

SENATE COMMITTEE OF REFERENCE REPORT

Chair of Committee

Date

March 14, 2019

Committee on Local Government.

After consideration on the merits, the Committee recommends the following:

HB19-1170 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

- 1 Amend reengrossed bill, page 5, strike lines 24 through 26 and substitute:
 - 2 "(2.3) A TENANT WHO GIVES A LANDLORD ELECTRONIC NOTICE OF
 - 3 A CONDITION SHALL SEND SUCH NOTICE ONLY TO THE E-MAIL ADDRESS,
 - 4 PHONE NUMBER, OR ELECTRONIC PORTAL SPECIFIED BY THE LANDLORD IN
 - 5 THE RENTAL AGREEMENT FOR COMMUNICATIONS. IN THE ABSENCE OF
 - 6 SUCH A PROVISION IN THE RENTAL AGREEMENT, THE TENANT SHALL
 - 7 COMMUNICATE WITH THE LANDLORD IN A MANNER THAT THE LANDLORD
 - 8 HAS PREVIOUSLY USED TO COMMUNICATE WITH THE TENANT. THE TENANT
 - 9 SHALL RETAIN SUFFICIENT PROOF OF DELIVERY OF THE ELECTRONIC
 - 10 NOTICE."
- 11 Page 7, line 2, after "THE" insert "RESIDENTIAL".
- 12 Page 8, line 17, after "THE" insert "RESIDENTIAL".
- 13 Page 10, line 4, after "leased" insert "RESIDENTIAL".
- 14 Page 10, line 5, before "premises" insert "RESIDENTIAL".
- 15 Page 13, strike lines 6 through 14 and substitute "OR MORE RENT
- 16 PAYMENTS IF THE RESIDENTIAL PREMISES:
 - 17 (A) SATISFIES THE REQUIREMENTS FOR A LOW-INCOME HOUSING
 - 18 CREDIT PURSUANT TO 26 U.S.C. SEC. 42;

1 (B) WAS CONSTRUCTED, ACQUIRED, DEVELOPED, OR
2 REHABILITATED WITH FUNDING PROVIDED PURSUANT TO SECTION 8 OR 9
3 OF THE FEDERAL "UNITED STATES HOUSING ACT OF 1937", AS AMENDED,
4 CODIFIED AT 42 U.S.C. SECS. 1437f AND 1437g;

5 (C) WAS CONSTRUCTED, ACQUIRED, DEVELOPED, OR
6 REHABILITATED WITH FUNDING PROVIDED FROM THE HOME INVESTMENT
7 PARTNERSHIPS PROGRAM OF THE FEDERAL DEPARTMENT OF HOUSING AND
8 URBAN DEVELOPMENT; OR

9 (D) INCLUDES UNITS THAT WERE CONSTRUCTED WITH FUNDING
10 PROVIDED BY ANY FEDERAL OR STATE PROGRAM THAT RESTRICTS
11 MAXIMUM RENTS FOR PERSONS OF LOW OR MODERATE INCOME AND THAT
12 CURRENTLY HAS A RECORDED LAND USE RESTRICTION THAT IS MONITORED
13 BY A FEDERAL, STATE, COUNTY, OR MUNICIPAL AGENCY TO ENSURE
14 COMPLIANCE."

15 Page 13, line 22, after the second "THE" insert "RESIDENTIAL".

16 Page 16, after line 25 insert:

17 "SECTION 9. In Colorado Revised Statutes, **amend** 38-12-801
18 as follows:

19 **38-12-801. Written rental agreement - copy - tenant.** (1) If
20 there is a written rental agreement, ~~then~~ the landlord shall provide the
21 tenant with a copy of the agreement that is signed by the landlord and the
22 tenant, no later than the seventh day after the tenant has signed the
23 agreement. A landlord may provide the tenant with an electronic copy of
24 the agreement, unless the tenant requests a paper copy, in which case the
25 landlord shall provide the tenant with a paper copy.

26 (2) A WRITTEN RENTAL AGREEMENT MUST INCLUDE A STATEMENT
27 INDICATING TO THE TENANT THE NAME AND ADDRESS OF THE PERSON WHO
28 IS THE LANDLORD OR THE LANDLORD'S AUTHORIZED AGENT. IF THE
29 IDENTITY OF A LANDLORD OR A LANDLORD'S AUTHORIZED AGENT
30 CHANGES, THE NEW LANDLORD OR AUTHORIZED AGENT, NOT LATER THAN
31 ONE BUSINESS DAY AFTER SUCH CHANGE, SHALL:

32 (a) PROVIDE EACH TENANT OF THE LANDLORD WRITTEN OR
33 ELECTRONIC NOTICE OF THE CHANGE; OR

34 (b) POST THE IDENTITY OF THE NEW LANDLORD OR NEW
35 AUTHORIZED AGENT IN A CONSPICUOUS LOCATION ON THE RESIDENTIAL
36 PREMISES."

37 Renumber succeeding sections accordingly.

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