

First Regular Session  
Seventy-fifth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 25-0555.01 Pierce Lively x2059

SENATE BILL 25-020

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SENATE SPONSORSHIP

Weissman and Gonzales J.,

HOUSE SPONSORSHIP

Lindsay and Mabrey,

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Senate Committees  
Judiciary

House Committees

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A BILL FOR AN ACT

101 CONCERNING THE ENFORCEMENT OF EXISTING LANDLORD-TENANT  
102 LAW.

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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>.)*

**Section 1** of the bill clarifies that the attorney general has the power to initiate and bring civil and criminal actions to enforce certain state landlord-tenant laws. **Section 2** makes corresponding conforming amendments to the attorney general's statutory powers and duties.

**Sections 3 and 4** grant counties, cities and counties, and municipalities the power to initiate and bring civil and criminal actions

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

to enforce certain state landlord-tenant laws.

**Section 5** establishes a receivership mechanism that is available as a remedy for violations of applicable laws and regulations by the owner of multifamily residential property. The attorney general's office, a county, a city and county, and a municipality may all apply to a district court for the appointment of a receiver to operate a residential property. The bill establishes the process for a district court appointing a receiver, including requiring a hearing and an order of appointment that specifies the duties of a receiver, and the criteria for qualifying as a receiver. No sooner than 180 days after the district court appoints a receiver, the owner of the relevant property, attorney general, county, city and county, or municipality may submit an application to the district court seeking the termination of the receivership. As with the appointing of a receiver, the bill establishes the process by which a district court may terminate a receivership.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-31-101, **amend**  
3 (1)(i)(XXII); and **add** (1)(i)(XXIV), (1)(i)(XXV), and (1)(i)(XXVI) as  
4 follows:

5 **24-31-101. Powers and duties of attorney general.** (1) The  
6 attorney general:

7 (i) May independently initiate and bring civil and criminal actions  
8 to enforce state laws, including actions brought pursuant to:

9 (XXII) Part 14 of article 12 of title 38; ~~and~~

10 (XXIV) BEGINNING JANUARY 1, 2026, PART 4 OF ARTICLE 12 OF  
11 TITLE 38;

12 (XXV) BEGINNING JANUARY 1, 2026, PART 8 OF ARTICLE 12 OF  
13 TITLE 38; AND

14 (XXVI) BEGINNING JANUARY 1, 2026, PART 10 OF ARTICLE 12 OF  
15 TITLE 38.

16 **SECTION 2.** In Colorado Revised Statutes, 24-31-115, **amend**  
17 (4)(a) introductory portion, (5)(a), (6)(b), (8)(a) introductory portion,

1 (8)(a)(III), (8)(b), and (9) as follows:

2 **24-31-115. Housing unit - powers of attorney general or**  
3 **district attorney - subpoenas - document production - remedies -**  
4 **injunctive relief - penalties. (4) Powers.** (a) When the attorney general  
5 has reasonable cause to believe that any person, whether in this state or  
6 elsewhere, has engaged in or is engaging in a violation of any of the  
7 provisions listed in section 24-31-101, ~~(1)(i)(IX) to (1)(i)(XIV)~~, the  
8 attorney general may:

9 (5) **Subpoenas - production of documents.** (a) When the  
10 attorney general has reasonable cause to believe that a person, whether in  
11 this state or elsewhere, has engaged in or is engaging in a violation of any  
12 of the provisions listed in section 24-31-101, ~~(1)(i)(IX) to (1)(i)(XIV)~~, the  
13 attorney general, in addition to any other powers conferred upon the  
14 attorney general by this article 31, may issue subpoenas to require the  
15 attendance of witnesses or the production of documents, administer oaths,  
16 conduct hearings in aid of any investigation or inquiry, and prescribe such  
17 forms and promulgate such rules as may be necessary to administer the  
18 provisions of this article 31.

19 (6) **Inadmissible testimony.** (b) Subject to subsection (8) of this  
20 section, the records of investigations or intelligence information of the  
21 attorney general obtained under this article 31 may constitute public  
22 records available for inspection by the public at the sole discretion of the  
23 attorney general. This subsection (6)(b) shall not be construed to prevent  
24 the attorney general from issuing public statements describing or warning  
25 of any course of conduct or any conspiracy that constitutes a violation of  
26 any of the provisions listed in section 24-31-101, ~~(1)(i)(IX) to~~  
27 ~~(1)(i)(XIV)~~, whether on a local, statewide, regional, or nationwide basis.

