

JDF 103	<p>Eviction Answer</p> <p><i>Ewe Polu atun Katowu</i></p> <p>(Residential Tenancy)</p> <p><i>(Rent ngeni Aramas esap Leenien Bisnes)</i></p>
<p>1. Court</p> <p><i>Leenien Kapwung</i></p> <p><input type="checkbox"/> District <input type="checkbox"/> County</p> <p><input type="checkbox"/> <i>District</i> <input type="checkbox"/> <i>County</i></p> <p>Colorado County: _____</p> <p><i>Colorado County:</i></p> <p>Mailing Address: _____</p> <p><i>Adresin Posto:</i></p>	<p><i>This box is for court use only.</i></p> <p><i>Chon Angang chok repwe aea ei pwoor.</i></p>
<p>2. Parties to the Case</p> <p><i>Aramas Ion ewe Keis</i></p> <p>Landlord: <i>(Plaintiff)</i> _____</p> <p><i>Landlord: (Chon Etipisi)</i></p> <p>v.</p> <p>v.</p> <p>Tenant: <i>(Defendant)</i> _____</p> <p><i>Tenant: (Chon Polueni)</i></p>	
<p>3. Filed by:</p> <p><i>Ewe mi atoura ei:</i></p> <p>Name: _____</p> <p><i>It:</i></p> <p>Mailing Address: _____</p> <p><i>Adresin Posto:</i></p> <p style="padding-left: 40px;">City: _____ St: _____ Zip: _____</p> <p style="padding-left: 40px;"><i>Telenimw: State Zip Nampa:</i></p> <p>Phone: _____</p> <p><i>Fon:</i></p> <p>Email: _____</p> <p><i>Email:</i></p>	<p>4. Case Details:</p> <p><i>Pworousen Keis:</i></p> <p>Number: _____</p> <p><i>Nampa:</i></p> <p>Division: _____</p> <p><i>Kinikin:</i></p> <p>Courtroom: _____</p> <p><i>Rumw Ion ewe Leenien Kapwung:</i></p>

5. Background

Pworous

I submit this Answer under C.R.S. § 13-40-113. I swear or affirm the following is true:

Ua atolonga ei Polu fan allukun C.R.S. § 13-40-113. Ua pwonei pwe minne mi makketiw fan mi enlet:

This Answer Contains
Mi Kapachalong Ion ekkeei Polu

- Affirmative Defenses.
Ekkewe Polu mi Longonlong woon Pwung.
- Jury Demand. (Non-refundable fee. Only specific claims can be decided by a Jury)
Jury epwe Ketiw. (Kosap tongeni angeisefal om monien towu lon pekin allilisin jury. Nge mi kauk ekkewe keis mi tongeni nom fan apwungupwungun Jury)
- Counter/Cross Claims. (Attach claims, if any.)
Counter/Cross Claims. (Appacha claims, ika mi wor.)

6. Tenant Information

Pworousen ewe Chon Imw

Do you need an interpreter? No. Yes, in *(language)* _____
Ka etiwa allilisin emon chon chiaku? *Aapw.* *Ewer, lon (fosun)* _____

I want to attend court events: In-person. Remotely. *(by phone or web video)*
Ua mochen fiti ekkewe ranin kapwung: *Lon founfour aramas.* *Lon pwal eu leeni. (fon are web video)*

To ever change how you appear for court events:

Ika epwe sissiwil ifa usun kopwe fiti ranin kapwung:

- a) Complete form *JDF 105 – Notice about Remote Hearings.*
Amasoua taropwe JDF 105 – Notice about Remote Hearings (Kapsen Esilesil usun Arongarong mi fifis nge esap lon Founfour Aramas).
- b) File at least 48 hours before an event.
Atoura mwaren 48-awa mwen ewe ranin kapwung.

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

Ika mi sokkofesen seni [Kinikin 3] asan, iei pworousei (ewe Chon Imw):

Full Name: _____

Unusen Itom:

Mailing Address: _____

Adresin Posto:

Phone: _____ Email: _____

Fon: _____ *Email:*

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

Tumunu fansoun meinisin pwe pworousom epwe pwung. Nounou taropween JDF 88 – Contact Information Change (Minefo Nampaan Fon ika Adres).

