

<p>JDF 103</p>	<p align="center">Eviction Answer Jawaabta Saaritaanka (Residential Tenancy) (Kirada Deganaanshaha)</p>	
<p>1. Court Maxkamadda</p> <p><input type="checkbox"/> District <input type="checkbox"/> County <input type="checkbox"/> Degmada <input type="checkbox"/> Gobolka</p> <p>Colorado County: _____ Gobolka Colorado: _____</p> <p>Mailing Address: _____ Cinwaanka Boostada: _____</p>	<p align="center"><i>This box is for court use only. Sanduuqan waxaa loogu talagalay kaliya isticmaalka maxkamadda.</i></p>	
<p>2. Parties to the Case Dhinacyada Dacwada</p> <p>Landlord: (Plaintiff) _____ Kireeystaha guriga: (Dacwoode)</p> <p>v. v.</p> <p>Tenant: (Defendant) _____ Kireeystaha: (Eedaysane)</p>		
<p>3. Filed by Waxaa soo gudbiyay</p> <p>Name: _____ Magaca: _____</p> <p>Mailing Address: _____ Cinwaanka Boostada: _____</p> <p>City: _____ St: _____ Zip: _____ Magaalada: _____ Waddada: Zip-ka: _____</p> <p>Phone: _____ Taleefanka: _____</p> <p>Email: _____ Iimaylka: _____</p>	<p>4. Case Details Faahfaahinta Kiiska</p> <p>Number: _____ Lambarka: _____</p> <p>Division: _____ Waaxda: _____</p> <p>Courtroom: _____ Qolka Maxkamadda: _____</p>	

5. Background
Taariikh noolaleedka

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

**This Answer Contains
Jawaabtan Waxaa Ku Jira**

- Affirmative Defenses.
Difaacyo Sugan.
- Jury Demand. (Non-refundable fee. Only specific claims can be decided by a Jury)
Dalabka Xeerbeegtida. (Lacag aan la soo celinaynin. Kaliya sheegashooyin gaar ah ayay go'aan ka gaari karaan Xeerbeegtada)
- Counter/Cross Claims. (Attach claims, if any.)
Dacwada Jawaabta ah/Isku marka ah. (Ku lifaaq dacwadaha, hadday jiraan.)

6. Tenant Information

Macluumaadka Kireeystaha

Do you need an interpreter? No. Yes, in *(language)* _____
Miyaad u baahan tahay turjumaan? Maya. Haa, ah (luuqada)

I want to attend court events: In-person. Remotely. *(by phone or web video)*
Waxaan rabaa inaan ka qayb galo dhacdooyinka maxkamada: Si shakhsi ahaaneed. Habka fogaanta. (taleefanka ama muuqaal mareeg)

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

Si aad u beddesho doorashadaada: Xaree foomka JDF 105 – Ogaysiiska ku saabsan Dhagaysiyada Habka Fogaanta ugu yaraan 48 saacadood ka hor dhacdada.

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

Haddii ay ka duwan tahay [Qaybta 3-aad] ee sare, macluumaadkayga xidhiidhka (Kireeystaha) waa:

Full Name: _____

Magaca oo Buuxa:

Mailing Address: _____

Cinwaanka Boostada:

City, State, Zip: _____

Magaalada, Gobolka, Zip-ka:

Phone: _____ Email: _____

Taleefanka:

limaylka:

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

Had iyo jeer ka dhig macluumaadkaaga xidhiidhka kuwo la cusboonaysiiyay. Isticmaal foomka JDF 88 - Beddelka Macluumaadka Xidhiidhka.

7. Defenses

Difaacyada

**Note to Tenant
Ogaysiis ku socda Kiraystaha**

- a) Review the *Eviction Complaint* to see why the landlord is evicting you.
Dib u eeg Cabashada Saaritaanka si aad u aragto sababta mulkiilaha guriga uu kuu saarayo.

- 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 maxkamadda.
- c) Briefly explain each in [Section 8 – Explanation.] You’ll present your full case at trial.
Si kooban ugu sharrax mid walba gudaha [Qaybta 8-aad – Sharraxaada.] Waxaad ku soo bandhigi doontaa kiiskaaga oo dhan barta maxkamadda.
- 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 kuwa 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. Difaacyadayda waa: (Calaamadi dhammaan kuwa khuseeya oo ku sharax Qaybta 8-aad)
 - I paid the proper amount of rent due, not the amount the landlord claims.
Waxaan bixiyay qadarka kirada ee saxda ah ee la igu leeyahay, ma bixin cadadka uu mulkiilaha gurigu sheeganayo.
 - 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 guriga 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 Guriga **ka dib** markii ay ii soo direen Dalabka U Hogaansanaanta. C.R.S. § 13-40-104(1)(d).*
 - {Affirmative Defense – Unfixed Repairs}** Warranty of Habitability
{Difaaca Xaqiijinta – Dayactir Aan La Samayn} Ammaan Ahaanshaha Deganaanshaha Complete form JDF 104 – Unlivable Conditions Affidavit and file with this form.
Dhammaystir Foomka JDF 104 - Dhaarta Xaaladaha Aan Lagu Noolaan Karin oo ku xaree foomkan.