1           (8) **Injunctive authority - assurances of discontinuance.**

2           (a) Whenever the attorney general has cause to believe that a person has  
3 engaged in or is engaging in a violation of any of the provisions listed in  
4 section 24-31-101, ~~(1)(i)(IX) to (1)(i)(XIV)~~, the attorney general may  
5 apply for and obtain, in an action in the appropriate district court of this  
6 state, a temporary restraining order or injunction, or both, pursuant to the  
7 Colorado rules of civil procedure, prohibiting the person from continuing  
8 or engaging in such practices, or doing any act in furtherance of such  
9 practices. The court may make such orders or judgments as is necessary  
10 to:

11                 (III) Prevent any unjust enrichment by any person through the use  
12 or employment of any practice that is in violation of any of the provisions  
13 listed in section 24-31-101. ~~(1)(i)(IX) to (1)(i)(XIV)~~.

14           (b) Where the attorney general has authority to institute a civil  
15 action or other proceeding pursuant to the provisions of this article, the  
16 attorney general may accept, in lieu thereof or as a part thereof, an  
17 assurance of discontinuance of any practice that constitutes a violation of  
18 any of the provisions that are listed in section 24-31-101. ~~(1)(i)(IX) to~~  
19 ~~(1)(i)(XIV)~~. Any such assurance of discontinuance may include a  
20 stipulation for the voluntary payment by the alleged violator of the costs  
21 of investigation and the costs of any action or proceeding by the attorney  
22 general or a district attorney and any amount necessary to restore to any  
23 person any money or property that may have been acquired by the alleged  
24 violator by means of a violation of any of the provisions that are listed in  
25 section 24-31-101. ~~(1)(i)(IX) to (1)(i)(XIV)~~. Any such assurance or  
26 discontinuance accepted by the attorney general and any such stipulation  
27 filed with the court as a part of any such action or proceeding is a matter

1 of public record unless the attorney general determines, in the attorney  
2 general's sole discretion, that the assurance of discontinuance and any  
3 stipulation are confidential to the parties to the action or proceeding and  
4 to the court and its employees. Upon the filing of a civil action by the  
5 attorney general alleging that a confidential assurance of discontinuance  
6 or stipulation accepted pursuant to this subsection (8)(b) has been  
7 violated, the assurance of discontinuance or stipulation is deemed a public  
8 record and open to inspection by any person. Proof by a preponderance  
9 of the evidence of a violation of any such assurance or stipulation  
10 constitutes prima facie evidence of a deceptive trade practice for the  
11 purposes of any civil action or proceeding brought thereafter by the  
12 attorney general, whether a new action or a subsequent motion or petition  
13 in any pending action or proceeding.

14 (9) **Penalties.** In order to enforce the provisions of this article 31,  
15 in addition to any penalties stated in this article 31, the attorney general  
16 may seek any of the penalties or other enforcement mechanisms specified  
17 in the "~~Immigrant Tenant Protection Act~~", part 12 of article 12 of title 38;  
18 the "~~Mobile Home Park Act~~", part 2 of article 12 of title 38; the "~~Mobile  
19 Home Park Act Dispute Resolution and Enforcement Program~~", part 11  
20 of article 12 of title 38; part 1 of article 12 of title 38; part 7 of article 12  
21 of title 38; and section 38-12-904 (1)(b) ARTICLE 12 OF TITLE 38,  
22 INCLUDING ANY PENALTIES AVAILABLE TO AGGRIEVED TENANTS OR OTHER  
23 AGGRIEVED PERSONS UNDER THESE PROVISIONS, along with costs to  
24 enforce these provisions.

25 **SECTION 3.** In Colorado Revised Statutes, 30-11-101, **add**  
26 (1)(m) as follows:

27 **30-11-101. Powers of counties.** (1) Each organized county

1 within the state is a body corporate and politic and as such is empowered  
2 for the following purposes:

3 (m) INDEPENDENTLY INITIATING AND BRINGING CIVIL AND  
4 CRIMINAL ACTIONS TO ENFORCE:

5 (I) PARTS 1, 2, 5, 7, 9, 11, 12, AND 14 OF ARTICLE 12 OF TITLE 38;  
6 AND

7 (II) BEGINNING JANUARY 1, 2026, PARTS 4, 8, AND 10 OF ARTICLE  
8 12 OF TITLE 38.

