



# Guide to Residential Evictions

## Step-by-Step

### ① Give Notice (landlord)



Notify the Tenant why/when to leave.

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

- JDF 99 A Demand for Compliance
  - Unpaid rent.
  - Lease violations.
  - Disturbing conduct.
- JDF 99 B Notice to Terminate Tenancy
  - Repeat lease violations.
  - Criminal behavior.
- JDF 99 C Notice of No-Fault Eviction
  - Not renewing a lease.

b) The *Notice* has important information on how to properly give it to the Tenant (*service*).

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

#### Mandatory Mediation

Check the Notice to see if you need mediation before filing a case (Step 2). If so, schedule at:

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

### ② Start an Eviction Case (landlord)



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

- JDF 101 Complaint
- JDF 102 Summons (signed by Clerk)

Print a blank copy for each tenant:

- JDF 103 Eviction Answer
- JDF 108 Request for Documents

### ③ Personal Service (landlord)



Provide copies of all four Step 2 forms to the local Sheriff or 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 with the Court.

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

### ④ Answer (tenant)



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

- JDF 103 Eviction Answer

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



The parties may 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 (landlord)



If evicted, the Court will issue a Writ.

- JDF 109 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

## Find Forms

Forms can be found on the Court's website:

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

## 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.

## Filing Fees

Landlord:

Tenant:

If you can't afford the fees, also file:

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

## Attending Court

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

Mark your preference in the Complaint (JDF 101) or Answer (JDF 103). Or file:

- JDF 105 Notice About Remote Participation

If chosen, the court will send you information on how to participate remotely.

## Additional Step 3 Service (for landlords)

Review the Summons (JDF 102 § 13 on pg. 4) for an additional service method. In short:

- a) Prepare copies of the Step 2 documents to mail to the tenants.
- b) Note this on Summons (§ 13) when you file.
- c) Mail those copies (with a case number and return date) to the Tenants **immediately** after you file with the Court (by the next business day).
- d) Still submit JDF 98 (signed by a process server or Sheriff) showing the documents were also posted at the home.

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

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

## Default

Someone defaults in the case when:

- a) The Tenant doesn't file an Answer (JDF 103);
- b) The Landlord doesn't file a Reply (JDF 74) if the Tenant makes Counterclaims;
- c) Or, a Party doesn't attend the Hearing.

Then file:

- JDF 107 A Motion for Entry of Judgment
- JDF 107 B Judgment Order (just do §§ A-C)

## My Notes

- §§ means "sections"