



## **Landlord Tenant Legislation from Colorado's 2019 Legislative Session**

### **Eviction Legal Defense Fund (SB19-180, sponsored by Sen. Faith Winter and Rep. Julie McCluskie)**

- The bill provides \$750,000 to create an Eviction Legal Defense Fund.
- The Office of the State Court Administrator will award grants from the fund to qualifying nonprofit organizations that provide legal advice, counseling, and representation for, and on behalf of, indigent clients who are experiencing an eviction or are at immediate risk of an eviction.

### **Extend Notice Before an Eviction (HB19-1118, sponsored by Rep. Dominique Jackson, Rep. Rochelle Galindo and Sen. Angela Williams)**

- This bill extends the amount of time a renter has to pay rent or cure a lease violation before an eviction, from 3 days to 10 days.
- If a landlord owns five or fewer single family homes, they may provide 5 days' notice if this timeframe is disclosed in a lease agreement.
- \*\* This does not apply to nonresidential leases or employer-provided housing.
- \*\* A tenant may still be evicted sooner if behavior is threatening safety or property.

### **Residential Tenants Health and Safety Act (HB19-1170, sponsored by Rep. Dominique Jackson, Rep. Mike Weissman, Sen. Angela Williams and Sen. Jeff Bridges)**

- This bill provides a meaningful process for enforcing the "warranty of habitability," which is the basic standard for healthy and safe housing that a landlord is responsible for maintaining.
- It establishes timeframes for a landlord to commence repairs and allows a renter to withhold rent if needed.
- It makes it easier for a tenant to access relief through the courts.
- It requires a landlord to provide a working refrigerator and oven if included in the lease, and it requires a landlord to address issues related to mold.

### **Grants for Property Tax, Rent, and Heat (HB19-1085, sponsored by Rep. Tony Exum and Sen. Rachel Zenzinger)**

- This bill increases funding and expands eligibility to qualify for assistance under the Property Tax, Rent, Heat Credit Rebate (PTC Rebate), which is available to low-income older adults and people with disabilities.
- It increased the income-eligibility thresholds and grant amounts by 5% and indexed the amounts to increase with inflation in the future.
- It expands eligibility to people living in nonprofit housing.

## **Rental Application Fees**

**(HB19-1106, sponsored by Rep. Serena Gonzales-Gutierrez, Rep. Brianna Titone and Sen. Brittany Pettersen)**

- This bill limits what a landlord can charge as a “rental application fee” to the actual costs of screening a prospective tenant.
- It requires a receipt of expenses, a refund if someone’s application is not considered, and a notice that explains why someone was denied housing.
- It prohibits consideration of rental and credit history older than 7 years.
- It prohibits consideration of any arrests that do not result in a conviction.
- It prohibits consideration of criminal convictions older than 5 years, with limited exceptions.

## **Landlord and Tenant Duties Regarding Bed Bugs**

**(HB19-1328, sponsored by Rep. Leslie Herod and Sen. Robert Rodriguez)**

- This bill establishes responsibilities, processes and timeframes for addressing a bed bug infestation.
- Landlords are generally responsible for the cost of treating a bed bug infestation, though the tenant is responsible for notifying the landlord and preparing a unit for treatment.
- A landlord must have a unit inspected within 96 hours of receiving notice that it may be infested.
- A landlord must also disclose to a prospective tenant if there is reason to believe a unit is infested.

## **Authorize Local Governments to Stabilize Rent**

**(SB19-225, sponsored by Sen. Julie Gonzales, Sen. Robert Rodriguez, Rep. Serena Gonzales-Gutierrez and Rep. Susan Lontine)**

- This bill did **not** pass, but would have given counties and municipalities the authority to enact ordinances intended to stabilize the cost of rent.
- It would have authorized local governments to enact and enforce any ordinance, resolution, agreement, deed restriction, or other measure that would stabilize rent on private residential property.

## **Mobile Home Park Act Oversight**

**(HB19-1309, sponsored by Rep. Edie Hooten, Rep. Julie McCluskie, Sen. Stephen Fenberg and Sen. Pete Lee)**

- This bill provides for state oversight over the Mobile Home Park Act, and it establishes an administrative process within the Division of Housing for mobile home park tenants to seek relief if their rights are violated.
- This bill changes some of the timeframes for the eviction of a mobile home park tenant: it expands the time to pay rent before an eviction from 5 days to 10 days, and increases the time to move or sell a home after an eviction from 2 days to 30 (with the option of purchasing an additional 30 days).
- It gives counties legal authority to regulate mobile home parks in unincorporated areas.