

How does a landlord begin an eviction?

Colorado law requires that the landlord provide written notice to the tenant BEFORE a case may be filed at a Courthouse. The law requires that the landlord provide either a **Demand for Compliance** or a **Notice to Quit**.

The landlord must have the Demand or Notice completed correctly, given to the tenant in the correct manner, and given to the tenant at the correct time. **This information is being provided as a courtesy – if you do not understand this information, please consult with an attorney.**

	DEMAND FOR COMPLIANCE (JDF 101)	NOTICE TO QUIT (JDF 97)
WHAT IT MEANS	The landlord is giving the tenant time to fix a problem; but, if the problem remains after that time, an eviction will be filed. --- “You have 10 (or 30) days to comply with our lease or else I will file an eviction case against you.”	The landlord is simply done renting to the tenant. --- “I am done renting to you; I’m ending our lease. Move out by a particular date or else I will file an eviction case against you”
PROVIDE AN OPPORTUNITY TO CURE?	YES – the tenant has 10 (or 30) days to fix a problem	NO—the tenant must move out by the end of the Notice
WHEN TO USE IT	- When a landlord wants to give their tenants an opportunity to fix a problem and stay OR - When a landlord does not want to wait for a Notice to Quit	When a landlord does not want to give their tenant an opportunity to stay but instead wants the tenant gone
TIMING REQUIREMENTS	- Can be given any time - Summons and Complaint may only be filed after the 10 days have expired -***If the reason for the eviction is non-payment of rent, and the landlord has a federally-backed mortgage, the Demand for Compliance must be for 30 days.***	• 1-year lease: 91 days • Month-to-Month: 21 days • Tenancy at Will: 3 days • SUBSTANTIAL VIOLATION: 3 days¹ -Summons and Complaint may only be filed after the Notice to Quit has expired

The Demand or Notice must be hand-delivered to the tenant or posted on the tenant’s door. Anyone, including the landlord, can do the delivery. The landlord must keep a copy of the Demand or Notice, to be filed with the eviction case if a case is necessary.

¹ A Substantial Violation has a specific meaning per CRS 13-40-107.5. A Substantial Violation is not simply “a big violation,” but instead it’s a violent or drug-related felony, or other behavior that willfully and substantially endangers the property or the people living on/near the property.