

County Court, Denver County, Colorado 1437 Bannock Street, Room 135 Denver, Colorado 80202, 720-865-7840		<b>▲ COURT USE ONLY ▲</b>
Plaintiff(s): v. Defendant(s): <input type="checkbox"/> Any and all other occupants:		
Attorney or Party Without Attorney (Name and Address):  <div style="display: flex; justify-content: space-between;"> <div>           Phone Number:            FAX Number:         </div> <div>           E-mail:            Atty. Reg. #:         </div> </div>		
Case Number:		Division: <b>CIVIL</b> Courtroom:
<b>SUMMONS IN FORCIBLE ENTRY AND UNLAWFUL DETAINER</b>		

**To the above-named Defendant(s), take notice that:**

1. On \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ o'clock\_\_M. in the **Denver** County Court, **Denver**, Colorado, the Court may be asked to enter judgment against you as set forth in the complaint.
2. A copy of the complaint against you and an answer form that you must use if you file an answer are attached.
3. If you do not agree with the complaint, then you must either:
  - a. Attend this hearing at the above date and time virtually, by using this link <http://bit.ly/dcc-civilreturns> or by dialing **720-600-4350** and using the Conference ID number of **177 756 212#** OR
  - b. File an answer with the Court, stating any legal reason you have why judgment should not be entered against you, at **1437 Bannock Street, Room 135** before that date and time.
4. When you file your answer, you must pay a filing fee to the Clerk of the Court. If you want a jury trial, you must ask for one in the answer and pay a jury fee in addition to the filing fee. If you want to file an answer or request a jury trial and you are indigent, you must appear at the above date and time, fill out a financial affidavit, and ask the Court to waive the fee.
5. If you file an answer, you must personally serve or mail a copy to the Plaintiff(s) or the attorney who signed the complaint.
6. If you do not respond to the Landlord's complaint by filing a written Answer with the Court on or before the date and time in this summons or appearing in court at the date and time in this summons, the Judge may enter a Default Judgment against you in favor of your Landlord for possession. A Default Judgment for possession means that you will have to move out, and it may mean that you will have to pay money to the Landlord. In your answer to the Court, you can state why you believe you have a right to remain in the property, whether you admit or deny the Landlord's factual allegations against you, and whether you believe you were given proper notice of the Landlord's reasons for terminating your tenancy before you got this Summons. When you file your Answer, you must pay a filing fee to the Clerk of the Court. If you are claiming that the Landlord's failure to repair a residential premises is a defense to the Landlord's allegation of nonpayment of rent, the Court will require you to pay into the Registry of the Court, at the time of filing your Answer, the rent due less any expenses you have incurred based upon the Landlord's failure to repair the residential premises; unless the Court determines that you qualify to have this requirement waived due to your income.
7. **Any records associated with the action are suppressed and not accessible to the public until an Order is entered granting the Plaintiff possession of the premises.**
8. **If the Plaintiff is granted possession of the premises, the Court records may remain private if both parties agree to suppress the records.**
9. **For a residential action filed in county court pursuant to this article 40, either party has a right to appear in person or remotely by phone or video on a platform designated by the court. If a party participates remotely and the party is disconnected or there is a technology failure, the court shall make all reasonable efforts to contact the party and shall allow reasonable time for the party to reestablish connection. If the party is unable to reestablish connection, the court shall reschedule the hearing in person on the first available date after the date of the originally scheduled hearing but no later than one week after the originally scheduled hearing, to the extent practicable. The court shall not enter a default judgment if a party is unable to participate remotely due to a technological disconnection or failure.**

Dated at \_\_\_\_\_, Colorado, this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_.

Clerk of the Court

By: \_\_\_\_\_  
Deputy Clerk

\_\_\_\_\_  
Attorney for Plaintiff(s) (if applicable)

\_\_\_\_\_  
Address(es) of Plaintiff(s)

\_\_\_\_\_  
Telephone Number(s) of Plaintiff(s)

This Summons is issued pursuant to §13-40-111, C.R.S. A copy of the Complaint together with a blank Answer form, a list of available residential and legal resources, and a form to request documents from the other party must be served with this Summons. This form should be used only for actions filed under Colorado's Forcible Entry and Detainer Act.

To the clerk: If this Summons is issued by the Clerk of the Court, the signature block for the clerk, deputy and the seal of the Court should be provided by stamp, or typewriter, in the space to the left of the attorney's name.

**WARNING: ALL FEES ARE NON-REFUNDABLE. IN SOME CASES, A REQUEST FOR A JURY TRIAL MAY BE DENIED PURSUANT TO LAW EVEN THOUGH A JURY FEE HAS BEEN PAID.**

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### CERTIFICATE OF MAILING

I/we, the undersigned Plaintiff(s) (or agent for Plaintiff(s)), certify that on \_\_\_\_\_ (date) I/we mailed a copy of the Summons, Complaint, Answer, Request and Order for Production, and Denver County Court Residential Resource Sheet form by postage prepaid, first class mail, to \_\_\_\_\_, the Defendant(s) at the following address(es): \_\_\_\_\_.

\_\_\_\_\_  
Plaintiff(s)/Agent for Plaintiff(s)

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### Section 13-40-111 Colorado Revised Statutes, as amended.

#### 13-40-111. Issuance and return of summons.

(1) Upon filing the complaint as required in section 13-40-110, the clerk of the court or the attorney for the plaintiff shall issue a summons. The summons must command the defendant to appear before the court at a place named in the summons and at a time and on a day not less than seven days but not more than fourteen days from the day of issuing the same to answer the complaint of plaintiff. A court shall not enter a default judgment for possession before the close of business on the date upon which an appearance is due. The summons must also contain a statement addressed to the defendant stating: If you fail to file with the court, at or before the time for appearance specified in the summons, an answer to the complaint setting forth the grounds upon which you base your claim for possession and denying or admitting all of the material allegations of the complaint, judgment by default may be taken against you for the possession of the property described in the complaint, for the rent, if any, due or to become due, for present and future damages and costs, and for any other relief to which the plaintiff is entitled. If you are claiming that the landlord's failure to repair the residential premises is a defense to the landlord's allegation of nonpayment of rent, the court will require you to pay into the registry of the court, at the time of filing your answer, the rent due less any expenses you have incurred based upon the landlord's failure to repair the residential premises; unless the court determines that you qualify to have this requirement waived due to your income.

#### 13-40-112. Service.

(1) Such summons may be served by personal service as in any civil action. A copy of the complaint must be served with the summons.

(2) If personal service cannot be had upon the Defendant by a person qualified under the Colorado Rules of Civil Procedure to serve process, after having made diligent effort to make such personal service, such person may make service by posting a copy of the summons and the complaint in some conspicuous place upon the premises. In addition thereto, the Plaintiff shall mail, no later than the next day following the day on which he/she files the complaint, a copy of the summons, or, in the event that an alias summons is issued, a copy of the alias summons, and a copy of the complaint to the Defendant at the premises by postage prepaid, first class mail.

(3) Personal service or service by posting shall be made at least seven days before the day for appearance specified in such summons, and the time and manner of such service shall be endorsed upon such summons by the person making service thereof.