

JDF 103	<p>Eviction Answer</p> <p>Jawaabta Ka Saarida Guriga</p> <p>(Residential Tenancy)</p> <p>(Kirada Deganaanshaha)</p>
<p>1. Court</p> <p>Maxkamad</p> <p><input type="checkbox"/> District <input type="checkbox"/> County</p> <p><input type="checkbox"/> Degmo <input type="checkbox"/> Gobolka</p> <p>Colorado County: _____</p> <p>Degmada Colorado: _____</p> <p>Mailing Address: _____</p> <p>Cinwaanka Boostada: _____</p>	<p><i>This box is for court use only.</i></p> <p><i>Sanduuqan kaliya maxkamada ayaa</i></p> <p><i>isticmaalaysa.</i></p>
<p>2. Parties to the Case</p> <p>Dhinacyada Dacwada</p> <p>Landlord: (Plaintiff) _____</p> <p>Mulkiilaha: (Dacwoodaha) _____</p> <p>v.</p> <p>v.</p> <p>Tenant: (Defendant) _____</p> <p>Kiraystaha: (Eedayanaha) _____</p>	
<p>3. Filed by</p> <p>Waxaa soo gudbiyay</p> <p>Name: _____</p> <p>Magaca: _____</p> <p>Mailing Address: _____</p> <p>Cinwaanka Boostada: _____</p> <p>City: _____ St: _____ Zip: _____</p> <p>Magaalada: _____ St: _____ Zip ka: _____</p> <p>Phone: _____</p> <p>Taleefanka: _____</p> <p>Email: _____</p> <p>limeelka: _____</p>	<p>4. Case Details</p> <p>Faahfaahinta Kiiska</p> <p>Number: _____</p> <p>Lambarka: _____</p> <p>Division: _____</p> <p>Waaxda: _____</p> <p>Courtroom: _____</p> <p>Qolka Maxkamada: _____</p>

5. Background

Taariikhda Hore

I submit this Answer under C.R.S. § 13-40-113. I swear or affirm the following is true:
Jawaabtan waxaan ku soo gudbiyay C.R.S. § 13-40-113. Waxaan ku dhaartay ama aan xaqiijinayaa in waxa soo socdaa uu yahay run:

This Answer Contains
Jawaabtan Waxay ka Kooban tahay

- Affirmative Defenses.
Difaacyo Sugan.
- Jury Demand. (Non-refundable fee. Only specific claims can be decided by a Jury)
Dalabka Xeerbeegtida. (Khidmad aan la soo celin karin. Kaliya sheegashooyin cayiman ayaa ay go'aan ka gaari karaan xeerbeegtidu)
- Counter/Cross Claims. (Attach claims, if any.)
Sheegashooyinka ka dhanka ah dhibbanaha/La-dhibbane - La-eedaysane "Cross". (Ku lifaaq dalabyada, hadii ay jiraan.)

6. Tenant Information

Macluumaadka Kiraystaha

Do you need an interpreter? No. Yes, in *(language)* _____
Ma u baahan tahay turjubaan? *Maya.* *Haa, (luqadda)*

I want to attend court events: In-person. Remotely. *(by phone or web video)*
Waxaan rabaa inaan ka qayb galo munaasabadaha maxkamada: *Qof ahaan.* *Onlayn ahaan.*
(taleefan ama muuqaal shabakad)

To ever change how you appear for court events:

Si aadu bedesho sida aad u qabanayso munaasabadaha maxkamada:

- a) Complete form *JDF 105 – Notice about Remote Hearings.*
Foomka buuxi ee JDF 105 - Ogeysiis ku saabsan Dhegeysiga Onlaynka ah.
- b) File at least 48 hours before an event.
Xaree ugu yaraan 48 saacadood ka hor munaasabadda.

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

Haddii uu ka duwan yahay [Qaybta 3] ee sare, macluumaadkayga (Kiraystaha) xidhiidhku waa:

Full Name: _____

Magaca buuxa:

Mailing Address: _____

Cinwaanka Boostada:

Phone: _____

Taleefanka:

Email: _____

limeelka:

Always keep your contact info updated. Use form *JDF 88 – Contact Information Change*.
Had iyo jeer cusboonaysii macluumaadkaaga xidhiidhka. Isticmaal foomka JDF 88 - Beddelka Macluumaadka Xiriirka.

