use)

Note: This is a defense to an eviction for non-payment of rent. Use if rental was unsafe or unlivable. Attach to JDF 103.

Landlord and Tenant 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

(Landlord and Tenant)

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 Tenant must file a written answer or attend the [return date](#). If they don't do either, they are in [default](#). Then the Landlord must file:

- JDF 107 A – Motion for a Judgment.
- JDF 107 B – Judgment. (Just do the [case caption](#).)

Step 8 **Trial & Prep** **(Landlord and Tenant)**

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)** **(Landlord or Tenant)**

For the Eviction

The landlord can file:

- JDF 109 – 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

Jury Demand

\$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 a fee waiver form.
- 4) View your case file and receive notifications when new filings are submitted.

5. All Forms *(In numerical order)*

Find forms at: www.courts.state.co.us/Forms/Housing

Form 1A - Eviction Summons.

JDF 97 - Notice to Quit.

JDF 98 - Affidavit of Service.

JDF 99 – Demand for Compliance.

JDF 101 - Complaint.

JDF 103 – Eviction Answer and Defenses.

JDF 104 - Unlivable Conditions at Home (Eviction Defense)

JDF 105 – Notice about Remote Participation

JDF 106 A - Stipulated Agreement.

JDF 106 B - Order re Stipulated Agreement

JDF 107 A - Motion for a Judgment.

JDF 107 B – Judgment Order

JDF 109 - Writ of Restitution.

JDF 185 SC – Request for Documents (county court).

JDF 186 SC – Information for Eviction Cases.

JDF 187 SC – Request for Documents (district court).

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

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.

JEFFERSON COUNTY EVICTIONS

INSTRUCTIONS FOR PARTIES WITHOUT ATTORNEYS

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

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

TENANTS:

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

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

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

JEFFERSON COUNTY EVICTIONS

INSTRUCTIONS FOR PARTIES WITHOUT ATTORNEYS

LANDLORDS:

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

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

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

b) Written Answer

By the end of the day, on the date above, you must submit an *Answer*. A form will be provided with this summons.

Your *Answer* to the court should explain:

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

c) Submit Forms Online

- 1) Create an account at: www.jbits.courts.state.co.us/efiling
For cases in Denver County Court, file forms by email to:
DccCivilAnswers@DenverCountyCourt.Org
- 2) Submit your completed forms (*efile*) and send them to the Landlord (*eservice*).
- 3) Pay with a card or file forms *JDF 205 – Motion to Waive Fees* and *JDF 206 – Order re Court Fees*, provided with this Summons.

If you receive certain public benefits, you may automatically qualify for a fee waiver. Then use form *JDF 209 – Notice of Fee Waiver*.
- 4) View your case file and receive notifications when new filings are submitted.

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

3. Non-Payment of Rent: Unfixed Repairs

If you have not paid your rent because the landlord did not repair something in your rental unit, the Court will require you to pay the rent you owe to the Court, minus any money you have spent repairing your rental unit.

This must be paid at the time you file your *Answer* along with form *JDF 104 – Unliveable Conditions at Home*. *JDF 104* has a section to request that this payment be waived, if you cannot afford it.

4. Consequences

If you do not file a written *Answer*, or attend the *Return Date* meeting, the judge will not know if you have any defenses and may enter a default judgment against you.

This means you may be evicted and have to pay the landlord the money you owe.

In other words:

If you do not respond to the landlord's complaint by filing a written answer with the court on or before the date and time in this summons or appearing in court at the date and time in this summons, the judge may enter a default judgment against you in favor of your landlord for possession. A default judgment for possession means that you will have to move out, and it may mean that you will have to pay money to the landlord. In your answer to the court, you can state why you believe you have a right to remain in the property, whether you admit or deny the landlord's factual allegations against you, and whether you believe you were given proper notice of the landlord's reasons for terminating your tenancy before you got this summons. When you file your answer, you must pay a filing fee to the clerk of the court. If you are claiming that the landlord's failure to repair a residential premises is a defense to the landlord's allegation of nonpayment of rent, the court will require you to pay into the registry of the court, at the time of filing your answer, the rent due less any expenses you have incurred based upon the landlord's failure to repair the residential premise; unless the court determines that you qualify to have this requirement waived due to your income.

