

**First Regular Session
Seventy-second General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 19-0013.02 Conrad Imel x2313

HOUSE BILL 19-1118

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A BILL FOR AN ACT

101 **CONCERNING THE TIME ALLOWED FOR A TENANT TO CURE A LEASE**
102 **VIOLATION THAT IS NOT A SUBSTANTIAL VIOLATION.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

Current law requires a landlord to provide a tenant 3 days to cure a violation for unpaid rent or any other condition or covenant of a lease agreement, other than a substantial violation, before the landlord can initiate eviction proceedings based on that unpaid rent or other violation. Current law also requires 3 days' notice prior to a tenancy being terminated for a subsequent violation of a condition or covenant of a lease

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

agreement.

The bill requires a landlord to provide a tenant 14 days to cure a violation for unpaid rent or for a first violation of any other condition or covenant of a lease agreement, other than a substantial violation, before the landlord can initiate eviction proceedings. The bill requires 14 days' notice prior to the landlord terminating a lease agreement for a subsequent violation of the same condition or covenant of the agreement.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 13-40-104, **amend**
3 (1)(d), (1)(e), and (1)(e.5)(II) as follows:

4 **13-40-104. Unlawful detention defined.** (1) Any person is guilty
5 of an unlawful detention of real property in the following cases:

6 (d) When such tenant or lessee holds over without permission of
7 ~~his~~ THE TENANT'S OR LESSEE'S landlord after any default in the payment
8 of rent pursuant to the agreement under which ~~he~~ THE TENANT OR LESSEE
9 holds, and, ~~three~~ FOURTEEN days' notice in writing has been duly served
10 upon the tenant or lessee holding over, requiring in the alternative the
11 payment of the rent or the possession of the premises. No such agreement
12 shall contain a waiver by the tenant of the ~~three~~ FOURTEEN days' notice
13 requirement of this ~~paragraph (d)~~ SUBSECTION (1)(d). It ~~shall~~ IS not ~~be~~
14 necessary, in order to work a forfeiture of such agreement, for
15 nonpayment of rent, to make a demand for such rent on the day on which
16 the same becomes due; but a failure to pay such rent upon demand, when
17 made, works a forfeiture.

18 (e) When such tenant or lessee holds over, without such
19 permission, contrary to any other condition or covenant of the agreement
20 under which such tenant or lessee holds, and ~~three~~ FOURTEEN days' notice
21 in writing has been duly served upon such tenant or lessee requiring in the
22 alternative the compliance with such condition or covenant or the delivery

1 of the possession of the premises so held;

2 (e.5) (II) A tenancy may be terminated at any time pursuant to this
3 ~~paragraph (e.5)~~ SUBSECTION (1)(e.5) on the basis of a subsequent
4 violation OF THE SAME CONDITION OR COVENANT OF THE AGREEMENT. The
5 termination ~~shall be~~ IS effective ~~three~~ FOURTEEN days after service of
6 written notice to quit.

7 **SECTION 2. Safety clause.** The general assembly hereby finds,
8 determines, and declares that this act is necessary for the immediate
9 preservation of the public peace, health, and safety.