ADDITIONAL FED/EVICTION RESOURCES

Information About Residential Evictions

Colorado Eviction Answer Tool

Frequent Questions

1) If you need more time to find an attorney: Colorado law does not allow continuances to give you time to find an attorney. You are not entitled to a court-appointed/free attorney.

2) 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 or any other reason.

3) If you just need more time: the judicial officer has no authority to give you more time to move out. Requesting more time to move or pay rent on your answer is not a defense and will not stop an eviction from being ordered. 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 hearing will be scheduled to occur in 7-10 days because that is required by law. No continuances are allowed unless the landlord agrees.

4) If you think you were not properly served: if you wish to go trial to challenge the eviction because you think you were improperly served, you must write that in your Answer or file a written motion with the Court before the day of your scheduled trial asking the Court to decide if service was correctly made**.**

5) If you want a jury trial: You will only get a jury trial as to money damages, which is usually a claim for past due rent and/or property damage. You do not have a right to a jury to decide if you should be evicted. You must ask for a jury trial in your answer.

6) If your lease has ended or has been terminated: the only defense to eviction for a lease that has ended is proof of a new lease or proof that the old lease was extended.

7) If you have a claim that the property was not maintained or is not fit to live in: if you did not pay rent because you think the Landlord did not repair or maintain the property, you may have to pay past-due rent—minus your expenses—into the court registry (court account) when you file your answer. If you cannot pay the amount because you are indigent (penniless), you must notify the Court in writing, and the Court will hold a hearing to decide if you qualify to have the amount due waived.

****The above information has been provided as a courtesy to assist you in deciding whether or not to file an Answer. This information is not intended to be legal advice and does not include every possible defense to eviction.**