C.R.S. § 13-40-111(1).

5. Privacy and Fee Notifications

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

6. Legal Authority and Attachments

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

Along with this summons you should receive:

- a) A copy of the complaint,
- b) A blank answer form,
- c) blank request for documents form,
- d) blank fee waiver forms, and
- e) an eviction information form.

7. Notice about Remote Participation

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

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

In other words:

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

C.R.S. § 13-40-111(4)(c).

8. Signed and Dated

Signed by: Court Clerk Plaintiff's Attorney

Signature: _____

Dated: _____

Plaintiff's Address (if applicable): _____

Plaintiff's Phone (if applicable): _____

9. Certificate of Mailing

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

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

Plaintiff or Plaintiff's Agent Signature: _____

10. Resources

- Court Self-Help Centers
 - Your local Self Help Center can be found by following this link:
https://www.courts.state.co.us/Self_Help/center.cfm
- Colorado Legal Services
 - Free legal services to low income tenants facing evictions.
 - Call (303) 837-1313 ext. 444 or visit <https://www.coloradolegalservices.org/>
- Colorado Department of Local Affairs
 - The Division of Housing can help with rental assistance programs, housing counseling, eviction and foreclosure prevention, and other programs.
 - Call (303) 864-7810 or visit <https://cdola.colorado.gov/housing>
- Colorado Housing Connects
 - Free housing, eviction, and foreclosure resources for tenants, landlords, homeowners, and homebuyers.
 - Call (844) 926-6632 or visit <https://coloradohousingconnects.org/>
- Colorado Poverty Law Project
 - Free legal services to fight eviction and housing insecurity.
 - Visit <https://www.copovertylawproject.org/>
 - Community Economic Defense Project Free legal aid and guidance to tenants facing eviction and housing insecurity.
 - Visit <https://www.cedproject.org/>



Information for Eviction Cases

A forcible entry and detainer case, also called an “FED” or “eviction” case, has been filed against you. This sheet explains some of your rights. While you are not required to do so, you may contact the landlord or the landlord’s attorney to discuss resolving your case and you may also contact a tenant attorney to discuss your case.

① What to do



If you disagree with the claim against you, you must:

1. Complete the blank Answer form.

Your completed Answer should say why you should not be evicted and/or do not owe the money (state your defense). You can also list claims you may have against the plaintiff/landlord. These are called “counterclaims.” If you have a counterclaim, you must list the facts that support your counterclaim.

2. File your completed Answer.



File your completed Answer with the court at or before the date given for your appearance in the Summons.

Provide a copy to the plaintiff/landlord or the plaintiff/landlord’s attorney.

3. Appear in Court at the date and time listed in your Summons or in any court order.

4. Pay the filing fee *or*, if you cannot afford the filing fee, complete and file fee waiver forms JDF 205 and 206. You can find the forms and instructions at:https://www.courts.state.co.us/Forms/Forms_List.cfm?Form_Type_ID=176

5. You may request all documents in the plaintiff/landlord’s possession related to this case.

- File with the court a completed copy of the Request for Documents in Eviction Cases form.
- You received this form with the Summons.
- Provide a copy of the completed Request to the plaintiff/landlord.

6. You must follow any court order requiring you to give the plaintiff/landlord documents that you have related to this case.

If you are missing forms, you can find them at:https://www.courts.state.co.us/Forms/Forms_List.cfm?Form_Type_ID=28

The following website has information about the procedures in the county in which your case was filed: <https://www.courts.state.co.us/Courts/District/Choose.cfm>

Note: If you do **not** file a timely Answer or appear in court, the court may issue a *default judgment* and/or money judgment against you. This means you will be evicted. The landlord is given possession of the property. You may also owe the landlord money.

The Court may also issue a Writ of Restitution against you. The Writ of Restitution allows a Sheriff to remove you and your belongings from your home.