7. Defenses

Ekkewe Polu

Note to Tenant

Pworous ngeni ewe Chon Imw

- a) Review the *Eviction Complaint* to see why the landlord is evicting you.
Alleani masouen ewe Pworousen Katowu le kae pwata ewe landlord epwe atowukemi.
- b) For each *Cause* the Landlord claimed, check the defenses you plan to present at trial.
Fanniten iteitan Popun ewe Landlord epwe eani, fili meinsin ekkewe polu kopwe aiti atun kapwung.
- c) Briefly explain each in [Section 8 – Explanation.] You'll present your full case at trial.
Ekis aweweei lon [Kinikin 8 – Awewe.] Kopwe aitiuchu mettoch meinsin lon om keis atun ewe ranin kapwung.
- d) This is only a partial list of defenses. Check with a lawyer for which apply to you.
lei chok ekkoch polu. Fos ngeni emon soualluk le filiochu ekkewe mi weneituk.

7a) Unpaid Rent

Monien Rent esaamwo Moonaatiw

Did your landlord raise unpaid rent claims?

Noum we landlord a etipsisuk ren monien rent esaamwo moonaatiw?

- No. **[Skip to Section 7b]**
Aapw. [Mwet ngeni Kinikin 7b]
- Yes. My Defenses are: (Check all that apply and explain in Section 8)
Ewer. lei ekkewe polu upwe eani: (Fili meinsin mi weneituk me aweweei lon Kinikin 8)
- I paid the proper amount of rent due, not the amount the landlord claims.
Ua fen moonaatiw ukkukuun ai rent mi pwung, nge ese pwung ifa ukkukuun monien rent ewe landlord a era mi pwung.
- I tried to pay the full rent due within the cure period, but the Landlord refused.
C.R.S. § 13-40-104(1)(d).
Ua fen sotun moonaatiw unusen ewe rent lon ewe fansoun mi fich (cure period) nge ewe Landlord a u ngeni ai achocho. C.R.S. § 13-40-104(1)(d).
- I paid partial rent to the Landlord **after** they sent me a Demand for Compliance.
C.R.S. § 13-40-104(1)(d).
Ua fen moonaatiw kinikinin ewe rent ngeni ewe Landlord mwirin a tinaalo ngeniei echo taropween alluk usun alleasochis (Demand for Compliance). C.R.S. § 13-40-104(1)(d).

- {Affirmative Defense – Unfixed Repairs}** Warranty of Habitability
{Polu mi longolong woon Pwung – Angangen Kausefal esaamwo Fis} Taropween
Pwon pwe ewe Imw a Fich ngeni Aramas ar repwe Nonnom lon ren Nukunukoch
Complete and file form JDF 104 – *Unlivable Conditions at Home* with this form.
Amasoua me atoura JDF 104 – Napanapen ewe Imw ese Fich ren om nounou ei taropwe.

7b) Defenses for Lease Violations

Ekkewe Polu ren an Aramas Atai ewe Lease

Did your landlord raise lease violation claims?

Noum we Landlord a etipsisuk ren an era pwe ka atai ewe lease?

- No. **[Skip to Section 7c]**
Aapw. [Mwet ngeni Kinkin 7c]
- Yes. My Defenses are: (Check all that apply. Explain in Section 8.)
Ewer. lei ekkewe polu upwe eani: (Fili meinisin mi weneituk. Aweweei lon Kinikin 8.)
- I did not violate a material condition of the lease.
Use fokkun atai masouen ewe lease.
- I did not repeat a violation because the alleged violations are not a part of the same lease term. C.R.S. § 13-40-104(1)(e.5).
Use atai ewe lease lap seni fan eu pun minne a etipsisiei ren ese fis atun ewe fansoun lon eu lease chok. C.R.S. § 13-40-104(1)(e.5).
- {Affirmative Defense}** If I did violate the lease, it resulted from my disabilities for which I should be granted a reasonable accommodation and allowed to remain a tenant (Federal Fair Housing Act).
{Polu mi longolong woon Pwung} Ika ua wesewesen atai masouen ewe lease, mi fiffis pokiten terin inisi me a lamot ngeniei allilis mi fich ngeni emon ren nonnomui pwe upwe tongeni nonnom lon ewe imw (Federal Fair Housing Act, ewe Allukun Mwuun Merika le Akkawora Ekkewe Imw ngeni Aramas ese Lifilifil).

7c) Defenses for Substantial Violations

Ekkewe Polu atun Alleasolap

Did your landlord raise substantial lease violation claims?

Ewe landlord a etipsisuk ren an era pwe ka alleasolapa ewe lease?

