

NON-PAYMENT OF RENT EVICTON TIMELINE

1

LATE ON RENT

If a tenant is late on rent (according to their agreement), a landlord can begin the eviction process.



2

NOTICE

A landlord must give a tenant written notice saying the tenant has 10 days* to pay the rent due or move out.

This written notice needs to be hand delivered to the tenant or posted somewhere obvious on the residence if the tenant is not home.

*see other side



3

COMPLAINT + SUMMONS

If the tenant does not pay the rent due or move out within the time stated on the Notice, a landlord can file an eviction case with the court.

If a case is filed, the landlord has to give a copy of the Complaint, Summons, and other documents to the tenant.

These documents must be 1) hand delivered to the tenant or 2) posted somewhere obvious on the residence and then mailed to the tenant at least 7 days before the first court date.



4

FIRST COURT DATE

The Summons will state when the first court date is, sometimes called the "Return Date."

This court date is really just a deadline for the tenant to file with the court a written response (an "Answer") to the landlord's allegations.

A tenant should be able to file the Answer with the court at any time on or before the date listed on the Summons, while the court is open.

If a tenant does not file an Answer, the court may be able to automatically issue eviction orders.

5

SECOND COURT DATE

If a tenant files an Answer, the court will likely set a second court date (a "Hearing") 7-10 days after the Answer was filed.

At this hearing, the landlord has to prove that a tenant should be legally evicted, and a tenant can argue why they should not be.

If the court thinks the landlord proved their case, they will issue two eviction orders: 1) an order stating the landlord has legal right to the unit ("Judgment for Possession") and 2) an order allowing the Sheriffs to move the tenant out ("Writ of Restitution").



6

SHERIFFS MOVE OUT

If the court issues the two orders, the Sheriffs can move a tenant and their belongings out no sooner than 10 days after the Judgment for Possession was ordered and only when the sun is out.

NON-PAYMENT OF RENT TIPS + RESOURCES

TIPS

- There are some circumstances when a landlord can give 3 or 5 days Notice instead of 10.
- In some situations a landlord cannot legally require a tenant to pay late fees or attorney fees in order to avoid eviction.
- The Notice will say the tenant can pay within the time specified or move out. However, a tenant can pay the amount listed in the Notice and any new rent that has become due at any time before the court enters an eviction order. If they do, the eviction has to be dismissed.
- A lawyer can help a tenant to see what defenses they might have to argue in court!

RENTAL ASSISTANCE

There are a lot of different resources to turn to for assistance with rent in Colorado. A tenant can apply for Emergency Rental Assistance Program funds through the state, their county, or the Colorado Stability Fund. Local non-profit organizations might also have ways to help.



Ask Colorado Poverty Law Project about resources in your area!

LEGAL SUPPORT



Colorado Poverty Law Project provides free legal support to tenants facing eviction in Colorado. We can also connect you to resources for rental assistance or other housing support.

Fill out our intake form at
<https://www.copovertylawproject.org/get-eviction-housing-help>
or email us at contact@copovertylawproject.org