

1 Amend printed bill, page 13, after line 25 insert:

2 "(XI) A TENANT WHO DEDUCTS RENT AS A RESULT OF A BREACH OF
3 THE WARRANTY OF HABITABILITY, WHICH BREACH IS BASED ON A
4 CONDITION DESCRIBED IN SECTION 38-12-505 (1)(b)(I), MAY, IN LIEU OF
5 REPAIRING THE MALFUNCTIONING APPLIANCE, REPLACE THE
6 MALFUNCTIONING APPLIANCE SO LONG AS THE REPLACEMENT APPLIANCE
7 IS AT LEAST OF SUBSTANTIALLY COMPARABLE QUALITY AND HAS
8 SUBSTANTIALLY THE SAME FEATURES AS THE ORIGINAL APPLIANCE.".

9 Page 14, strike lines 21 and 22 and substitute:

10 "SECTION 9. In Colorado Revised Statutes, **amend** 38-12-509
11 as follows:".

12 Page 15, line 22, after "action." add "IF A LANDLORD ELECTS TO REPLACE
13 A MALFUNCTIONING APPLIANCE, BUT DOES SO WITH A NEW APPLIANCE
14 THAT IS NOT IDENTICAL TO THE APPLIANCE BEING REPLACED, THERE IS A
15 REBUTTABLE PRESUMPTION IN FAVOR OF THE LANDLORD THAT THE
16 LANDLORD'S SELECTION OF A DIFFERENT APPLIANCE WAS NOT
17 RETALIATORY SO LONG AS THE REPLACEMENT APPLIANCE PROVIDES
18 SUBSTANTIALLY THE SAME FEATURES AS THE ORIGINAL APPLIANCE.".

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