

JDF 101	<b>Eviction Complaint</b> (Residential Tenancy)
<b>1. Court</b> <p> <input type="checkbox"/> District   <input type="checkbox"/> County            Colorado County:            Mailing Address: _____            _____         </p>	
<b>2. Parties to the Case</b> <p>           Landlord: (<i>Plaintiff</i>)            v.            Tenant: (<i>Defendant</i>)         </p>	
<i>This box is for court use only.</i>	
<b>3. Filed by</b> <p>           Name:            Mailing Address:            City: _____ St: _____ Zip: _____            Phone: _____            Email: _____         </p>	<b>4. Case Details</b> <p>           Number:            Division:            Courtroom:         </p>

## 5. Background

I submit this complaint under C.R.S. § 13-40-110(a). I affirm the following facts as true:

### Note to Tenant

- a) Review the due dates on Page 1 of the Summons.
- b) Attend the “return date” meeting or file form *JDF 103 – Eviction Answer* by that date.
- c) Create an account and submit forms online at [[www.jbits.courts.state.co.us/efiling](http://www.jbits.courts.state.co.us/efiling)].

## 6. Landlord Information

Do you need an interpreter?       No.       Yes, in (*language*)

I want to attend court events:       In-person.       Remotely. (*by phone/video*)

To switch your choice:      File form *JDF 105 – Notice about Remote Hearings* at least 48 hours before an event.

If *different* from [Section 3] above, my (*the Landlord's*) contact information is:

Full Name:

Mailing Address:

City, State, Zip:

Phone:

Email:

Always keep your contact info updated. Use form *JDF 88 – Contact Information Change*.

## **7. Tenants (defendants)**

I'm evicting the following tenants: (*List all, use full names*)

## **8. Description of Premises**

The Landlords own the following premises (the home):

Street Address:

City:

County:

Zip:

Subdivision:

Lot:

Block:

Does this property have a federally backed-mortgage? (*FHA, VA, USDA, etc.*)  Yes.  No.

## **9. Lease**

The Tenants leased and occupied the home under a: (*check one*)

- Written lease. A copy of the lease is attached and labeled "Attachment 1."
- Verbal lease. Monthly rent is \$ , payable on the day of the month.

Through this lease, the Defendants took possession and occupied the home.

## **10. Prior Notice**

I certify on (*enter date*) , the Tenant was served the following Notice: (*check one*)

- a) Demand for Compliance (JDF 99 A).
- b) Notice to Terminate Tenancy (JDF 99 B).
- c) Notice of No-Fault Eviction (JDF 99 C).

The Notice was served by:

- a) Personal service under C.R.S. § 13-40-108.
- b) Posting on the Property. The two prior attempts at Personal Service occurred on:
  - 1) Enter Date:
  - 2) Enter Different Date:

The amount of time given to the Tenants in the Notice has expired.

A copy of that Notice is attached and labeled "Attachment 2."

## 11. Cause for Eviction

I'm evicting the tenants because: (*check all claims that apply and explain the situation in Section 12*)

**a) Unpaid Rent**

C.R.S. § 13-40-104(1)(d)

At the time of filing, the Tenants owe:

\$                          in past-due rent.  
\$                          in late fees.

Tenants failed to pay rent for the following dates:

Rent continues to accrue at \$                          per day until the Landlord regains possession of the home.

**b) Lease Violation**

C.R.S. § 13-40-104(1)(e)

Tenants have failed to comply with or violated the lease's material terms or conditions.

*Be sure to state which lease term and explain how it was violated in Section 12.*

**Repeat Violation**

C.R.S. § 13-40-104(1)(e.5)

If checked, this same lease term was violated before. The Demand for Compliance detailing the prior violation is attached and labeled "Attachment 3."