9 **SECTION 4.** In Colorado Revised Statutes, 31-15-101, **amend**  
10 (1)(e) and (1)(f); and **add** (1)(g) as follows:

11 **31-15-101. Municipalities - bodies politic - powers.**

12 (1) Municipalities:

13 (e) May have a common seal which they may alter at their  
14 pleasure; ~~and~~

15 (f) May accept the transfer of federal land for public purposes,  
16 including but not limited to municipal expansion and residential purposes;

17 AND

18 (g) MAY INDEPENDENTLY INITIATE AND BRING CIVIL AND  
19 CRIMINAL ACTIONS TO ENFORCE:

20 (I) PARTS 1, 2, 5, 7, 9, 11, 12, AND 14 OF ARTICLE 12 OF TITLE 38;  
21 AND

22 (II) BEGINNING JANUARY 1, 2026, PARTS 4, 8, AND 10 OF ARTICLE  
23 12 OF TITLE 38.

24 **SECTION 5.** In Colorado Revised Statutes, **add** 38-12-513 as  
25 follows:

26 **38-12-513. Receivership of residential housing.** (1) THE  
27 PURPOSE OF THIS SECTION IS TO ESTABLISH A RECEIVERSHIP MECHANISM

1 THAT WILL BE AVAILABLE AS A REMEDY FOR VIOLATIONS OF APPLICABLE  
2 LAWS AND REGULATIONS BY THE OWNER OF MULTIFAMILY RESIDENTIAL  
3 PROPERTY.

4 (2) THE FOLLOWING PARTIES MAY APPLY TO THE DISTRICT COURT  
5 FOR THE APPOINTMENT OF A RECEIVER TO OPERATE A MULTIFAMILY  
6 RESIDENTIAL PROPERTY:

7 (a) THE ATTORNEY GENERAL, WHEN THE ATTORNEY GENERAL HAS  
8 REASONABLE CAUSE TO BELIEVE THAT ANY PERSON, WHETHER IN THIS  
9 STATE OR ELSEWHERE, HAS ENGAGED IN OR IS ENGAGING IN A VIOLATION  
10 OF THIS PART 5 IN CONNECTION WITH THE MULTIFAMILY RESIDENTIAL  
11 PROPERTY;

12 (b) A COUNTY OR CITY AND COUNTY, UPON:

13 (I) A VIOLATION OF A COUNTY PUBLIC HEALTH CODE PROVISION  
14 CONCERNING MULTIFAMILY RESIDENTIAL PROPERTY ON THE PROPERTY  
15 WHEN THAT VIOLATION HAS GONE UNCORRECTED FOR MORE THAN THIRTY  
16 DAYS AFTER NOTICE OF SUCH A VIOLATION; OR

17 (II) A SECOND VIOLATION, ON A SEPARATE OCCASION THAN THE  
18 VIOLATION DESCRIBED IN SUBSECTION (2)(b)(I) OF THIS SECTION, IN A  
19 TWELVE-MONTH PERIOD, OF A COUNTY PUBLIC HEALTH CODE PROVISION  
20 CONCERNING MULTIFAMILY RESIDENTIAL PROPERTY ON THE PROPERTY;

21 AND

22 (c) A MUNICIPALITY, UPON:

23 (I) A VIOLATION OF A CITY ORDINANCE CONCERNING MULTIFAMILY  
24 RESIDENTIAL PROPERTY ON THE PROPERTY, WHEN THAT VIOLATION HAS  
25 GONE UNCORRECTED FOR MORE THAN THIRTY DAYS AFTER NOTICE OF  
26 SUCH A VIOLATION; OR

27 (II) A SECOND VIOLATION, ON A SEPARATE OCCASION THAN THE

1 VIOLATION DESCRIBED IN SUBSECTION (2)(c)(I) OF THIS SECTION, IN A  
2 TWELVE-MONTH PERIOD, OF A CITY ORDINANCE CONCERNING  
3 MULTIFAMILY RESIDENTIAL PROPERTY ON THE PROPERTY;

4 (3) (a) A PETITIONER SEEKING THE APPOINTMENT OF A RECEIVER  
5 PURSUANT TO THIS SECTION MUST FILE AN APPLICATION WITH THE  
6 DISTRICT COURT FOR THE COUNTY OR CITY AND COUNTY WHERE THE  
7 MULTIFAMILY RESIDENTIAL PROPERTY IS LOCATED.

