ADVISEMENT FOR EVICTION

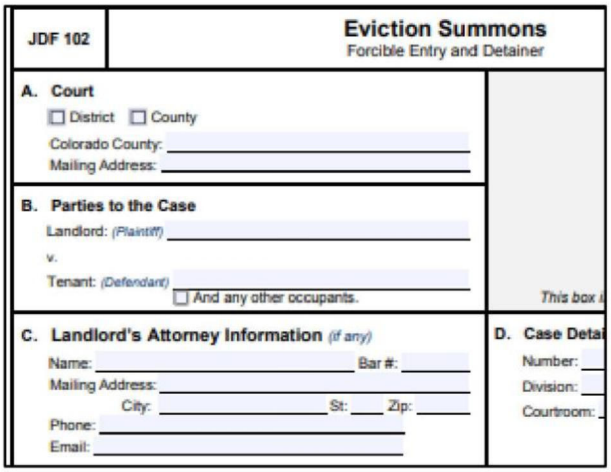
You Have Been Served with Court Papers for Eviction.

DO NOT APPEAR IN PERSON!

To learn your options and next steps, read this or visit www.coloradojudicial.gov/media/16849. **You have three options**:

1 Option 1: Reach An Agreement

Contact your landlord or your landlord's lawyer and try to reach an agreement. This is called a **Stipulation**. You can find contact information for your landlord or their attorney on the Summons and Complaint. The Court cannot force your landlord or their attorney to reach an agreement with you.


JDF 102

Eviction Summons
Forcible Entry and Detainer

A. Court
☐ District ☐ County
Colorado County: _____
Mailing Address: _____

B. Parties to the Case
Landlord: (Plaintiff) _____
v.
Tenant: (Defendant) _____
☐ And any other occupants.

C. Landlord's Attorney Information (if any)
Name: _____ Bar #: _____
Mailing Address: _____
City: _____ St: ____ Zip: _____
Phone: _____
Email: _____

D. Case Deta
Number: ___
Division: ___
Courtroom: ___

If you reach an agreement:

- Make sure you understand the agreement.
- Write it down and sign it.
- You may ask your landlord to keep the case private even if an eviction order is entered.
- File the agreement with the Clerk's Office on or before the date listed on the Summons you were served with.

2 Option 2: File An Answer

If you disagree that you should be evicted, you can tell the Court by filing an **Answer**. File your answer with the Clerk's Office at the courthouse on or before the date listed on the Summons you were served with. You will not be able to file an Answer after the date on the Summons has passed.

To file an answer:

- Complete the answer form. You can find the form in the packet of paperwork that you were served with.
- Make sure to include your telephone number and email address on your answer.
- File your answer in-person at the Clerk's Office in Room S101 of the courthouse, or file online by creating an e-filing account here: www.coloradojudicial.gov/e-filing-non-attorneys

What comes next? If you file an Answer, the Court will schedule a trial. You will receive the date and time. **If you do not attend your trial, an eviction order may be entered against you.**

Trials are held by phone or online.

If you need free access to a computer to attend your trial, visit the Pike's Peak Library or contact the Division CVL Clerk at D04_Courts_divcvl@judicial.state.co.us.

Want In-Person? If you want an in-person trial, you must ask the Court when you file your answer. Check the "in-person" box on the answer form or email the Division CVL Clerk at: D04_Courts_divcvl@judicial.state.co.us.

3 Option 3: Do Nothing

If you do nothing, your landlord or their lawyer may ask the Court to issue an eviction order against you. **If the court enters an eviction order, it will be on your court record. This is a public record for 7 years.**

An eviction may happen as soon as 10 days after the Court enters an eviction order. If you live in a mobile home or if you receive SSI, SSDI, or cash from the Colorado Works program, you may have more time.

The Sheriff will post a notice letting you know when they will arrive to evict you, so you are not surprised. A physical eviction occurs if the Sherriff arrives to remove you, and you have not left on your own.