7b) Defenses for Lease Violations

Difaacyada Xadgudubyada Kirada

Did your landlord raise lease violation claims?

Milkiilahaagu miyuu soo gudbiyey sheegashooyinka ku xadgudubka kirada?

- No. **[Skip to Section 7c]**
Maya. [U gudub Qaybta 7c]
- Yes. My Defenses are: (Check all that apply. Explain in Section 8.)
Haa. Difaacyadayda waa: (Calaamadee dhamaan kuwa ay khusayso. Ku sharrax Qaybta 8.)
 - I did not violate a material condition of the lease.
Ma aanan ku xadgudbin shuruud khusaysa heshiiska kirada.

- 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 xadgudubiyada 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 was primarily because the home was in an unlivable condition. *C.R.S. § 38-12-507(2)(f).*
{Difaac Xaqiijinta} *Haddii aan ku xadgudubo heshiiska kirada, waxay ahayd sababta guriga ayaa ku jiray xaalad aan lagu noolaan karin. C.R.S. § 38-12-507(2)(f).*
- {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 ku xadgudubo heshiiska kirada, waxay ka dhalatay naafanimadayda taasoo ay tahay in la i siiyo qaabilaad macquul ah oo la ii ogolaado inaan sii ahaado kirayste (Xeerka Hoyga Caddaaladda ah ee Federaalka).*

7c) Defenses for Substantial Violations

Difaaca Xadgudubiyada Daran

Did your landlord raise substantial lease violation claims?

Milkiilahaagu miyuu soo gudbiyey sheegashooyin ku xadgudub oo ah heshiiska kirada 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. Difaacyadayda waa: (Calaamadee dhamaan kuwa ay khusayso. Ku sharax Qaybta 8.)
- Neither I nor anyone I invited onto the property: (*all must apply*)
Midna labadaba aniga ama qof kasta ayaan ku casuumin guriga: (dhamaan waa in ay khuseeyaan)
- 1) purposefully and substantially endangered the property or other tenants,
si ula kac ah oo daran khatar u gelin guriga ama kiraystayaasha kale,
 - 2) committed a violent or drug-related felony crime, or
sameeyn xadgudub ama danbi la xidhiidhka mukhaadaraadka, ama
 - 3) committed a criminal act that was a public nuisance under law or could result in jail time of 180 days or more.
sameyn ficil danbi ah oo qas dadweyne ah sida uu dhigayo sharcigu ama keeni kara wakhti xadhig ah 180 maalmood ama waxka 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 Sugan} *Ma garanayn, si macquul ah ayaan u garan karay, ama ka hor istaagay martidayda inuu sameeyo xad-gudub weyn. Laakin isla markiiba waxaan ogaysiiyay sharci fuliyayaasha. 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 aysan dhammaan muddada heshiiskaaga kireysiga?

- Yes. **[Skip to Section 7e]**
Haa. [U gudub Qaybta 7e]
- No, my landlord is not renewing my lease.
Maya, mulkiilaha gurigaygu ma cusbooneysiinayo heshiiskayga kirada.
Difaacyadayda waa: (Calaamadee dhamaan kuwa ay khusayso. Ku sharrax Qaybta 8.)
- {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 Sugan} *Milkiilaha guriga ma raacin habraaca mana u qalmin Ka saarid Khalad La Aanta ah. (Ku sharax sida ama sababta Qaybta 8). C.R.S. § 38-12-1306.*

7e) General Defenses

Difaacyada Guud

Difaacyadayda waa: (Calaamadee dhamaan kuwa ay khusayso. Ku sharrax Qaybta 8.)

- The Landlord wants attorney or other fees not allowed under the lease or law.
Mulkiilaha guriga wuxuu rabaa qareenka ama kharashyada kale aan lagu ogolaanin heshiiska kirada ama sharciga.
- The Landlord wants illegal or unenforceable late and other fees.
Mulkiilaha guriga waxa uu rabaa lacag daahis ah ama lacago kale oo sharci darro ah ama aan la fulin karin.
- My notice of an unlivable condition in the home motivated the Landlord to file this case.
C.R.S. § 38-12-509(1.5).
Ogaysiiskayga xaalad aan lagu noolaan karin ee guriga ka jirta ayaa ku dhiirigelisay Mulkiilaha inuu xereeyo kiiskan. C.R.S. § 38-12-509(1.5).
- I was served a *Demand for Compliance* but not given the correct cure period of:
Waxa la ii keenay Dalabka U Hogaansanaanta laakiin la ima siin muddada ogaysiiska saxda ah ee:
- 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 uu federaalku taageeray). 15 U.S.C. § 9058(a)(2).

