



# Guide to Mobile Home Evictions

## Step-by-Step

### ① Give Notice (Park)

a) Use the *Notice* that fits your situation:

- JDF 139 A Demand for Compliance
  - Unpaid rent.

#### Mandatory Mediation

Mediation may be required before filing a case (Step 2). If so, schedule at:

[\[www.ColoradoODR.org\]](http://www.ColoradoODR.org)

- JDF 139 B Notice to Terminate Tenancy
  - Rule Violations.
  - Park usage change.

b) Also Serve the Tenant with:

- JDF 139 C Notice to Home Owner

c) Wait the time stated in the *Notice* before Step 2.

### ② Start an Eviction Case (Park)



Complete these forms. The Court Clerk will schedule a Return Date when you file:

- JDF 141 Complaint
- JDF 102 Summons (signed by Clerk)

Print a blank copy for each Homeowner:

- JDF 143 Eviction Answer
- JDF 108 Request for Documents
- JDF 205 Fee Waiver
- JDF 206 Order re Fees

### ③ Personal Service (Park)

Provide copies of all six Step 2 forms to a process server, along with:

- JDF 98 Affidavit of Service (just do §§ 1-4)

The process server completes service, finishes the form, and returns it to you. Then, file the form.

Service must be completed at least seven days before the return date.

### ④ Answer (Homeowner)

File your response on or before the Return Date or bring it with you to the Courthouse.

- JDF 143 Eviction Answer

### ⑤ Return Date & Trial (both parties)



The parties will meet and try to resolve the matter at the Return Date. If no agreement, the Court will schedule the case for trial.

**If parties agree to terms, file:**

- JDF 106 A Stipulated Agreement
- JDF 106 B Order (just do §§ A-C)

**If there is no agreement, file:**

- JDF 108 Request for Documents

### ⑥ Enforcement (Park)

- JDF 147 Writ of Restitution (signed by Judge)

a) Wait the time on the writ.

b) Take it to the Sheriff to enforce the eviction.

# More Information

## ① Find Forms

Forms can be found on the Court's website:

[\[www.coloradojudicial.gov\]](http://www.coloradojudicial.gov)

## ② How to File

Start the case:

- File at the courthouse in the county where the rental home is located.

After the case is started:

- File in-person or online at:

[\[www.jbits.courts.state.co.us/efiling\]](http://www.jbits.courts.state.co.us/efiling)

Not available for cases in Denver County Court.

## ③ Filing Fees

The Clerk (or efile system) will let you know the fee (if any) when filing.

If you cannot afford the fees, also file:

- JDF 205 Motion to Waive Fees
- JDF 206 Order re Court Fees (Just do §§ A-C)

## ④ Attending Court

You can attend court events in person or remotely (via internet video conference).

Mark your preference in the Complaint (JDF 141) or Answer (JDF 143). Or file:

- JDF 105 Notice About Remote Participation.

If chosen, the court will send you information on participating remotely.

## ⑤ Alternate Service (for the Mobile Home Park)

Review the Summons (JDF 102 § 8 on pg. 4) for an additional service method.

- a) Mail the listed documents to the Tenants.
- b) Note this on Summons (§ 8) when you file.

Then, if you can't get personal service completed:

- a) The Court can still order an eviction.
- b) But it can't award a money judgment.

## ⑥ Stay of Action (Homeowner)

You can request a pause in the eviction while your complaint with the Mobile Home Park Oversight Program (*Program*) is resolved if:

- a) That case is still open. And,
- b) The Complaint is related to the eviction.

Then, mark that option in the Answer (JDF 143 § 7b). Or file forms:

- JDF 76 General Motion
  - Title the document *Motion for Stay of Action*.
- JDF 77 General Order (Just do §§ A-C)

Be sure to attach a copy of the Complaint you filed with the *Program* to your Answer or Motion.

## ⑦ My Notes

- §§ means "sections"