**c) Substantial Lease Violation** (*criminal behavior*)

C.R.S. § 13-40-104(1)(d.5)

Tenants, or their guests, have substantially violated the lease under C.R.S. § 13-40-107.5(3): (*explain what happened in Section 12*)

**d) No-Fault Eviction**

C.R.S. §§ 13-40-104(1)(d.8) and 38-12-1303(3)

As cause for not renewing the lease, the landlord terminated the tenancy because (of):

- 1) Planned home demolition or conversion.
- 2) Plans for substantial home repairs or renovations.
- 3) Plans to live in the home (*Landlord Use*).
- 4) Plans to sell the home.
- 5) Tenants declined the new rental agreement.
- 6) Tenants' history of late payments. (*Attach the Demand for Compliance (JDF 99 A) for each missed payment.*)

e) End of Tenancy

C.R.S. § 13-40-104(1)(c)

The lease period has ended, the Tenants have not moved out, and the Landlord qualifies to end the lease without cause because:

- 1) The property is a short-term rental.
  - 2) The property is a single-family home, a duplex, or a triplex. The Landlord lives on the property (*or an adjacent property*) as their primary residence.
  - 3) The property is leased pursuant to an employer-provided housing agreement.
  - 4) The Tenant has been a resident for less than a year.

f) Disturbing Conduct

C.R.S. § 13-40-104(1)(j)

The Tenants' conduct is disturbing or causes a nuisance to the quiet enjoyment of the owners, other occupants, or neighbors. (*explain what and how in Section 12*)

## **12. Cause for Eviction: Explanation**

### **13. Damages**

If checked, the Tenants owe damages in the amount of \$

Damages continue to accrue at \$ per day until the Landlord regains possession of the home.

The total amount the Landlord requests in unpaid rent and damages is \$ \*

\* If the amount exceeds \$25,000, and I still file in County Court, I agree to limit the possible award to that amount.

### **14. Military Service**

Are any of the Tenants engaged in military service for the United States of America?

Yes.  No.

### **15. Jury Demand**

If checked, the Landlords demand a trial by jury. (*Additional non-refundable fees apply.*)

**Note:** Not all claims are entitled to a jury trial.

### **16. Request for relief**

Landlords request a judgment for possession of the premises, rent due or to become due, present and future damages and costs, and any other relief to which we are entitled.

### **17. Facts regarding Mandatory Mediation**

#### **Note about Mediation**

Tenants who receive:

- a) Supplemental Security Income (SSI),
- b) Social Security Disability Income (SSDI), or
- c) Cash Assistance through the Colorado Works Program

may have the right to mandatory mediation before a case is filed.

**I swear or affirm the following information is true:**

Did you attend mandatory mediation? (check one)

- Yes, but it was unsuccessful.
- No, because: *(check why not)*
  - The tenant doesn't qualify for Mandatory Mediation.
  - The tenant didn't say if they qualified for Mandatory Mediation.
  - The landlord is a non-profit organization that has already offered mediation.
  - The landlord doesn't have more than five rental units.

**In other words:**

*The residential tenant receives Supplemental Security Income, Social Security Disability Insurance Under Title II of the Federal "Social Security Act", 42 U.S.C. Sec. 401 et seq., as amended, or Cash Assistance through the Colorado Works Program created in Part 7 of Article 2 of Title 26, and the complainant and residential tenant participated in mandatory mediation and the mediation was unsuccessful;*

*The complainant and residential tenant did not participate in mandatory mediation because the residential tenant:*

*Did not disclose or declined to disclose in writing in response to a written inquiry from the complainant that the residential tenant receives Supplemental Security Income, Social Security Disability Insurance Under Title II of the Federal "Social Security Act", 42 U.S.C. Sec. 401 et seq., as amended, or Cash Assistance through the Colorado Works Program created in Part 7 of Article 2 of Title 26; or*

*Does not receive Supplemental Security Income, Social Security Disability Insurance under Title II of the Federal "Social Security Act", 42 U.S.C. Sec. 401 et seq., as amended, or Cash Assistance through the Colorado Works Program created in Part 7 of Article 2 of Title 26; or*

*The complainant and residential tenant did not participate in mandatory mediation because the complainant is a 501(c)(3) nonprofit organization that offers opportunities for mediation to residential tenants prior to filing a residential eviction in court; or*

*A landlord with five or fewer single-family rental homes and no more than five total rental units, including any single-family homes.*

## 18. Landlord Signature

I declare under penalty of perjury under the law of Colorado that the foregoing is true and correct.

Executed on the *(date)*                    day of *(month)*                    *(year)*

at City: *(or other location)*

and State: *(or country)*

Print Your Name(s):

Your Signature(s):

Lawyer Signature: *(If any)*

**19. Additional Information (if any)**