②

Resources



You can find these and other helpful resources in the Summons form:

- Self Help Center
To locate your local self help center go here: https://www.courts.state.co.us/Self_Help/center.cfm
- Colorado Legal Services
- **Free** legal services to low income tenants facing evictions.
- **Call** (303) 837-1313 ext. 444 or visit <https://www.coloradolegalservices.org/>

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

5. Background

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

This Answer Contains:

Affirmative Defenses.
 Counter/Cross Claims.
 Jury Demand.

6. Tenant Information

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

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

To ever change how you appear for court events:

- 1) Complete form *JDF 105 – Notice about Remote Hearings*.
- 2) File at least 48-hours before an event.

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

Full Name: _____.

Mailing Address: _____.

Phone: _____ Email: _____.

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

7. Facts in the Complaint

What information in the *Eviction Complaint* do you believe is inaccurate? (leave blank if none)

Attach more pages as needed.

8. Note to Tenant: Defenses

- 1) Review the *Eviction Complaint* to see why the landlord is evicting you.
- 2) For each ground (*claim*) the landlord gives, check only the defenses that apply to you.
- 3) Be prepared to present each defense you list at trial.
- 4) This is not a complete list of defenses. Check with a lawyer to see which apply to you.

8A. Unpaid Rent

- If checked, there are no unpaid rent claims. *Skip to Section 8B.*
- The landlord is evicting me for unpaid rent. My defenses include:
 - I don't owe the amount of money the Landlord claims. I paid the proper amount due.
 - I tried to pay the full amount of rent due within the cure period, but the Landlord refused.
C.R.S. § 13-40-104(1)(d).
 - The Landlord did not give me a 10-day cure period. (Or 5-day if stated in the lease.)
C.R.S. § 13-40-106.
 - The Landlord has a federally backed mortgage and needed to give me a 30-day cure period. 15 U.S.C. § 9058(a)(2).
 - The Landlord waived their right to evict me by accepting partial payment of rent after sending me a Demand for Compliance. C.R.S. § 13-40-104(1)(d).
 - The Landlord wants attorney or other fees not allowed under the lease.
 - The Landlord wants illegal or unenforceable late and other fees.
 - [Affirmative Defense – Unfixed Repairs]** Warranty of Habitability
The Landlord didn't make the repairs needed for the home to be safe or livable.
(Also, file *JDF 104 – Unlivable Conditions at Home*).

8B. Defenses for Lease Violations

- If checked, there are no lease violation claims. *Skip to Section 8C.*
- The landlord is evicting me for lease violations. My defenses include:
 - I did not violate the lease.
 - If I did violate the lease, it was not serious enough (*de minimis*) to justify an eviction. C.R.S. §§ 13-40-104(1) and (4).
 - The Landlord did not serve a Notice to Quit for a **repeat** violation. C.R.S. § 13-40-104(1)(e.5)).
 - I did not repeat a violation because the alleged violations are not a part of the same lease term. C.R.S. § 13-40-104(1)(e.5).
 - [Affirmative Defense - Disability]** If I did violate the lease, it was the result of my disabilities for which I should be granted a reasonable accommodation and allowed to remain as a tenant (Federal Fair Housing Act).

Explain:

Attach more pages as needed.

8C. Defenses for Substantial Violations

- If checked, there are no substantial lease violation claims. *Skip to Section 8D.*
- The landlord is evicting me for substantial lease violations. My defenses include:
 - The Landlord claims that I have committed a substantial violation under C.R.S. § 13-40-107.5(3). I, or anyone I have invited onto the property, did not: (*all must apply*)
 - 1) purposefully and substantially endanger the property or other tenants,
 - 2) committed a violent or drug-related felony crime, or
 - 3) committed a criminal act that was a public nuisance under law or could result in jail time of 180 days or more.
 - [Affirmative Defense]** I did not know, reasonably could have known, or prevented, the commission of a substantial violation by a guest or invitee. But I did immediately notify law enforcement about the substantial violation. C.R.S. § 13-40-107.5(5)(b)(III).

8D. Defenses for Ending Tenancy

- If checked, the landlord is evicting me before the end of the lease. *Skip to Section 8E.*
- The landlord is not renewing my lease to retaliate against me for reporting a warranty of habitability violation. *C.R.S. § 38-12-509(1).*
- Other:

Attach more pages as needed.