7. Defenses

Difaacyada

Note to Tenant

Ogaysiis ku socda Kiraystaha

- a) Review the *Eviction Complaint* to see why the landlord is evicting you.
Akhri Cabashada Saaritaanka si aad u aragto sababta cida guriga leh ay kaaga saarayso.
- b) For each *Cause* the Landlord claimed, check the defenses you plan to present at trial.
Sabab kasta oo uu Mulkiiluhu sheegto, hubi difaacyada aad qorshaynayso inaad ku soo bandhigto wakhtiga maxkamada.
- c) Briefly explain each in [Section 8 – Explanation.] You'll present your full case at trial.
Si kooban ugu sharax mid walba [Qaybta 8-Sharaxaad.] Waxaad soo bandhigi doontaa kiiskaaga oo dhan marka maxkamada la joogo.
- d) This is only a partial list of defenses. Check with a lawyer for which apply to you.
Kani waa liiska difaaca qayb ahaan keliya. La hubi qareen ka ku khuseeya.

7a) Unpaid Rent

Kirada Aan La Bixin

Did your landlord raise unpaid rent claims?

Milkiilahaagu miyuu soo gudbiyey sheegashooyin kiro aan la bixin?

- No. **[Skip to Section 7b]**
Maya. [U gudub Qaybta 7b]
- Yes. My Defenses are: (Check all that apply and explain in Section 8)
Haa. Difaacyadaydu waa: (Calaamadi dhammaan kuwa khuseeya oo ku sharax Qaybta 8)
 - I paid the proper amount of rent due, not the amount the landlord claims.
Waxaan bixiyay qadarka kirada ee saxda ah, ma bixin cadadka uu mulkiiluhu ku andacoonayo.
 - I tried to pay the full rent due within the cure period, but the Landlord refused.
C.R.S. § 13-40-104(1)(d).
Waxa aan isku dayay in aan ku bixiyo kirada la igu leeyahay oo dhamaystiran mudada ogaysiiska, laakiin Mulkiilaha ayaa diiday. 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).
Waxa aan qayb kiro ah siiyay Mulkiilaha ka dib markii ay ii soo direen Dalabka Adeecida.
C.R.S. § 13-40-104(1)(d).
- {Affirmative Defense – Unfixed Repairs}** Warranty of Habitability
{Difaac Sugan – Dayactir Aan La Hagaajin} *Dammaanadda Ku Munaasab ahaanta Degenaanshaha*
Complete and file form *JDF 104 – Unlivable Conditions at Home* with this form.
Buuxi oo fayl garee foomka JDF 104 – Xaaladaha aan lagu Noolaan Karin ee Guriga adiga oo raacinaya foomkan.

7b) Defenses for Lease Violations

Difaacyada Xadgudubyada Kirada

Did your landlord raise lease violation claims?

Milkiilahaagu miyuu soo gudbiyey jebin heshiiska ijaarka ah?

- No. **[Skip to Section 7c]**
Maya. [U gudub Qaybta 7c]
- Yes. My Defenses are: (Check all that apply. Explain in Section 8.)
Haa. Difaacyadaydu waa: (Calaamadi dhammaan kuwa khuseeya. Ku sharax Qaybta 8.)
- I did not violate a material condition of the lease.
Ma aanan jabin shurdi la taaban karo oo kamid ah heshiiska.
- 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).
Kuma celin xadgudub sababtoo ah xadgudubyada la igu eedeeyay ma aha qayb ka mid ah isla hal muddo heshiis. 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).
{Difaac Sugan} *Haddii aan jebiyoy heshiiska kirada, waxay ka dhalatay naafanimadayda taasoo ay tahay in la i siiyo fudaydin macquul ah oo la ii ogolaado inaan sii ahaado kirayste (Xeerka Guriyeynta Cadaaladda ah ee Federaalka).*

7c) Defenses for Substantial Violations

Difaaca Xad Gudubka Daran

Did your landlord raise substantial lease violation claims?

Milkiilahaagu miyuu soo gudbiyey sheegashooyin jabin ijaareed oo la taaban karo?

No. **[Skip to Section 7d]**

Maya. [U gudub Qaybta 7d]

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

Haa. Difaacyadaydu waa: (Calaamadi dhammaan kuwa khuseeya. Ku sharax Qaybta 8.)

