

EVICTIONS (FEDS)

PUEBLO COMBINED COURT SELF HELP CENTER

General Information

ACTION OR PLEADING(S)	Form #	ADDITIONAL INFORMATION
Purchase packet from Clerk of Court's office or download from Judicial website.		Packet price \$3.25 at the court OR free at: www.courts.state.co.us ➡ Self Help/Forms ➡ All Court Forms and Instructions ➡ Evictions & Foreclosures ➡ Evictions (FED)
Filing fee Jury Demand Fee (optional)		\$97.00 \$98.00
Who can file?		<ul style="list-style-type: none"> Property owner, other individual or business named as the landlord in the lease. If the owner or landlord is a business (LLC or Corporation), they must be represented by an attorney or an officer of the business (president, vice president, secretary etc.). <ul style="list-style-type: none"> An officer appearing in court on behalf of the business may be required to provide proof of their authority to appear.
Case must be filed in the County where the property is located.		Judgment amount is limited to \$15,000.00 (if personally served) in County Court. The Court cannot award a money judgment if Defendant (tenant) is not personally served.

STEP 1: Serve or Post Notice to Tenant

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Tenant must be served with one of the following notices and the required time for the tenant to comply must have passed before a case can be filed with the Court.		If tenant complies with Demand for Compliance or Notice to Quit, you do not need to go any further. An eviction case is not required to be filed if tenant complies with terms of the notice.
Demand for Compliance or Right to Possession notice.	JDF 101	<ul style="list-style-type: none"> Gives tenant three days from date the notice is served or posted to comply with terms given in the notice or to vacate the property. If the 3rd day falls on a Saturday, Sunday, or legal holiday, the time must be extended to include the next day that is not a Saturday, Sunday, or legal holiday. Make a copy of the notice before posting. If an eviction case is filed, you will need to provide a copy of the notice to the Court. If new violations occur, the landlord must post a new Demand for Compliance or Right to Possession Notice listing new violations with the same three day time requirement as listed above.
Notice to Quit	JDF 97	<ul style="list-style-type: none"> Notifies tenant to vacate the property on a date specified on the notice. Landlord must give tenant the required time to vacate the property based on length of tenancy. You can find this information on the Notice to Quit form. Exception, if tenancy is being terminated for substantial violation, termination will be effective three days after service or posting of the Notice to Quit. You can review §13-40-107.5 for information relating to substantial violation. Make a copy of the notice before posting. If an eviction case is filed, you will need to provide a copy of the notice to the Court.

STEP 2: Complete FED Forms


PLEADINGS/ACTIONS	Form #	ADDITIONAL INFORMATION
Complete the following forms.		All sections must be complete including caption at the top of each form. If something does not apply use N/A.

Complaint in Forcible Entry and Detainer <ul style="list-style-type: none"> • Attach a copy of the lease or rental agreement (if available). Mark as Exhibit "A". • Attach a copy of the Demand for Compliance or Notice to Quit. Mark as Exhibit "B". 	JDF 99	<ul style="list-style-type: none"> • You are the Plaintiff. The person(s) you are evicting is/are the Defendant(s) • The Complaint, Summons, and Answer along with a copy of the lease or rental agreement (if available) must be mailed to and personally served on each Defendant(s).
Summons in Forcible Entry and Unlawful Detainer	CRCCP 1A	Complete only the caption at the top of the form. The Clerk will enter all information and issue (sign & date) the Summons.
Answer under Simplified Civil Procedure	CRCCP 3	Complete only the caption at the top of the form.
Make copies of the above listed forms.		Original to be filed with the Court, (1) copy for each Defendant, and (1) copy for you.


STEP 3: File with Court

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Bring all forms and copies listed in Step 2 to Court and pay \$97.00 filing fee. If requesting a Jury Demand, pay the Jury Demand fee of \$98.00. <ul style="list-style-type: none"> • Either party can request a jury to decide their case by demanding trial by jury and paying a jury demand fee. If no jury trial is requested the Court will decide the case. 		<ul style="list-style-type: none"> • Clerk will accept the original for filing, assign a case number, and complete the Summons by including court location, date and time of hearing, issue (sign & date) and return all copies to you. • The hearing date will be set 7 to 14 days from the date of filing.

STEP 4: Serving the Defendant(s)

PLEADINGS/ACTIONS	Form #	ADDITIONAL INFORMATION
Serve each Defendant separately with the following: <ul style="list-style-type: none"> • Complaint • Summons • Answer • Exhibits (if any) Service must be completed at least seven days before the date specified on the Summons. If you have more than one defendant, you can put the paperwork in one envelope as long as ALL NAMES are listed on the envelope or you can mail them separately. 	JDF 99 CRCCP 1A CRCCP 3	Select from several options to have your documents served: <ul style="list-style-type: none"> • Sheriff's department: They will charge a fee for service. • Private process server: Locate private process servers in the Yellow Pages or on the internet. They will charge a fee for service. • Someone you know who is 18 years of age or older and not a party to the case and who knows and follows the rules of service. • In order for the Court to award a judgment for back rent or damages, the Plaintiff must have the Defendant(s) personally served through one of the options listed above. • Once service is complete, file the Affidavit of Service (JDF 98) with the Court on or before your scheduled court date. Posting & Mailing <ul style="list-style-type: none"> • If personal service cannot be made, the person serving the documents must post them on the door to the main entrance or other highly visible place on the property. • The papers must also be mailed to the Defendant(s) no later than the next day following the day the eviction case was filed with the Court. Complete the Certificate of Service on the 2nd page of the Summons as proof that you mailed the documents. (This must be filled out on the form before filing your case with the court.)

STEP 5: Prepare for Court Trial

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<ul style="list-style-type: none"> • Be on time for your hearing and have all documents with you. • Turn off your cell phone and be respectful to all parties. 		Highlight the key issues you would like to provide to the Court. For example, dates, amount of back rent owed, proof of damages, and any additional violations of lease agreement.
<ul style="list-style-type: none"> • Visit the Self-Help Center for additional resources on evidence and how to present evidence. 		<ul style="list-style-type: none"> • Brochure available • Video available