8E. General Defenses

I raise the following defenses to the *Eviction Complaint*: *(Only check defenses that apply to you)*

Affirmative Defenses

- Violation under the Unfair Housing Act C.R.S. § 13-40-113(2.5).

The landlord violated one of the provisions of the unfair housing act under C.R.S. §§ 24-34-501 to 509.

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

Explain which provisions and how the landlord broke them: *(required to raise this defense)*

Attach more pages as needed.

- Failure to Attend Mandatory Mediation C.R.S. § 13-40-110(d).

To be eligible for this defense, all of the following (1 through 4) must apply:

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

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

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

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

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

All Other Defenses:

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

Attach more pages as needed.

9. Note to Tenant: Counter and Cross Claims

- 1) Most cases do not have counter or cross claims. Additional court fees apply.
- 2) Be sure you have legal grounds to bring a claim. The facts in your case must support those claims. If not, you may have to pay the others' attorney fees and court costs.
- 3) You will have to prove any claims you raise at trial.

9A. Counterclaims *(optional)*

- If checked, I am raising counterclaim or setoffs against the landlord. I repeat and reallege the claims and defenses asserted above.

Claims

- The Landlord should refund, reimburse, or offset money I paid to repair the rental property. The Landlord failed to repair the rental property in violation of the Warranty of Habitability and the lease. *C.R.S. § 38-12-507(1)(d)*.
- The Landlord should refund, reimburse, or offset for illegal or unenforceable late fees that I previously paid.
- Landlord brought this case in retaliation of my good faith complaint about a bad condition that violated the warranty of habitability. I request that the court: *C.R.S. § 38-12-509(2)*.
- Terminate the lease; and/or,
- Award me three month's rent or three times actual damages, whichever is greater.
- Other: _____

Damages

The Landlord owes me money damages in the amount of: \$_____.

- If checked, I request this case be moved to District Court *(if not already)*, because my counterclaim is for over \$25,000.

9B. Cross Claims *(optional)*

- If checked, please see the crossclaims I've attached.

10. Jury Demand


If checked, I request a jury trial. *(Additional non-refundable fees apply.)*

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

11. File Online

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

Colorado Courts Efiling

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

Fee Waivers

To waive court fees, also submit forms:

- 1) JDF 205 – Motion to Waive Fees.
- 2) JDF 206 – Order re Fees.

12. Certificate of Service

I certify that on *(enter date)* _____, I gave a copy of this document to the other parties by: *(select at least one)*

- Colorado Courts E-Filing. *(see Section 11)*
- Regular Mail, addressed to: *(name, full address)* Hand Delivery, to: *(name, place)*
- 1) _____.
- 2) _____.
- Other: _____.

13. Verified Signature

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

Executed on the *(date)* _____ day of *(month)* _____, *(year)* _____, at

City: *(or other location)* _____, and

State: *(or country)* _____.

Print Your Name: _____

Your Signature: _____

JDF 205	Motion to Waive Fees	
1. Court <input type="checkbox"/> District <input type="checkbox"/> County <input type="checkbox"/> Probate <input type="checkbox"/> Juvenile <input type="checkbox"/> Supreme Colorado County: _____ Mailing Address: _____	<i>Clerk's Event Code: MIFP This box is for court use only.</i>	
2. Parties to the Case Petitioner/Petitioner: _____ v. Defendant/Respondent: _____	3. Case Details Number: _____ Division: _____ Courtroom: _____	

Parties who are incarcerated must use form JDF 201 instead.

4. Background

I request that court fees be waived pursuant to C.R.S. § 13-16-103 and C.J.D. 98-01.

5. My Information

Full Legal Name: _____

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

Date of Birth: *(DD/MM/YYYY)* _____

Social Status: Single. Married/Civil Union. Divorced. Separated. Widowed.

Mailing Address: _____

City: _____, State: _____ Zip: _____

Phone: _____ Email: _____

6. Fees Waived

If the Court determines you qualify *(found indigent)* the following fees will be waived:

- Filing Fees. • Reasonable Copy Fees. • Jury Fees.
- eFiling and eService Fees *(when available)*. • Form and Instruction fees.

