

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

**INTRODUCED**

LLS NO. 25-0799.01 Brita Darling x2241

**HOUSE BILL 25-1196**

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**HOUSE SPONSORSHIP**

**Woog and Phillips**, Barron, Bird

**SENATE SPONSORSHIP**

**(None)**,

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**House Committees**

Transportation, Housing & Local Government

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING PROCEDURES RELATING TO THE REMOVAL OF TENANTS**  
102 **RENTING DWELLINGS.**

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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>.)*

Under current law, based on a tenant's failure to pay one or more late fees, a landlord cannot:

- Remove or exclude a tenant from a dwelling;
- Terminate a tenancy or other estate at will; or
- Terminate a lease in a mobile home park.

The bill clarifies that a landlord can take such actions if there is another

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.*

legal reason and the landlord is not taking the action solely because the landlord is owed one or more late fees.

Additionally, a landlord cannot issue a written demand notice for a tenant to give up possession of the premises (demand letter) based solely on the tenant's failure to pay one or more late fees, but must have another legal reason to issue the demand letter.

Under current law, the demand letter must be written in English, Spanish, or any other language that the landlord knows, or has reason to know, is the primary language of the tenant. The bill instead requires that the demand letter must be written in English or, if requested by the tenant at the time the tenant enters into the lease, in another language that is the tenant's primary language.

Under current law, a landlord is permitted to post a notice to vacate in a conspicuous place on the premises after at least one unsuccessful attempt at service on 2 separate days. The bill allows the landlord to post the notice in a conspicuous place on the premises after only one unsuccessful attempt to serve the tenant with the notice.

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

2 **SECTION 1.** In Colorado Revised Statutes, 38-12-105, **amend**  
3 (1) introductory portion, (1)(d), and (1)(e) as follows:

4 **38-12-105. Late fees charged to tenants and mobile home**  
5 **owners - maximum late fee amounts - prohibited acts - penalties -**  
6 **period to cure violations - remedies - unfair or deceptive trade**  
7 **practice.** (1) A landlord shall not take any of the following actions or  
8 direct ~~any~~ AN agent to take any of the following actions on the landlord's  
9 behalf:

10 (d) Remove or exclude a tenant from a dwelling or initiate a court  
11 process for the removal or exclusion of a tenant from a dwelling SOLELY  
12 because the tenant fails to pay one or more late fees to the landlord;

13 (e) Terminate a tenancy or other estate at will or a lease in a  
14 mobile home park SOLELY because a tenant or home owner fails to pay  
15 one or more late fees to the landlord;

16 **SECTION 2.** In Colorado Revised Statutes, 13-40-106, **amend**

1 (1) and (3) as follows:

2 **13-40-106. Written demand.** (1) The demand or notice required  
3 by section 13-40-104 or 38-12-1303 ~~shall be made~~ MUST BE in writing,  
4 specifying the grounds of the demandant's right to the possession of the  
5 premises, including a specific description of the alleged violation or  
6 no-fault eviction grounds, describing the premises, and indicating the date  
7 and time when the premises shall be delivered up. ~~and shall be signed by~~  
8 The person claiming such possession, the person's agent, or the person's  
9 attorney SHALL SIGN THE DEMAND NOTICE. A DEMANDANT SHALL NOT  
10 ISSUE A DEMAND NOTICE SOLELY BECAUSE THE TENANT FAILS TO PAY ONE  
11 OR MORE LATE FEES.

12 (3) The demand or notice required by section 13-40-104 or  
13 38-12-1303 must be written in ~~English, Spanish, or any other language~~  
14 ~~that the landlord knows, or has reason to know, is the primary language~~  
15 ~~of the tenant~~ ENGLISH OR, IF REQUESTED BY THE TENANT AT THE TIME THE  
16 TENANT ENTERS INTO THE LEASE, IN ANOTHER LANGUAGE THAT IS THE  
17 TENANT'S PRIMARY LANGUAGE.

18 **SECTION 3.** In Colorado Revised Statutes, **amend** 13-40-108 as  
19 follows:

20 **13-40-108. Service of notice to vacate or demand.** A written  
21 notice to vacate or demand as required by section 13-40-104, 38-12-202,  
22 38-12-204, or 38-12-1303 may be served by delivering a copy of the  
23 notice to a known tenant occupying the premises, or by leaving ~~such~~ A  
24 copy with ~~some person~~ AN INDIVIDUAL OR a member of the tenant's family  
25 ~~above the age of fifteen years~~ OF AGE OR OLDER residing on or in charge  
26 of the premises, or, in case no one is on the premises after ~~attempts~~ AN  
27 ATTEMPT at personal service, ~~at least once on two separate days,~~ by

1 posting the copy in some conspicuous place on the premises.

2           **SECTION 4. Act subject to petition - effective date.** This act  
3 takes effect at 12:01 a.m. on the day following the expiration of the  
4 ninety-day period after final adjournment of the general assembly; except  
5 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
6 of the state constitution against this act or an item, section, or part of this  
7 act within such period, then the act, item, section, or part will not take  
8 effect unless approved by the people at the general election to be held in  
9 November 2026 and, in such case, will take effect on the date of the  
10 official declaration of the vote thereon by the governor.