8 (b) (I) THE DISTRICT COURT SHALL NOT HOLD A HEARING  
9 CONCERNING AN APPLICATION FOR THE APPOINTMENT OF A RECEIVER  
10 PURSUANT TO THIS SECTION SOONER THAN SEVENTY-TWO HOURS AFTER  
11 THE FOLLOWING PARTIES HAVE BEEN SERVED WITH NOTICE THEREOF, AS  
12 PROVIDED IN THE COLORADO RULES OF CIVIL PROCEDURE:

13 (A) THE OWNER OF RECORD OF THE MULTIFAMILY RESIDENTIAL  
14 PROPERTY;

15 (B) ANY LESSEE OR MORTGAGEE OF THE MULTIFAMILY  
16 RESIDENTIAL PROPERTY;

17 (C) THE CITY IN WHICH THE MULTIFAMILY RESIDENTIAL PROPERTY  
18 IS LOCATED;

19 (D) THE COUNTY OR CITY AND COUNTY IN WHICH THE  
20 MULTIFAMILY RESIDENTIAL PROPERTY IS LOCATED;

21 (E) THE ATTORNEY GENERAL'S OFFICE; AND

22 (F) THE DEPARTMENT OF LOCAL AFFAIRS.

23 (II) IN PROVIDING NOTICE PURSUANT TO SUBSECTION (3)(b)(I) OF  
24 THIS SECTION, A PARTY DOES NOT HAVE TO PROVIDE NOTICE TO ITSELF.

25 (c) AN APPLICATION FOR APPOINTMENT OF A RECEIVER PURSUANT  
26 TO THIS SUBSECTION (3) HAS PRECEDENCE AND PRIORITY OVER ANY CIVIL  
27 OR CRIMINAL CASE PENDING IN THE DISTRICT COURT WHERE THE



1 APPLICATION IS FILED.

2 (4) (a) THE DISTRICT COURT'S APPOINTMENT OF A RECEIVER  
3 PURSUANT TO THIS SECTION SHALL BE IN ACCORDANCE WITH AND  
4 GOVERNED BY RULE 66 OF THE COLORADO RULES OF CIVIL PROCEDURE.

5 (b) TO APPOINT A RECEIVER PURSUANT TO THIS SECTION, THE  
6 DISTRICT COURT MUST FIND THAT:

7 (I) GROUNDS FOR THE APPOINTMENT OF A RECEIVER EXIST DUE TO  
8 A FINDING BY THE DISTRICT COURT, BASED ON A PREPONDERANCE OF THE  
9 EVIDENCE, SUPPORTING THE RELEVANT CLAIMS IN AN APPLICATION  
10 SUBMITTED BY A PARTY PURSUANT TO SUBSECTION (2) OF THIS SECTION;  
11 AND

12 (II) PROPER NOTICE AS REQUIRED BY SUBSECTION (3) OF THIS  
13 SECTION HAS BEEN SERVED.

14 (c) A RECEIVER APPOINTED BY THE DISTRICT COURT PURSUANT TO  
15 THIS SECTION MUST BE A PERSON WITH KNOWLEDGE AND EXPERIENCE IN  
16 THE OPERATION, MAINTENANCE, AND IMPROVEMENT OF RESIDENTIAL  
17 HOUSING. THE DISTRICT COURT MAY ALSO REQUIRE THAT THE RECEIVER  
18 POST A BOND WITH ADEQUATE SURETIES AS DETERMINED BY THE COURT.

19 (d) IN APPOINTING A RECEIVER PURSUANT TO THIS SECTION, THE  
20 DISTRICT COURT MUST HOLD A HEARING, AT WHICH TIME THE PARTIES MAY  
21 APPEAR AND BE HEARD.