To Get Help

- CARE (Court Assisted Recovery from Eviction)-Free services to get back on your feet if you get evicted. CARE@judicial.state.co.us OR 719.452.5262
- Colorado Legal Services-Free legal defense services to those who qualify.
- 4th Judicial District Self-Help Center-Free services to understand how to help yourself.
- Mediation https://www.signupgenius.com/go/10C0D4CAEAB28A2F5CF8-46708195-care#/

Magistrate Consent

A Magistrate presides over Division CVL. You may waive your right to appear before a County Court Judge and consent (agree) to appear before a Magistrate or you may object to your matter being heard by a Magistrate. Once you give consent, you cannot withdraw it.

Interpretation and Accessibility Information

To request an interpreter, email D04_Courts_divcvl@judicial.state.co.us or call (719) 452-5000.

SI NO PUEDE LEER O HABLAR INGLES POR FAVOR PONERSE EN CONTACTO CON EL CORTE EN D04_Courts_divcvl@judicial.state.co.us O LLAMAR (719) 452-5000.

만약 당신이만약 당신이영어를 사용하다문의하시기 바랍니다법원법원 D04_Courts_divcvl@judicial.state.co.us 또는 전화 (719) 452-5000.

Rú guǒ nín bù néng yuè dú huò shuō huà qǐng shuō yīng yǔ qǐng tōng guò yǐ xià fāng shì yǔ fǎ yuàn lián xì D04_Courts_divcvl@judicial.state.co.us huò zhì diàn (719) 452-5000.

TOO MUCH? TO WATCH A VIDEO ADVISEMENT, GO HERE:

www.coloradojudicial.gov/media/16849

More Information and FAQs

1) **If you want a judicial officer to hear your side:** File an Answer. This means you want a trial, and you have a defense to eviction that you believe is true.
2) **If you need more time to find an attorney:** Colorado law does not allow your case to be postponed to give you time to find an attorney. You are not entitled to a court appointed attorney.
3) **If you have an excuse for your rent being late:** Colorado law does not excuse late rent payments or partially unpaid rent due to job loss, illness, Covid, stolen rent money, having applied for rental assistance or any other reason. Having a disability does not mean you do not have to pay rent.
4) **If you just need more time:** The Court cannot give you more time to move out under Colorado law. Asking for more time to move or pay rent on your answer is not a defense to eviction. The Court cannot grant you more time because you cannot find another place to live, even if you are disabled or have children. Your eviction trial will be scheduled in 7-10 days because that is required by law.
5) **If you were not properly served:** If you wish to challenge the eviction because you think you did not get notified properly, you must write that in your Answer or file a motion (a written request) with the Court before the day of your scheduled trial.
6) **If the property was not maintained or is not fit to live in:**
    a. You may ask the court to reduce the amount of rent that you owe. To do this, you must prove that you notified your landlord about the problem and gave the landlord access to repair the problem. You must also prove that the value of whatever is wrong with the property is approximate in value to the amount of the rent you did not pay.
    b. You may file a motion to ask the court to order the landlord to make repairs if: i) what is wrong with the property materially affects your life, health or safety; ii) the landlord had prior notice of the condition; and iii) the landlord failed to repair the problem.
7) **It is your job to be ready for trial.** If you want to bring documents to use as evidence, file them in advance of your trial. You also must mail or e-mail copies of the documents you intend to use at trial to the plaintiff so that they are received at least 2 days before your trial date (4 days for habitability evidence).
8) **If you pay your rent at the time of your scheduled trial or before the Court enters an eviction order, the eviction case must be dismissed.** Landlords will not accept partial payments. Usually, any payment portal is shut down once you are late on rent to avoid partial payments. If you are paying rent late, your payment will have to be in the form of a certified check or money order and paid in person or mailed.
9) **If you applied for rental assistance:** the Court cannot delay eviction proceedings while you wait for a decision on your rental assistance application. If you applied for rental assistance, that is not a defense to an eviction.

The information in this advisement is not legal advice. It does not include every possible defense to eviction. If you need legal advice, talk to a lawyer.

This document was written by the Court.

Magistrate Paprzycki
Fourth Judicial District