Affirmative Defenses:

Difaacyo Sugan:

- Violation under the Unfair Housing Act *C.R.S. § 13-40-113(2.5).*
Xadgudubka hoos yimaada Sharciga Hoyga aan Caddaaladda ahayn *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).
Milkiilaha guriga wuxuu ku xadgudbay mid ka mid ah qodobbada xeerka hoyga aan caddaaladda ahayn ee hoos yimaada C.R.S. §§ 24-34-501 to 509. (Sharax qodobka iyo sida loogu xadgudbay qeybta 8).

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, hanaanka galmo ...

- Failure to Attend Mandatory Mediation C.R.S. § 13-40-110(d).
Ku guuldareysiga Ka Qaybgalka Dhexdhexaadinta Waajibka ah C.R.S. § 13-40-110(d).
All (1 through 4) must apply:
Dhammaan (1 illaa 4) waa inay ku dabaqmaan:

- 1) I'm enrolled in one of the following benefits programs: *(must check at least one)*
Waxa aan ka diwaangashanahay mid ka mid ah barnaamijyada dheefaha ee soo socda: (waa inaad saxdaa ugu yaraan mid)
- Supplemental Security Income Social Security Disability Insurance
Dakhliga Ammaanka ee Dheeraadka ah *Caymiska Naafanimada ee Amniga Bulshada*
- Cash Assistance through the Colorado Works program. And,
Kaalmada Lacagta ee soo marta barnaamijka Shaqooyinka Colorado. Iyo,
- 2) I notified the landlord, in writing, that I received that benefit. And,
Waxa aan wargeliyay mulkiilaha guriga, iyada oo qoraal ah, inaan helay faa'iidadaas. Iyo,
- 3) The landlord has or is believed to have six or more rental units. And,
Mulkiilaha gurigu waxa uu leeyahay, ama la rumaysan yahay inuu leeyahay, lix ama in ka badan oo guryo kiro ah. Iyo,
- 4) The landlord failed to schedule and attend mediation before filing the case.
Mulkiilaha guriga wuu ku guuldarraystay inuu jadwal u sameeyo oo uu ka qayb galo dhexdhexaadinta ka hor inta aanu xareyn 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 sharraxdo Qaybta 8.)

- 1) _____
- 2) _____

8. Explanation
Sharraxaada

Briefly explain your side of the situation. You'll present your full argument at trial.
Si kooban u sharrax xaaladda dhinacaaga. Waxaad soo bandhigi doontaa doodaada buuxda marka maxkamadda la joogo.

How do you think the defenses you checked apply? What facts do you think the Complaint got wrong?
Sideed u malaynaysaa in difaacyada aad calaamadisay u khuseeyaan? Xaqiiqooyinkee ayaad u malaynaysaa in Cabasha qabaha khalday?

9. File Online (no fees)
Onleenka Ka Xaree (kharashaad ma laha)

You can submit this form to the court (*file*) and send it to the landlord (*service*) online for free at:
Waxaad u gudbin kartaa foomkan maxkamadda (*xaree*) oo ugu dir mulkiilaha guriga (*gaadhsii*) onleenka si bilaash ah barta:

Colorado Courts Efiling
Xaraynta Elektoroonig ah ee Maxkamadaha Colorado

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

Note: Not available for cases in Denver County Court.
Fiirro gaar ah: Looma heli karo kiisaska Maxkamadda Degmada Denver.

10. Certificate of Service
Xaqiijinta Adeegga

On (*enter service date*) _____
Markay taariikhdu tahay (*geli taariikhda adeegga*)

I certify that I sent a copy of this document to the other parties by: (*select one*)
Waxaan caddeynayaa inaan nuqul ka mid ah dhukumiintigan ugu diraydhinacyada kale : (*dooro mid*)

- Colorado Courts E-Filing.
Ku xaraynta Elektrooniga ah ee Colorado. [www.jbits.courts.state.co.us/efiling]
- Regular Mail, addressed to: (*name*) _____
Boostada Caadiga ah, oo lagu hagaajiyey:: (*magaca*)
Full address: _____
Cinwaanka oo dhamaystiran: _____
- Delivery through Court Clerk. (only available in county court cases – must file at the courthouse)
Ku Gudbinta Karaaniga Maxkamadda. (*kaliya waxaa laga heli karaa kiisaska maxkamadda degmada - waa in laga xareeyo aqalka maxkamadda*)
- 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 aan horay ku sheegay uu run iyo sax yahay.

Executed on the *(date)* _____ day of *(month)* _____ *(year)* _____
La dhaqan geliyay (taariikhda) maalinta (bisha) (sanadka)

at City: *(or other location)* _____
barta Magaalada: (ama goob kale)

and State: *(or country)* _____
iyo Gobolka: (ama waddanka)

Print Your Name(s): _____
Far Waaweyn Ku Qor Magacaaga(Magacyadaada):

Your Signature(s): _____
Saxiixaaga(saxiixyadaada):

Lawyer Signature: *(If any)* _____
Saxiixa Qareenka: (Haddii uu jiro)

12. Additional Information (if any)
Macluumaadka Dheeraadka ah (hadii uu jiro)