If checked, please also waive: _____

Note: The Court can only waive its own fees. Transcript costs can't be waived.

7. Home and Work

Do you own or rent your home? Own Rent Other: _____

Do you have a job now? No. Yes.

If No, List the date of your last paycheck: *(mm/dd/yyyy)* _____

If Yes, Job Title: _____ Company: _____

Work Phone: _____ I started: *(date)* _____

My pay rate is: \$_____ per Hour Month. I work _____ hours per week.

I get a paid: Every Week. Every Month. Twice a Month.

8. Household

How many people live in your home? *(include yourself)* _____

Name	Age	Relationship to You	Are They Financially Dependent on You?
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No

9. Household Income and Expenses

Monthly Income	\$ Amount	Monthly Expenses	\$ Amount
a. Mine <i>(wages/commission/tips)</i>		a. Rent/Mortgage	
b. Of household members		b. Groceries <i>(above food stamps)</i>	
c. Unemployment benefits		c. Utilities	
d. From your retirement funds		d. Child support/alimony you pay	
e. Spousal Support you get		e. Medical and dental costs	
f. Other:		f. Transport costs <i>(car, insurance)</i>	
g. Other:		g. Student loans and credit cards	
Total Monthly Income	_____	Total Monthly Expenses	_____

What Not to Include

- Don't include roommates' income.
- Exclude roommates' share of the bills in monthly expenses.
Roommate Exception: If you share bank accounts or comingle funds.
- Don't include child support, TANF, VA benefits, or food stamps as income.

If your income is less than your expenses, how do you pay the bills?

10. Household Assets

Accounts	\$ Value	Description
Cash		Money with you or at home.
In Savings		Bank Name:
In Checking		Bank Name:

Property	\$ Value	Description of Asset	Money Still Owed
Cars, boats, or RVs			
Homes and land			
Other property			
Stocks, bonds, jewelry and other valuables			
Any other investments			

Is there anything else you want the court to know about your financial situation?

Note: In some circumstances, the Court may require you to provide proof of income, assets, and expenses before deciding your motion.

11. Verified Signature

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

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

Print Your Name: _____

Your Signature: _____

JDF 206	Order re Court Fees
A. Court <input type="checkbox"/> District <input type="checkbox"/> County <input type="checkbox"/> Probate <input type="checkbox"/> Juvenile <input type="checkbox"/> Supreme Colorado County: _____ Mailing Address: _____	<i>This box is for court use only.</i>
B. Parties to the Case Petitioner/Petitioner: _____ v. Defendant/Respondent: _____	
	C. Case Details Number: _____ Division: _____ Courtroom: _____

1. Background

The Court has reviewed the *Motion to Waive Fees* filed by *(name)* _____

2. Findings and Orders

The Court finds that the Party is:

a) Indigent.

All Court fees and costs are waived, including:

- Filing Fees. • Reasonable Copy Fees. • Jury Fees.
- eFiling and eService Fees *(when available)*. • Fees for Forms and Instructions.

If checked, also waive/provide: _____

These fees are waived for the duration of the case, or until final orders are issued if in a Domestic Relations case.

b) Not Indigent but allowed to pay in installments.

The filing fee of \$_____ can be paid in: Two Payments. Three Payments.

The first payment is due by *(date)* _____

The next payment is due by *(date)* _____

The final payment is due by *(date)* _____

If payment is not received according to the schedule above, the Court can dismiss the

party's claims, or the entire case, without further notice. C.J.D. 98-01 Section (VI).

c) Not Indigent.

The party is responsible for payment of any court fees and costs.