22 (e) FOLLOWING THE HEARING DESCRIBED IN SUBSECTION (4)(d) OF  
23 THIS SECTION, IF THE COURT APPOINTS A RECEIVER, THE COURT MUST  
24 ENTER AN ORDER OF APPOINTMENT THAT SPECIFIES THE DUTIES AND  
25 RESPONSIBILITIES OF THE RECEIVER, WHICH MUST INCLUDE THAT THE  
26 RECEIVER:

27 (I) WITHIN THIRTY DAYS OF BEING APPOINTED BY THE DISTRICT

1 COURT, SUBMIT A PLAN TO THE DISTRICT COURT FOR THE REMEDIATION OF  
2 ANY VIOLATIONS OF THIS PART 5, A COUNTY OR CITY AND COUNTY PUBLIC  
3 HEALTH CODE, OR A MUNICIPAL ORDINANCE;

4 (II) TAKE THE ACTIONS NECESSARY TO ENSURE THAT THE  
5 MULTIFAMILY RESIDENTIAL PROPERTY IS NO LONGER IN VIOLATION OF THIS  
6 PART 5, A COUNTY OR CITY AND COUNTY PUBLIC HEALTH CODE, OR A  
7 MUNICIPAL ORDINANCE;

8 (III) NO LATER THAN EVERY THIRTY DAYS AFTER BEING  
9 APPOINTED BY THE DISTRICT COURT, SUBMIT AN ACCOUNTING AND STATUS  
10 REPORT TO THE DISTRICT COURT, WHICH MUST INCLUDE ACTIONS THAT  
11 HAVE BEEN COMPLETED AND ACTIONS THAT ARE STILL ONGOING TO  
12 ACHIEVE COMPLIANCE WITH THIS PART 5, A COUNTY OR CITY AND COUNTY  
13 PUBLIC HEALTH CODE, OR A MUNICIPAL ORDINANCE; AND

14 (IV) AT THE END OF THE RECEIVERSHIP, AS DESCRIBED IN  
15 SUBSECTION (8) OF THIS SECTION, SUBMIT A FINAL ACCOUNTING AND  
16 STATUS REPORT TO THE COURT, WHICH MUST INCLUDE ACTIONS THAT  
17 HAVE BEEN COMPLETED AND ACTIONS THAT ARE STILL ONGOING TO  
18 ACHIEVE COMPLIANCE WITH THIS PART 5, A COUNTY OR CITY AND COUNTY  
19 PUBLIC HEALTH CODE, OR A MUNICIPAL ORDINANCE.

20 (5)(a) A RECEIVER APPOINTED BY THE DISTRICT COURT PURSUANT  
21 TO THIS SECTION HAS THE POWER TO:

22 (I) REMEDIATE ANY VIOLATION BY THE MULTIFAMILY RESIDENTIAL  
23 PROPERTY OF THIS PART 5, A COUNTY OR CITY AND COUNTY PUBLIC  
24 HEALTH CODE, OR A MUNICIPAL ORDINANCE;

25 (II) AS NECESSARY TO ACCOMPLISH THE REMEDIATION AND  
26 COMPLIANCE DESCRIBED IN SUBSECTION (5)(a)(I) OF THIS SECTION:

27 (A) ENTER INTO NEW CONTRACTS;

1 (B) BORROW MONEY;

2 (C) SECURE FUNDS BY GRANTING LIENS UPON THE MULTIFAMILY  
3 RESIDENTIAL PROPERTY; AND

4 (D) RECEIVE RENT FROM TENANTS OF THE MULTIFAMILY  
5 RESIDENTIAL PROPERTY, SO LONG AS THAT RENT IS FIRST APPLIED TO THE  
6 COSTS OF REMEDIATING ANY VIOLATION BY THE MULTIFAMILY  
7 RESIDENTIAL PROPERTY OF THIS PART 5, A COUNTY OR CITY AND COUNTY  
8 PUBLIC HEALTH CODE, OR A MUNICIPAL ORDINANCE AND BRINGING THE  
9 MULTIFAMILY RESIDENTIAL PROPERTY INTO COMPLIANCE WITH THIS PART  
10 5, COUNTY OR CITY AND COUNTY PUBLIC HEALTH CODES, AND MUNICIPAL  
11 ORDINANCES; AND

12 (III) EXERCISE ANY OTHER POWERS DEEMED NECESSARY BY THE  
13 DISTRICT COURT AND NOT INCONSISTENT WITH RULE 66 OF THE COLORADO  
14 RULES OF CIVIL PROCEDURE.