I, nor anyone I have invited onto the property, did not: *(all must apply)*

Aniga, ama qof aan ku casuumay guriga, ma aanan: (dhammaan waa inay khuseeyaan)

1) purposefully and substantially endanger the property or other tenants,

si ula kac ah oo laxaad leh u khatar gelin guriga ama kiraystayaasha kale,

2) committed a violent or drug-related felony crime, or

galin fal dambiyeed weyn oo xadgudub leh ama daroogo la xidhiidha, ama

3) committed a criminal act that was a public nuisance under law or could result in jail time of 180 days or more.

ku kicin fal dambiyeed dhibaato dadweyne ku ah sharciga ama keeni kara in lagu xukumdo 180 maalmood ama ka badan.

{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).*

{Difaac Sugaan}*Ma garanayn, si macquul ah ayaan u garan karay, ama ka hor istaagay martidayda inuu sameeyo xad-gudub weyn. Laakin isla markiiba waxaan ogaysiiyay bilayska. C.R.S. § 13-40-107.5 (5) (b) (II).*

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

Difaacyada Joojinta Kiraysiga (Khalad-La'aan)

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

Miyaa lagaa saarayaa guriga ka hor inta uusan dhamaan mudada heshiiskaaga?

Yes. **[Skip to Section 7e]**

Haa. [U gudub Qaybta 7e]

No, my landlord is not renewing my lease.

Maya, mulkiilaha gurigaygu ma cusbooneysiinayo heshiiskayga.

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

Difaacyadaydu waa: (Calaamadi dhammaan kuwa khuseeya. Ku sharax Qaybta 8.)

The landlord is retaliating against me for reporting a warranty of habitability violation. *C.R.S. § 38-12-509(1).*

Milkiiluhu waxa uu igaga aargoosanayaa ka warbixintaydii xadgudubka dammaanadda ku munaasab ahaanshaha deganaanshaha. 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.
{Difaac Sugaan} *Mulkiiluhu ma raacin nidaamka mana u qalmin Ka saarid Aanu Khaladka Lahayn. (Ku sharax sida ama sababta Qaybta 8). C.R.S. § 38-12-1306.*

7e) General Defenses

Difaacyada Guud

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

Difaacyadaydu waa: (Calaamadi dhammaan kuwa khuseeya. Ku sharax Qaybta 8.)

- The Landlord wants attorney or other fees not allowed under the lease or law.
Mulkiiluhu wuxuu raba qareen ama kharashyo kale oo aan lagu ogolayn heshiiska kirada ama sharciga.
- The Landlord wants illegal or unenforceable late and other fees.
Mulkiiluhu waxa uu raba lacag daahis ah ama lacago kale oo sharci darro ah ama aan la fulin karin.
- I was served a *Demand for Compliance* but not given the correct cure period of:
The Landlord wants illegal or unenforceable late and other fees.
Waxa la ii keenay Dalabka U Hogaansanaanta laakiin la ima siin muddada ogaysiiska saxda ah ee: Mulkiiluhu waxa uu raba lacag daahis ah ama lacago kale oo sharci darro ah ama aan la fulin karin.
- 5-10 days (normal). C.R.S. § 13-40-106.
5-10 maalmood (caadi). C.R.S. § 13-40-106.
- 30 days (federally backed mortgage). 15 U.S.C. § 9058(a)(2).
30 maalmood (amaahda guriyeed uu federaalku taageeray). 15 U.S.C. § 9058(a)(2).

Affirmative Defenses:

Difaacyo Sugaan:

- Violation under the Unfair Housing Act C.R.S. § 13-40-113(2.5).
Ku xad-gudbidda hoos timaada Xeerka Guriyeynta Caddaalad-darrada ah 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).
Milkiiluhu wuxuu jebiyay mid ka mid ah qodobbada Sharciga Guriyeynta aan Cadaaladda ahayn ee hoos yimaada C.R.S. §§ 24-34-501 ilaa 509. (Qaybta 8 ku sharax qodobka iyo sida loogu xadgudbay).
- Examples Include: Discrimination based on gender identity, marital/familial status, national origin, race, religion, sex, sexual orientation ...*
- Tusaaleyaasha waxaa kamid ah: Takoorka ku salaysan aqoonsiga jinsiga, xaalda guurka/qoyska, meesha uu ruuxu kasoo jeedo, qoomiyada, diin, jinsiga, rabitaanka jinsiga ...*

- Failure to Attend Mandatory Mediation C.R.S. § 13-40-110(d).
Ku guuldareysiga Ka Qaybgalka Dhexdhexaadinta Waajibka ahee C.R.S. § 13-40-110(d).