If checked, the party must pay the filing fee of \$ _____ by *(date)* _____

3. Findings Made by

Name: _____ On *(date)* _____
 Judicial Officer Court Staff

So Ordered

Signature: _____ Dated: _____
 Judge Magistrate

JDF 101	Eviction Complaint and Affidavit (Residential Tenancy)	
1. Court: <input type="checkbox"/> District <input type="checkbox"/> County Colorado County: _____ Mailing Address: _____	<i>This box is for court use only.</i>	
2. Parties to the Case: Landlord: _____ (Also called the Plaintiff) v. Tenant: _____ (Also called the Defendant) <input type="checkbox"/> And any and all other occupants.		
3. Filed by: Name: _____ Mailing Address: _____ City: _____ St: _____ Zip: _____ Phone: _____ Email: _____	4. Case Details: Number: _____ Division: _____ Courtroom: _____	

5. Background

I submit this complaint pursuant to C.R.S. § 13-40-110(a). I affirm the following facts as true:

Note to Tenants

- 1) Review the due dates on Page 1 of the Summons.
- 2) Attend the “return date” meeting or file an Answer (*JDF 103*) by that date.
- 3) Visit www.courts.state.co.us/Forms/Housing for forms and resources.
- 4) Create an account and submit forms online at www.jbits.courts.state.co.us/efiling.

6. Landlord Information

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

I would like to attend court events: In-person. Remotely. (*by phone/video*)

To ever change how you appear for court events:

- 1) Complete form *JDF 105 – Notice about Remote Hearings*.
- 2) File at least 48-hours before an event.

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

Full Name: _____
Mailing Address: *(with city/state/zip)* _____
Phone: _____ Email: _____
If this ever changes, file *JDF 88 – Contact Information Change*.

7. Description of Premises

The Landlords owns the following premises:

Street Address: _____
City: _____ County: _____ Zip: _____
Subdivision: _____ Lot: _____ Block: _____

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

8. Lease

The Tenants leased and occupied the premises pursuant to a: *(check one)*

- Written lease. Attach a copy and label it "Attachment 1".
- Verbal lease. Monthly rent is \$ _____, payable on the _____ day of the month.

Through this lease the Defendants took possession and occupied the premises.

9. Grounds for Eviction

I'm evicting the tenants because: *(check all claims that apply)*

A. Unpaid Rent

Tenants have failed to pay rent for the following dates: _____.

At the time of filing, the Tenants owe \$ _____ in past-due rent.

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

B. Lease Violation

Tenants have violated the terms and conditions of the lease by failing to comply with the following covenants or conditions of the lease:

C. Substantial Lease Violation

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

D. End of Tenancy

The lease period has ended, and the Tenants have not moved out.

10. Damages

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

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

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

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

11. Prior Notice

On *(enter date)* _____, I properly served the following notice: *(check one)*

- A. Notice to Quit (JDF 97). Or,
 B. Demand for Compliance (JDF 99).

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

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

12. Military Service

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

- Yes. No.

13. Jury Demand

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

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

14. Request for relief

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

15. Facts regarding Mandatory Mediation

Note about Mediation

Tenants who receive:

- 1) Supplemental Security Income (SSI),
- 2) Social Security Disability Income (SSDI), or
- 3) Cash Assistance through the Colorado Works Program

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

I swear or affirm the following information is true:

- If checked, Mandatory Mediation was held, but unsuccessful.
- If checked, Mandatory Mediation was not held, because: *(check why)*
 - The tenant didn't say if they qualified for Mandatory Mediation.
 - The tenant doesn't qualify for Mandatory Mediation.
 - The landlord is a non-profit organization that already offered mediation.
 - The landlord doesn't have more than five rental units.

In other words:

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

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

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

Does not receive Supplemental Security Income, Social Security Disability Insurance under Title II of the Federal "Social Security Act", 42 U.S.C. Sec.

401 et seq., as amended, or Cash Assistance through the Colorado Works Program created in Part 7 of Article 2 of Title 26; or

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

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

16. Verified Signatures

Landlord 1

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

Executed on the *(date)* _____ day of *(month)* _____, *(year)* _____, at

City: *(or other location)* _____, and

State: *(or country)* _____.

Print Your Name: _____

Your Signature: _____

Lawyer Signature: *(If any)* _____

Landlord 2 *(if any)*

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

Executed on the *(date)* _____ day of *(month)* _____, *(year)* _____, at

City: *(or other location)* _____, and

State: *(or country)* _____.