15 (b) THE RECEIVER'S FEES ESTABLISHED IN THE DISTRICT COURT'S  
16 ORDER OF APPOINTMENT ENTERED PURSUANT TO SUBSECTION (4)(e) OF  
17 THIS SECTION MAY ONLY BE COVERED BY MONEY THAT THE RECEIVER  
18 RAISES PURSUANT TO SUBSECTION (5)(a)(II)(C) OF THIS SECTION.

19 (c) IN EXERCISING ITS POWERS PURSUANT TO THIS SUBSECTION (5),  
20 A RECEIVER IS NOT REQUIRED TO EMPLOY STANDARD PUBLIC BIDDING  
21 PRACTICES AND MAY:

- 22 (I) CARRY OUT EXECUTORY CONTRACTS;
- 23 (II) ENTER INTO NEW CONTRACTS;
- 24 (III) BORROW MONEY;
- 25 (IV) MORTGAGE OR PLEDGE PROPERTY;
- 26 (V) SELL ASSETS AT PUBLIC OR PRIVATE SALE;
- 27 (VI) MAKE AND RECEIVE CONVEYANCES IN THE CORPORATE NAME;

1 (VII) LEASE REAL ESTATE;

2 (VIII) SETTLE OR COMPROMISE CLAIMS;

3 (IX) COMMENCE AND PROSECUTE ALL ACTIONS AND PROCEEDINGS  
4 NECESSARY TO ENABLE LIQUIDATION; AND

5 (X) DISTRIBUTE ASSETS EITHER IN CASH OR IN KIND AMONG  
6 MEMBERS ACCORDING TO THEIR RESPECTIVE RIGHTS AFTER PAYING OR  
7 ADEQUATELY PROVIDING FOR THE PAYMENT OF LIABILITIES.

8 (6) THE RECEIVER SHALL PERFORM DUTIES, ASSUME  
9 RESPONSIBILITIES, AND PRESERVE THE MULTIFAMILY RESIDENTIAL  
10 PROPERTY IN ACCORDANCE WITH ESTABLISHED PRINCIPLES OF LAW FOR  
11 RECEIVERS OF REAL PROPERTY.

12 (7) NOTHING IN THIS SECTION PREVENTS THE COURT FROM  
13 ALTERING OR AMENDING THE TERMS AND CONDITIONS OF THE  
14 RECEIVERSHIP OR THE RECEIVER'S RESPONSIBILITIES AND DUTIES  
15 FOLLOWING A HEARING, AT WHICH TIME THE PARTIES MAY APPEAR AND BE  
16 HEARD, AND NOTHING IN THIS SECTION PROHIBITS THE PARTIES FROM  
17 STIPULATING TO THE TERMS AND CONDITIONS OF THE RECEIVERSHIP AND  
18 THE RESPONSIBILITIES AND DUTIES OF THE RECEIVER, INCLUDING THE  
19 DURATION THEREOF, WHICH STIPULATION MUST BE SUBMITTED TO THE  
20 COURT FOR APPROVAL.

21 (8) (a) NO SOONER THAN ONE HUNDRED EIGHTY DAYS AFTER THE  
22 DISTRICT COURT HAS APPOINTED A RECEIVER FOR A MULTIFAMILY  
23 RESIDENTIAL PROPERTY, ANY OF THE FOLLOWING MAY SUBMIT AN  
24 APPLICATION TO THE DISTRICT COURT SEEKING THE TERMINATION OF THE  
25 RECEIVERSHIP:

26 (I) THE OWNER OF THE MULTIFAMILY RESIDENTIAL PROPERTY;

27 (II) THE ATTORNEY GENERAL'S OFFICE;

1 (III) THE CITY IN WHICH THE MULTIFAMILY RESIDENTIAL PROPERTY  
2 IS LOCATED; AND

3 (IV) THE COUNTY OR CITY AND COUNTY IN WHICH THE  
4 MULTIFAMILY RESIDENTIAL PROPERTY IS LOCATED.