- No. **[Skip to Section 7d]**
Aapw. [Mwet ngeni Kinikin 7b]
- Yes. My Defenses are: (Check all that apply. Explain in Section 8.)
Ewer. lei ekkewe polu upwe eani: (Fili meinisin mi weneituk. Aweweei lon Kinikin 8)

- I, nor anyone I have invited onto the property, did not: *(all must apply)*
Am, me chon wasola meinisin lon imwei, ause: (meinisin epwe weneituk)
- 1) purposefully and substantially endanger the property or other tenants,
afeiengawa mettochun ewe leeni, are ekkewe ekkoch chon orum,
 - 2) committed a violent or drug-related felony crime, or
fori och tipis mi chou lon pekin akkachofesa are drugs, are
 - 3) committed a criminal act that was a public nuisance under law or could
 result in jail time of 180 days or more.
*fori och tipis mi efeiengawa aramas are efisi chappen ewe fofforingaw ren
 kalapus fanniten 180 ran ika lap seni.*
- {Affirmative Defense}** I did not know, reasonably could have known, or prevented my guest from committing a substantial violation. But I did immediately notify law enforcement. *C.R.S. § 13-40-107.5(5)(b)(II).*
{Polu mi longolong woon Pwung} *Use silei, use kon tufich le silei, ika eppet, an noun chon wasola we fofforingaw. Nge ua mwittir ereni ekkewe chon polis usun ewe fofforingaw. C.R.S. § 13-40-107.5(5)(b)(II).*

7d) Defenses for Ending Tenancy (No-Fault)

Ekkewe Polu atun Wesin om Imweni ewe Imw (Ese Wor Tipis)

Are you being evicted before the end of your lease term?

Ei angangen katowu a fifis mwen ewe fansoun om we lease a pwonueta?

- Yes. **[Skip to Section 7e]**
Ewer. [Mwet ngeni Kinikin 7e]
- No, my landlord is not renewing my lease.
Aapw, nei we landlord esap forsefali ai we lease.
- My Defenses are: (Check all that apply. Explain in Section 8.)
lei ekkewe polu upwe eani: (Fili meinisin mi weneituk. Aweweei lon Kinikin 8.)
- The landlord is retaliating against me for reporting a warranty of habitability violation. *C.R.S. § 38-12-509(1).*
Ewe landlord a song me aosukosukuei pun ua repotei an atai ewe taropween pwon le awora och imw mi fich ngeni an aramas nonnom lon nukunukoch. (warranty of habitability). C.R.S. § 38-12-509(1).
- {Affirmative Defense}** The landlord didn't follow the process or qualify for a No-Fault Eviction. (Explain how or why in Section 8). *C.R.S. § 38-12-1306.*
{Polu mi longolong woon Pwung} *Ewe landlord ese eani ewe kokkot are ewe No-Fault Eviction ese fich ngeni (Katowu nge ese wor Tipis). (Aweweei ifa usun ika pwata lon Kinikin 8). C.R.S. § 38-12-1306.*

7e) General Defenses
Ekkewe Polu mi Weneiti Meinisin

My defenses are: (Check all that apply. Explain in Section 8.)

Ekkewe polu upwe eani: (Fili meinisin mi weneituk. Aweweei lon Kinikin 8.)

- The Landlord wants attorney or other fees not allowed under the lease or law.
Ewe Landlord a mochen an epwe angei seniei moon soualluk ika pwal ekkoch liwin esap mwut fan allukun ewe lease.
- The Landlord wants illegal or unenforceable late and other fees.
Ewe Landlord a sotun an epwe angei seniei moni nge ese longolong woon alluk me ese tongeni erianiei le moonaatiw ekkoch liwinimmang alon ewe lease.
- I was served a *Demand for Compliance* but not given the correct cure period of:
Mi kawor ngeniei echo Demand for Compliance nge ttamen ewe cure period ese pwung:
 - 5-10 days (normal). C.R.S. § 13-40-106.
5-10 ran (mi pwung). C.R.S. § 13-40-106.
 - 30 days (federally backed mortgage). 15 U.S.C. § 9058(a)(2).
30 ran (mwuun merika a alisaata ewe mortgage). 15 U.S.C. § 9058(a)(2).

Affirmative Defenses:

Ekkewe Polu mi longolong woon Pwung:

- Violation under the Unfair Housing Act C.R.S. § 13-40-113(2.5).
Minen efeiengaw fan ewe Unfair Housing Act C.R.S. § 13-40-113(2.5).
The landlord violated one of the provisions of the Unfair Housing Act under C.R.S. §§ 24-34-501 to 509. (Explain which provision and how it was violated in Section 8).
Ewe landlord a atai och mettoch lon ewe alluk Unfair Housing Act alon C.R.S. §§ 24-34-501 to 509.
(Aweweei menni alluk mi fen atai me ifa usun lon Kinikin 8).

Examples Include: Discrimination based on gender identity, marital/familial status, national origin, race, religion, sex, sexual orientation ...

Awewe Chok: Aapaap mi longolong woon mwan ika fefin, pwupwulu/famili, fonuom, uruwoon aramasom, lamalam, me metakkan ...