Print Your Name: _____

Your Signature: _____

Lawyer Signature: *(If any)* _____

<input type="checkbox"/> County Court <input type="checkbox"/> District Court Jefferson County, Colorado Court Address: 100 Jefferson County Parkway Golden, CO 80401	
Plaintiff(s): v. Defendant(s):	▲ COURT USE ONLY ▲
Name of Filing Party: Address: Phone Number:	Case Number: Division: Courtroom:
AFFIDAVIT OF SERVICE	

I declare under oath that I am 18 years or older and not a party to the action and that I served the following documents (check all that apply):

- Summons/ Summons in Forcible Entry and Detainer with Resources
- Complaint Under Simplified Procedure/ Complaint in Forcible Entry and Detainer
- Answer Under Simplified Procedure
- Request for Documents in Eviction Cases form
- Fee Waiver Application form
- Information for Eviction Cases form
- Other: _____

on the Defendant in _____ (name of County/State) on _____ (date) at _____ (time) at the following location: _____.

- By handing the documents to a person identified to me as the Defendant: _____ (print name of person served).
- By identifying the documents, offering to deliver them to a person identified to me as the Defendant who refused service, and then leaving the documents in a conspicuous place.
- By leaving the documents at the Defendant's usual place of abode with _____ (Name of Person) who is a member of the Defendant's family and whose age is 18 years or older. (Identify family relationship) _____.
- By leaving the documents at the Defendant's usual workplace with _____ (Name of Person) who is the Defendant's secretary, administrative assistant, bookkeeper, or managing agent. (Circle title of person served.)
- By leaving the documents with _____ (Name of Person), who as _____ (title) is authorized by appointment or by law to receive service of process for the Defendant.
- By serving the documents as follows (other service permitted by C.R.C.P 4(g) or C.R.C.P. 304(c)(d) and (e): _____.

For Eviction Cases Only.

I have made diligent efforts such as _____ (list personal service attempts) but have been unable to make personal service on the Defendant(s) and I have made service of the within summons and complaint by posting a copy of them in a conspicuous place upon the premises described therein.

I have charged the following fees for my services in this matter:

Private process server

Sheriff, _____ County
Fee \$ _____ Mileage \$ _____

Signature of Process Server

Name (Print or type)

By checking this box, I am acknowledging I am filling in the blanks and not changing anything else on the form.

By checking this box, I am acknowledging that I have made a change to the original content of this form.

VERIFICATION

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

Executed on the _____ day of _____, _____
(date) (month) (year)

(city or other location, and state OR country)

(Printed Signature)

Signature

Date

County Court <u>Jefferson</u> County, Colorado Court Address:100 Jefferson County Parkway, Golden, CO 80401		
Plaintiff(s): v. Defendant(s):		
Attorney or Party Without Attorney (Name and Address):		▲ COURT USE ONLY ▲
Phone Number:	E-mail:	Case Number:
FAX Number:	Atty. Reg. #:	Division H Courtroom 360
REQUEST FOR DOCUMENTS IN EVICTION CASES		

I, _____, am the Plaintiff Defendant in this case.

I ask that the court order the other party in this case to give me all documents that the party has that are relevant to this case including: _____.
(Relevant documents may include: A lease, the rent ledger or payment history, the eviction notice, and any other documents that you believe are necessary to be presented at trial.)

Please send documents to me at the following location and manner: _____.

Dated: _____

Printed name of Plaintiff/Petitioner Defendant/Respondent

Signature of Plaintiff/Petitioner Defendant/Respondent

CERTIFICATE OF SERVICE

I certify that on _____ (date) a true and accurate copy of this *REQUEST FOR DOCUMENTS IN EVICTION CASES* was served on the other party by:

Hand Delivery E-filed Faxed to this number _____ or by placing it in the United States mail, postage pre-paid, and addressed to the following:

Signature

FOR COURT USE ONLY BELOW THIS LINE:

ORDER

The Court orders that the party who was asked to provide documents in the above Request for Documents in Eviction Case must provide all documents related to this case to the party that made the request before trial occurs.

Dated: _____

Judge Magistrate

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

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

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

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

AND:

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

Signature

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

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

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

Signature