5 (b) A DISTRICT COURT MAY ONLY TERMINATE A RECEIVERSHIP IF  
6 IT:

7 (I) RECEIVES AN APPLICATION TO TERMINATE THE RECEIVERSHIP  
8 PURSUANT TO SUBSECTION (8)(a) OF THIS SECTION;

9 (II) FINDS THAT TERMINATING A RECEIVERSHIP IS IN THE PUBLIC  
10 INTEREST; AND

11 (III) FINDS THAT THE OWNER OF THE MULTIFAMILY RESIDENTIAL  
12 PROPERTY HAS:

13 (A) DEMONSTRATED THAT IT WILL CARRY OUT ANY REMAINING  
14 ACTIONS IDENTIFIED BY THE RECEIVER AS NECESSARY TO ENSURE THAT  
15 THE MULTIFAMILY RESIDENTIAL PROPERTY IS NO LONGER IN VIOLATION OF  
16 THIS PART 5, A COUNTY OR CITY AND COUNTY PUBLIC HEALTH CODE, OR A  
17 MUNICIPAL ORDINANCE;

18 (B) PAID OR DEPOSITED WITH THE DISTRICT COURT ANY MONEY  
19 NECESSARY FOR THE RECEIVER TO COMPLETE THEIR DUTIES PURSUANT TO  
20 THIS SECTION;

21 (C) AGREED TO ASSUME ALL LEGAL OBLIGATIONS, INCLUDING  
22 DEBT, INCURRED BY THE RECEIVER IN CONNECTION WITH THE  
23 RECEIVERSHIP OF THE MULTIFAMILY RESIDENTIAL PROPERTY;

24 (D) PAID ALL LIENS ON THE MULTIFAMILY RESIDENTIAL PROPERTY,  
25 AS WELL AS ANY COSTS INCURRED BY THE RECEIVER IN CONNECTION WITH  
26 THE RECEIVERSHIP OF THE MULTIFAMILY RESIDENTIAL PROPERTY; AND

27 (E) POSTED A BOND WITH THE DISTRICT COURT IN AN AMOUNT

1 DETERMINED BY THE DISTRICT COURT AND EQUAL TO NOT MORE THAN  
2 FIFTY PERCENT OF THE FAIR MARKET VALUE OF THE MULTIFAMILY  
3 RESIDENTIAL PROPERTY, WHICH BOND IS FORFEITED IN THE EVENT OF  
4 FUTURE VIOLATION BY THE MULTIFAMILY RESIDENTIAL PROPERTY OF THIS  
5 PART 5, A COUNTY OR CITY AND COUNTY PUBLIC HEALTH CODE, OR A  
6 MUNICIPAL ORDINANCE AND FAILURE TO BRING THE MULTIFAMILY  
7 RESIDENTIAL PROPERTY INTO COMPLIANCE WITH THIS PART 5, COUNTY OR  
8 CITY AND COUNTY PUBLIC HEALTH CODES, AND MUNICIPAL ORDINANCES,  
9 AND WHICH BOND IS RELEASED WHEN THE ACTIONS, OBLIGATIONS, AND  
10 INDEBTEDNESS IDENTIFIED IN THIS SUBSECTION (8)(b)(III) ARE  
11 COMPLETED OR OTHERWISE SATISFIED.

12 (c) NOTWITHSTANDING SUBSECTION (8)(b) OF THIS SECTION, THE  
13 DISTRICT COURT MAY TERMINATE THE RECEIVERSHIP UPON A FINDING  
14 THAT THE RECEIVER HAS COMPLETED ITS WORK AND THAT ALL  
15 VIOLATIONS BY THE MULTIFAMILY RESIDENTIAL PROPERTY OF THIS PART  
16 5, A COUNTY OR CITY AND COUNTY PUBLIC HEALTH CODE, OR A MUNICIPAL  
17 ORDINANCE HAVE BEEN REMEDIED AND THE MULTIFAMILY RESIDENTIAL  
18 PROPERTY HAS BEEN BROUGHT INTO COMPLIANCE WITH THIS PART 5,  
19 COUNTY OR CITY AND COUNTY PUBLIC HEALTH CODES, AND MUNICIPAL  
20 ORDINANCES.

