

HOUSE FLOOR AMENDMENT

Second Reading BY REPRESENTATIVES Weissman and Vigil

1 Amend printed bill, page 4, line 15, strike "A" and substitute "EXCEPT AS  
2 PROVIDED IN SUBSECTION (1.5)(f) OF THIS SECTION, A"

3 Page 6, after line 13 insert:

4 "(f) A LANDLORD IS EXEMPT FROM THE REQUIREMENTS SET FORTH  
5 IN SUBSECTIONS (1.5)(a) to (1.5)(c) OF THIS SECTION IF THE LANDLORD:

6 (I) DOES NOT ACCEPT MORE THAN ONE APPLICATION FEE AT A TIME  
7 FOR A DWELLING UNIT OR, IF A DWELLING UNIT IS RENTED TO MORE THAN  
8 ONE OCCUPANT, DOES NOT ACCEPT MORE THAN ONE APPLICATION FEE AT  
9 A TIME FROM EACH PROSPECTIVE TENANT OR TENANT GROUP FOR THE  
10 DWELLING UNIT; AND

11 (II) REFUNDS THE TOTAL AMOUNT OF THE APPLICATION FEE TO  
12 EACH PROSPECTIVE TENANT WITHIN TWENTY CALENDAR DAYS AFTER  
13 WRITTEN COMMUNICATION FROM EITHER THE LANDLORD OR LANDLORD'S  
14 AGENT OR THE PROSPECTIVE TENANT DECLINING TO ENTER INTO A LEASE  
15 AGREEMENT FOR THE DWELLING UNIT."

16 Page 7, after line 15 insert:

17 "SECTION 4. In Colorado Revised Statutes, 38-12-905, amend  
18 (1) and (3) as follows:

19 **38-12-905. Violations - liability - notice required - exception.**

20 (1) Except as described in subsection (3) of this section, a landlord who  
21 violates any provision of this part 9 is liable to the ~~person who is charged~~  
22 ~~a rental application fee for treble the amount of the rental application fee;~~  
23 PROSPECTIVE TENANT AGGRIEVED BY THE VIOLATION FOR TWO THOUSAND  
24 FIVE HUNDRED DOLLARS, plus court costs and reasonable attorney fees.

25 (3) A landlord who corrects or cures a violation of this part 9 not  
26 more than seven calendar days after receiving notice of the violation  
27 SHALL PAY THE PROSPECTIVE TENANT AGGRIEVED BY THE VIOLATION A  
28 PENALTY OF FIFTY DOLLARS BUT OTHERWISE is not liable for damages as  
29 described in subsection (1) of this section."

30 Renumber succeeding sections accordingly.

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