



A Housing Problem That Demands Notice

HB 1461 Sponsored by Rep. Dan Pabon and Sen. Mike Johnston

What does this bill do?

When a landlord wants to either increase rent or terminate a “month-to-month” tenancy (i.e. when a tenant is residing *without* a written lease), they must provide the tenant with “notice.” This requirement is intended to provide the tenant with sufficient time to find new housing accommodations and to move out.

This bill would extend the notice to tenants from 7 days to 28 days.

Why is it needed?

- ❖ **Seven day notice does not provide sufficient time to find new housing accommodations.** As the demand for housing in Colorado has escalated in recent years, this issue has become more problematic. In a recent survey by 9to5 Colorado, 86.03% of respondents reported that they experienced barriers to finding a rental home. Due to the scarcity of affordable rental housing, seven day notice is woefully inadequate for tenants to find new accommodations and move.
- ❖ **Expanding notice from seven days to twenty-eight would help prevent homelessness.** Recent reports indicate that Colorado’s population of homeless families has been growing. By providing tenants with more time to find alternative housing, expanded notice would help alleviate this trend.
- ❖ **Certain tenants, including people with disabilities, senior citizens, and tenants with children, are especially vulnerable to housing-insecurity when provided with only seven day notice to quit.** Although seven day notice would be challenging for *any* tenant, for at-risk tenants, this short notice is even more onerous. Tenants with disabilities are responsible for reversing special accommodations to their rental property, and thus, face additional challenges when attempting to vacate within one week. Elderly tenants and tenants with children also face additional hurdles when searching for housing. For example, parents may seek housing that would allow their children to remain in the same school district, and finding appropriate accommodations within a seven day framework frequently proves impossible.
- ❖ **“Month-to-month” tenancies have become more common in Colorado.** In a survey conducted by 9to5 Colorado, nearly 40% of respondents reported that their “landlord refused to let them sign another lease,” following the expiration of their lease. Renting has also become more common in Colorado. For example, in Denver the rate of renters had grown to comprise more than half of the city’s households. These trends have left more tenants vulnerable under a “seven day notice” requirement.

Do other states require more notice?

Yes. In fact, 47 states currently require more than a seven day notice. Among other states, the most commonly required time for “notice to quit” in month-to-month tenancies is 30 days— although some states require even longer amounts of time.

SUPPORT FOR EXPANDED NOTICE (HB 1461)*

AARP

ARC of Colorado

Colorado Center on Law and Policy

Colorado Coalition Against Domestic Violence

Colorado Coalition for the Homeless

Colorado Cross Disabilities Coalition

Colorado Developmental Disabilities Council

Colorado Education Association

Colorado Senior Lobby

DRCOG

Enterprise Community Partners

FRESC

Interfaith Alliance

Mile High Connects

9to5

SafeHouse Denver

*Colorado Apartment Association is neutral on HB1461.

For more information:

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A State by State Analysis of Notice for Rent Increases

	Required Notice of Rent Increase (for Periodic Tenancies)
<u>Alabama</u>	No state statute applies. For month-to-month tenancies, 30 days is the length of notice that the landlord must provide before terminating tenancy.
<u>Alaska</u>	At least 30 days.
<u>Arizona</u>	At least 30 days .
<u>Arkansas</u>	No state statute applies. For month-to-month tenancies, 30 days is the length of notice that the landlord must provide before terminating tenancy.
<u>California</u>	30 days if rent increase is less than 10 percent of the lowest amount of rent charged during the last 12 months. 60 days if rent increase is more than 10 percent of the lowest amount of rent charged during the last 12 months.
<u>Colorado</u>	No state statute applies. For month-to-month tenancies, 7 days is the length of notice that the landlord must provide before terminating tenancy.
<u>Connecticut</u>	"A landlord is not required to give a particular amount of notice to the tenant of a proposed rental increase [...] unless such prior notice was previously agreed upon."
<u>Delaware</u>	At least 60 days.
<u>Florida</u>	No state statute applies. However, to terminate a tenancy, landlords must provide: 45 days notice for quarterly 15 days notice for month to month 7 days notice for week to week
<u>Georgia</u>	At least 60 days.
<u>Hawaii</u>	For month to month tenancies: 45 days notice For tenancies less than month to month: 15 days notice
<u>Idaho</u>	At least 15 days.
<u>Illinois</u>	No state statute applies. For month-to-month tenancies, 30 days is the length of notice that the landlord must provide before terminating tenancy.
<u>Indiana</u>	At least 30 days.
<u>Iowa</u>	At least 30 days.
<u>Kansas</u>	No state statute applies. For month-to-month tenancies, 30 days is the length of notice that the landlord must provide before terminating tenancy.
<u>Kentucky</u>	No state statute applies. For month-to-month tenancies, 30 days is the length of notice that the landlord must provide before terminating tenancy.
<u>Louisiana</u>	No state statute applies. For month-to-month tenancies, 10 days is the length of notice that the landlord must provide before terminating tenancy.
<u>Maine</u>	At least 45 days.
<u>Maryland</u>	No state statute applies. For month-to-month tenancies, 30 days is the length of notice that the landlord must provide before terminating tenancy. ** In <u>Baltimore</u> , 60 days notice required to terminate tenancy
<u>Massachusetts</u>	At least 30 days or one full rental period (whichever is longer).
<u>Michigan</u>	No state statute applies. For month-to-month tenancies, 30 days is the length of notice that the landlord must provide before terminating tenancy.
<u>Minnesota</u>	Notice is one rental period plus one day
<u>Mississippi</u>	No state statute applies. For month-to-month tenancies, 30 days is the length of notice that the landlord must provide before terminating tenancy.