21 (d) UPON A FINDING THAT THE OWNER OF THE MULTIFAMILY  
22 RESIDENTIAL PROPERTY HAS NOT COMPLIED WITH ANY OF THE CONDITIONS  
23 IDENTIFIED IN SUBSECTION (8)(b)(III) OF THIS SECTION, THE DISTRICT  
24 COURT MAY REAPPOINT THE RECEIVER.

25 (e) AFTER TERMINATING THE RECEIVERSHIP PURSUANT TO THIS  
26 SUBSECTION (8), THE DISTRICT COURT:

27 (I) MAY APPOINT THE RECEIVER, OR ANOTHER QUALIFIED ENTITY

1 THAT SATISFIES THE REQUIREMENTS OF A RECEIVER ESTABLISHED IN  
2 SUBSECTION (4)(c) OF THIS SECTION, TO MONITOR THE OWNER'S  
3 OPERATION AND MAINTENANCE OF THE MULTIFAMILY RESIDENTIAL  
4 PROPERTY; AND

5 (II) SHALL ORDER A FINAL ACCOUNTING AND FINALLY FIX THE FEES  
6 AND EXPENSES OF THE RECEIVER FOLLOWING A HEARING, AT WHICH TIME  
7 THE PARTIES MAY APPEAR AND BE HEARD.

8 (9) NOTWITHSTANDING ANYTHING IN THIS SECTION TO THE  
9 CONTRARY:

10 (a) NOTHING IN THIS SECTION RELIEVES THE OWNER OF THE  
11 MULTIFAMILY RESIDENTIAL PROPERTY OF ANY CIVIL OR CRIMINAL  
12 LIABILITY OR ANY DUTY IMPOSED BY REASON OF ACTS OR OMISSIONS OF  
13 THE OWNER, NOR DOES THE DISTRICT COURT'S APPOINTMENT OF A  
14 RECEIVER SUSPEND ANY OBLIGATION THE OWNER OF THE MULTIFAMILY  
15 RESIDENTIAL PROPERTY OR ANY OTHER PERSON MAY HAVE FOR PAYMENT  
16 OF TAXES, ANY OPERATING OR MAINTENANCE EXPENSES, OR MORTGAGES  
17 OR LIENS, OR FOR REPAIR OF THE MULTIFAMILY RESIDENTIAL PROPERTY;

18 (b) A RECEIVER APPOINTED BY A DISTRICT COURT PURSUANT TO  
19 THIS SECTION IS LIABLE FOR INJURIES TO PERSONS AND PROPERTY TO THE  
20 SAME EXTENT AS THE OWNER OF THE MULTIFAMILY RESIDENTIAL  
21 PROPERTY WOULD HAVE BEEN LIABLE; EXCEPT THAT, SUCH LIABILITY IS  
22 LIMITED TO THE ASSETS AND INCOME OF THE RECEIVERSHIP, INCLUDING  
23 ANY PROCEEDS OF INSURANCE PURCHASED BY THE RECEIVER IN ITS  
24 CAPACITY AS RECEIVER;

25 (c) A RECEIVER IS NOT PERSONALLY LIABLE FOR ACTIONS OR  
26 INACTIONS WITHIN THE SCOPE OF THE RECEIVER'S CAPACITY AS RECEIVER;

27 (d) ONLY A SUIT APPROVED BY THE DISTRICT COURT THAT

1 APPOINTS THE RECEIVER MAY BE BROUGHT AGAINST THE RECEIVER; AND

2 (e) NOTHING IN THIS SECTION LIMITS THE RIGHT OF TENANTS TO  
3 RAISE ANY COUNTERCLAIMS OR DEFENSES IN ANY SUMMARY PROCESS OR  
4 OTHER ACTION REGARDING POSSESSION BROUGHT BY A RECEIVER.

5 **SECTION 6. Act subject to petition - effective date.** This act  
6 takes effect at 12:01 a.m. on the day following the expiration of the  
7 ninety-day period after final adjournment of the general assembly; except  
8 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
9 of the state constitution against this act or an item, section, or part of this  
10 act within such period, then the act, item, section, or part will not take  
11 effect unless approved by the people at the general election to be held in  
12 November 2026 and, in such case, will take effect on the date of the  
13 official declaration of the vote thereon by the governor.