

Complete all highlighted areas of this form. If something does not apply, use N/A.

EXAMPLE ONLY – COMPLETE FORM AS IT APPLIES TO YOUR SITUATION.

Court <input type="checkbox"/> County Colorado County: Pueblo Court Address: 501 N. Elizabeth St., Rm 116, Pueblo CO 81003	
Plaintiffs: Mary & John Winter v. Defendants: Max & Julie Summer <input type="checkbox"/> Any and all other occupants	
My Name: Mary & John Winter Enter your information here. Address: 123 Alphabet St., Pueblo CO 81003 Phone 719-696-1224 Fax: _____ Email: winter2@season.com Atty. Reg.#: _____	↑ Court Use Only ↑ Case Number: _____ Division: _____ Courtroom: _____
Court Summons: Eviction / Forcible Entry and Detainer	

To the above-named Defendant(s), take notice that your landlord is attempting to evict you. You need to take an action or an eviction order will enter against you. Your options are below:

CLERK WILL COMPLETE THIS SECTION OF THE FORM (DO NOT COMPLETE)

1. If you do not agree with the Complaint, then you must either:

- a. File your Answer with the Court on or before (enter day) _____
or
b. Attend court on (enter date) _____, at (enter time) _____,
at the court above in (enter location/room number) _____
and, if you choose not to reach a written settlement agreement with the Plaintiff, file
your Answer that same day.

2. A copy of the Complaint against you, a blank answer form, blank request for documents form, blank fee waiver forms, and an eviction information form are attached for your use.

3. To avoid being evicted for non-payment of rent, you can pay all amounts you owe stated in the Notice plus any other amounts due under your rental agreement. You must pay this amount before the Court enters an eviction order.

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4. If you take no action, the Plaintiff may ask the Court to enter an eviction order against you. If the Court grants that request, that means you will have to move out and it may mean you have to pay money to the landlord. However, the Court is not allowed to enter a default judgment for possession before the close of business on the date upon which your appearance is due.

5. When you file your Answer, you must pay all applicable filing fees to the Clerk of the Court. If you cannot afford the filing fee, file *JDF 205 - Motion to Waive Fees* and *JDF 206 - Order for Fee Waiver*.

6. If you file your Answer, you must provide a copy to the Plaintiff or the attorney who signed the complaint. 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 your legal defenses,
- Whether you believe you were given proper notice of the landlord's reasons for terminating your tenancy before you got this summons, and
- Whether you have a counterclaim or cross claim against a party.

7. If you are claiming that the landlord's failure to repair the 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 premises. If you cannot pay this amount, you may be eligible for a waiver by filing a motion. (See JDF 109).

8. Any records associated with the action are suppressed and not accessible to the public until an order is entered granting the Plaintiff possession of the premises. If the Plaintiff is granted possession of the premises, the court records may remain suppressed if both parties agree to suppress the records.

Clerk will issue (sign & date).

Signed: _____ Dated: _____
Deputy Clerk of Court or Attorney for Plaintiff(s) (if applicable)

Address(es) of Plaintiff(s) (if applicable): 123 Alphabet St, Pueblo CO 81003

Telephone Number(s) of Plaintiff(s) (719)696-1224

Your address and
phone number go
here

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This Summons is issued pursuant to C.R.S. § 13-40-111. A copy of the Complaint together with a blank answer form, blank request for documents form, blank fee waiver forms, and an eviction information form must be served with this Summons.

- ☐ 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.

CERTIFICATE OF MAILING

I/we, the undersigned Plaintiff(s) (or agent for Plaintiff(s)), certify that on 7/15/2022 (date) I/we mailed a copy of the Summons, Complaint, blank answer form, request for documents form, fee waiver forms, and an eviction information form by postage prepaid, first class mail, to Max & Julie Summer, the Defendant(s) at the following address(es): 1000 Apple Tree Lane Pueblo CO 81005.

If posting a copy you will also need to mail o each defendat. List date, name and address to who you are sending a copy & sign

John Winter

Plaintiff(s)/Agent for Plaintiff(s)

Resources

- Colorado Judicial Branch Self Help Center
 - 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.
 - <https://www.copovertylawproject.org/>
- COVID-19 Eviction Defense Project
 - Free legal aid and guidance to tenants facing eviction and housing insecurity.

Relevant Colorado Statutes

13-40-111. Issuance and return of summons.

(1) Upon filing the complaint as required in section 13-40-110, the clerk of the court or the attorney for the plaintiff shall issue a summons. The summons must command the Defendant to appear before the Court at a place named in the summons and at a time and on a day not less than seven days but not more than fourteen days from the day of issuing the same to answer the complaint of plaintiff. A court shall not enter a default judgment for possession before the close of business on the date upon which an appearance is due. The summons must also contain a statement addressed to the Defendant stating: "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 premises; unless the court determines that you qualify to have this requirement waived due to your income."

13-40-112. Service.

(1) Such summons may be served by personal service as in any civil action. A copy of the complaint must be served with the summons.

(2) If personal service cannot be had upon the Defendant by a person qualified under the Colorado Rules of Civil Procedure to serve process, after having made diligent effort to make such personal service, such person may make service by posting a copy of the summons and the complaint in some conspicuous place upon the premises. In addition thereto, the Plaintiff shall mail, no later than the next day following the day on which he/she files the complaint, a copy of the summons, or, in the event that an alias summons is issued, a copy of the alias summons, and a copy of the complaint to the Defendant at the premises by postage prepaid, first class mail.

(3) Personal service or service by posting shall be made at least seven days before the day for appearance specified in such summons, and the time and manner of such service shall be endorsed upon such summons by the person making service thereof.