- Failure to Attend Mandatory Mediation C.R.S. § 13-40-110(d).
Likitaloon Mwichin Afoor C.R.S. § 13-40-110(d).
All (1 through 4) must apply:
Meinisin (1 tori 4) iir repwe weneiti:

1) I'm enrolled in one of the following benefits programs: (*must check at least one*)

Ua angei allilisiin eu me leir ekkeei prokram: (kopwe fili mwaren eu)

- Supplemental Security Income Social Security Disability Insurance
- Supplemental Security Income* *Social Security Disability Insurance*

Cash Assistance through the Colorado Works program. And,

Cash Assistance me ren ewe proqrammin Colorado Works. Me,

2) I notified the landlord, in writing, that I received that benefit. And,

Ua fen esilla ngeni ewe Landlord, ren ai mak ngeni, pwe ua angei ena minen allilis seni ewe mwu. Pwal,

3) The landlord has or is believed to have six or more rental units. And,

Mi wor ren ewe Landlord, are aramas ra ekieki pwe mi wor ren, onu imw are lap seni a rent ngeni aramas. Pwal,

4) The landlord failed to schedule and attend mediation before filing the case.

Ewe landlord ese akkota me fiti angangen afoor mwen atouren ewe keis.

7f) List All Other Defenses *(if any)*

Atettelaatiw Meinisin Ekkewe Ekkoch Polu *(ika mi wor)*

(Examples may include issues of standing, service, or notice. Be sure to explain in Section 8.)

(Chowean nonnomun om keis, ifa ussun ekkoch taropween alluk ra fen kawor ngonuk, are ewe fansoun mi mwut ngonuk [notice]. Nochchei mwo le aweweei lon Kinikin 8.)

1) _____

2) _____

8. Explanation

Aweweei

Briefly explain your side of the situation. You'll present your full argument at trial.

Kose mochen kopwe ekis aweweei pworousom. Kopwe unusen apworousa atun ewe ranin kapwung.

How do the defenses you checked apply? What facts did the Complaint get wrong?

Ifa usun ekkewe polu ka fen filaata ra weneiti om keis? Mi wor minne mi mwaal ika ese pwung lon ewe taropween etipisi?

9. File Online

Atoura noum we toropwe Online

You can submit this form to the court (*file*) and send it to the landlord (*service*) online at:

Kopwe tongeni atoura ei taropwe ngeni ewe leenien kapwung pwal ngeni ewe landlord (service) online iei::

Colorado Courts Efiling
Leenien Kapwungun Colorado Efiling

[www.jbits.courts.state.co.us/efiling]

Note Not available for cases in Denver County Court.
Nengeni mwo Ese weneiti ngeni ekkoch keis lon Denver County Leenien Kapwung.

Fee Waivers

Likiti Moon Kapwung

To waive court fees, submit forms *JDF 205 – Motion to Waive Fees* and *JDF 206 – Order*.

Le likiti moon taropwe, kopwe atoura JDF 205 – Taropween Mwokut le Likiti Moon Kapwung me JDF 206 – Alluk.

10. Certificate of Service

Taropween Kawor

On (*enter service date*) _____

Lon (*makeeti w pwinin maramen kaworen ewe taropwe*) _____

I certify that I sent a copy of this document to the other parties by: (*select one*)

Ua anneta pwe ua tinaalo echo kapiin ei taropwe ngeni ekkewe ekkoch aramas mi fiti ei case me ren: (fili eu)

- Colorado Courts E-Filing. [www.jbits.courts.state.co.us/efiling]
Leenien Kapwungun Colorado E-Filing. [www.jbits.courts.state.co.us/efiling]
- Regular Mail, addressed to:
Lon Posto, ngeni ei adres:
Name & full address: _____
It & unusen adresin posto: _____
- Other: (*explain*) _____
Pwal Och: (awewe ei)

11. Tenant Signature

Ewe Tenant Epwe Sain

I declare under penalty of perjury under the law of Colorado that the foregoing is true and correct.
Ua pwonei pwe meinisin mi mak asan a pwung me wenechar pun ua silei pwe alon allukun Colorado mi wor chappen ar foffor ngeniir mi eani kapas chofona lon mettochun pekin alluk.

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

Ei taropwe a pop (lon) ____ ranin (maram) ____ (ier) ____

at City: *(or other location)* _____

lon ewe Telenimw: (are pwal eu leeni)

and State: *(or country)* _____

me State: (are mwuu)

Print Your Name(s): _____

Makeetiw Itom (Itemi):

Your Signature(s): _____

Kopwe (Oupwe) Sain:

Lawyer Signature: *(If any)* _____

Soualluk epwe Sain: (Ika mi wor)

12. Additional Information (if any)

Pwal Ekkoch Pworous (ika mi wor)