



Fiscal Note

Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

HB 25-1240: PROTECTIONS FOR TENANTS WITH HOUSING SUBSIDIES

Prime Sponsors:

Rep. Joseph; Froelich
Sen. Winter F.

Fiscal Analyst:

Clayton Mayfield, 303-866-5851
clayton.mayfield@coleg.gov

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Fiscal note status: This revised fiscal note reflects the reengrossed bill.

Summary Information

Overview. The bill modifies tenant and landlord laws regarding tenants using housing subsidies.

Types of impacts. The bill is projected to affect the following areas on an ongoing basis:

- Minimal State Revenue
- Minimal State Workload

Appropriations. No appropriation is required.

Table 1
State Fiscal Impacts

Type of Impact	Budget Year FY 2025-26	Out Year FY 2026-27
State Revenue	\$0	\$0
State Expenditures	\$0	\$0
Transferred Funds	\$0	\$0
Change in TABOR Refunds	\$0	\$0
Change in State FTE	0.0 FTE	0.0 FTE

Summary of Legislation

The bill modifies several tenant and landlord laws, and provides additional protections for tenants who receive housing subsidies, as described below.

Eviction Notice

Landlords are prohibited from evicting a tenant for nonpayment of rent less than 30 days after a notice to vacate is provided. DORA is encouraged, but not required, to compile and publish online a list of resources to assist landlords in complying with this provision.

Warranty of Habitability

Current law requires landlords to reimburse tenants for the difference between rent paid and the fair rental value when a breach in the warranty of habitability is proved. The bill requires reimbursement regardless of whether a tenant uses a housing subsidy.

Unfair Housing Practices

Landlords who fail to make reasonable efforts to respond to requests for information necessary for a rental assistance application, or fail to cooperate with tenants and rental assistance administrators regarding applications, engage in an unfair housing practice.

Relief for Unfair Housing Practice Violations

When civil cases are brought by private persons alleging certain unfair housing practice violations involving discrimination on the basis of housing subsidies, the bill requires courts, if awarding damages, to award at least \$5,000 to plaintiffs. When calculating damages, courts must consider losses incurred as a result of a person losing their housing subsidy as a result of discrimination by a landlord. Additionally, in similar cases brought through the Colorado Civil Rights Commission, the commission is required to assess a civil penalty of at least \$5,000 when violations are found.

State Revenue

By expanding the circumstances that constitute unfair housing practices, the bill may increase revenue to the Judicial Department from an increase in filing fees from civil case filings. Revenue from filing fees is subject to TABOR. The fiscal note assumes that the majority of landlords will follow the law, and any increase in revenue is expected to be minimal.

State Expenditures

The bill increases workload in DORA and the Judicial Department.

Department of Regulatory Agencies

The Colorado Civil Rights Commission in DORA may receive additional housing discrimination complaints based on the expansion of what constitutes an unfair housing practice. Additionally, the bill provides discretionary authority for DORA to publish a list of resources for landlords regarding eviction notices. These changes in DORA's programs are expected to minimally increase workload, and no change in appropriations is required.

Judicial Department

Trial courts in the Judicial Department may experience an increase in workload if additional civil cases are filed. The fiscal note assumes that the majority of landlords will comply with the law and any increase will be minimal.

Effective Date

The bill takes effect upon signature of the Governor, or upon becoming law without his signature, and applies to conduct occurring on or after this date.

State and Local Government Contacts

Judicial
Law

Local Affairs
Regulatory Agencies