All (1 through 4) must apply:

Dhammaan (1 ilaa 4) waa inay khuseeyaan:

- 1) I'm enrolled in one of the following benefits programs: *(must check at least one)*
Waxaan iska diiwaan geliyay mid ka mid ah barnaamijyada dheefaha soo socda: (waa in la saxaa ugu yaraan hal)
 - Supplemental Security Income Social Security Disability Insurance
 - Dakhliga Dheeraadka ah ee Amniga* *Caymiska Naafada ee Sooshal Sekeyuuritiga*
 - Cash Assistance through the Colorado Works program. And,
 - Kaalmada Lacageed ee laga helo barnaamijka Colorado Works. Iyo,*
- 2) I notified the landlord, in writing, that I received that benefit. And,
Waxaan ku wargeliyay mulkiilaha, iyada oo qoraal ah, inaan helay faa'iidadaas. Iyo,
- 3) The landlord has or is believed to have six or more rental units. And,
Mulkiiluhu waxa uu leeyahay ama la rumaysan yahay in uu leeyahay lix ama in ka badan oo guri kiro ah. Iyo,
- 4) The landlord failed to schedule and attend mediation before filing the case.
Mulkiiluhu wuu ku guul daraystay inuu jadwal u sameeyo oo uu ka qayb galo dhexdhexaadinta ka hor inta aanu xerayn dacwada.

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

Liis garee Dhammaan Difaacyada Kale *(haddii ay jiraan)*

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

(Tusaale ahaan waxaa ku jiri kara arrimaha hor imaadka maxkamadda, gaadhsiinta, ama ogeysiiska. Hubi inaad ku sharaxdo Qaybta 8.)

- 1) _____
- 2) _____

8. Explanation

Sharaxaad

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

Si kooban u sharax dhinacaaga xaalada. Waxaad soo bandhigi doontaa doodaada buuxda marka maxkamada la joogo.

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

Sidee difaacyada aad calaamadisay u khuseeyaan? Waa maxay xaqiiqooyinka ay cida Cabanaysay qaladay?

9. File Online

Ku Xaree Onleyn

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

Waxaad u gudbin kartaa foomkan maxkamadda (*xareyn*) oo aad ugu diri kartaa milkiilaha (*diris*) onlayn ahaan barta:

Colorado Courts Efiling

Ku Xarayn Elektoroonig ahaan Maxkamadaha Colorado

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

Note Not available for cases in Denver County Court.

Xusuusin Looma heli karo kiisaska Maxkamadda Degmada Denver.

Fee Waivers

Lacag Dhaafista

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

Si aad uga dhaafto khidmadaha maxkamadda, soo gudbi foomamka *JDF 205 - Mooshinka ka-dhaafitaanka khidmadaha iyo JDF 206 - Amarka*.

10. Certificate of Service

Xaqiijinta Gaadhsiinta

On (*enter service date*) _____

Marka ay taariikhdu tahay (*geli taariikhda adeegga*)

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

(*Waxaan cadeynayaa inaan nuqul ka mid ah dukumeentiga ugu diray dhinacyada kale: dooro mid*)

Colorado Courts E-Filing. [www.jbits.courts.state.co.us/efiling]
Ku Xarayn Elektoroonig ahaan Maxkamadaha Colorado. [www.jbits.courts.state.co.us/efiling]

Regular Mail, addressed to:
Boostada Caadiga ah, oo lagu hagaajiyey:
Name & full address: _____
Magaca & ciwaanka buuxa:

Other: (*explain*) _____
Wax kale: (sharrax)

11. Tenant Signature
Saxiixa Kiraystaha

I declare under penalty of perjury under the law of Colorado that the foregoing is true and correct.
Waxaan caddaynayaa sida uu dhigayo sharciga ciqaabta been sheegidda ee hoos yimaadda shuruucda Colorado in waxa hore ku sheegan uu run iyo sax yahay.

Executed on the *(date)* _____ day of *(month)* _____ *(year)* _____
Waxa la fuliyay (taariikhda) maalinta (bisha) (sanadka)

at City: *(or other location)* _____

Magaalada : (ama meel kale)

and State: *(or country)* _____

iyo Gobolka: (ama degmada)

Print Your Name(s): _____

Far Waaweyn Ku Qor Magacaaga:

Your Signature(s): _____

Saxeexaaga:

Lawyer Signature: *(If any)* _____

Saxeexa Looyarka: (Hadii uu jiro)

12. Additional Information (if any)

Macluumaad Dheeraad ah (haddii ay jiraan)