<u>Missouri</u>	No state statute applies. For month-to-month tenancies, 30 days is the length of notice that the landlord must provide before terminating tenancy.
<u>Montana</u>	No state statute applies. For month-to-month tenancies, 30 days is the length of notice that the landlord must provide before terminating tenancy.
<u>Nebraska</u>	No state statute applies. For month-to-month tenancies, 30 days is the length of notice that the landlord must provide before terminating tenancy.
<u>Nevada</u>	45 days for month to month tenancies 15 days for any periodic tenancy less than a monthly basis
<u>New Hampshire</u>	At least 30 days.
<u>New Jersey</u>	At least 30 days.
<u>New Mexico</u>	At least 30 days for month to month, or for periodic tenancies that are shorter, notice must be equal to the rental period
<u>New York</u>	In New York State: one month notice is required to terminate tenancy (and/or raise rent) In New York City: 30 days notice is required to terminate tenancy (and/or raise rent). <u>Senior citizens and people with disabilities can also apply for rent increase exemptions.</u>
<u>North Carolina</u>	At least 7 days for month to month; at least 2 days for week to week
<u>North Dakota</u>	At least 30 days.
<u>Ohio</u>	No state statute applies. For month-to-month tenancies, 30 days is the length of notice that the landlord must provide before terminating tenancy.
<u>Oklahoma</u>	No state statute applies. For month-to-month tenancies, 30 days is the length of notice that the landlord must provide before terminating tenancy.
<u>Oregon</u>	30 days for month to month; 7 days for weekly tenancies. ** In Portland, notice must be 90 days (as of Oct., 2015).
<u>Pennsylvania</u>	No state statute applies. For month-to-month tenancies, 15 days is the length of notice that the landlord must provide before terminating tenancy.
<u>Rhode Island</u>	At least 30 days; for tenants age 62 or older, notice must be at least 60 days
<u>South Carolina</u>	No state statute applies. For month-to-month tenancies, 30 days is the length of notice that the landlord must provide before terminating tenancy.
<u>South Dakota</u>	At least 30 days; at least 60 days for tenants that are active military service members or who have immediate family members on active service.
<u>Tennessee</u>	No state statute applies. For month-to-month tenancies, 30 days is the length of notice that the landlord must provide before terminating tenancy.
<u>Texas</u>	No state statute applies. For month-to-month tenancies, one month is the length of notice that the landlord must provide before terminating tenancy.
<u>Utah</u>	No state statute applies. For month-to-month tenancies, 15 days is the length of notice that the landlord must provide before terminating tenancy.
<u>Vermont</u>	No state statute applies. For month-to-month tenancies in which tenant has resided at the same place for less than two years, 60 days is the length of notice that the landlord must provide before terminating tenancy. For month to month tenancies in which tenant has resided for <i>more</i> than two years, 90 days notice is required. **90 day notice for rent increase is required in <u>Burlington, VT.</u>
<u>Virginia</u>	No state statute applies. For month-to-month tenancies, 30 days is the length of notice that the landlord must provide before terminating tenancy.
<u>Washington</u>	At least 30 days; **In <u>Seattle</u> , 60 days notice is required when rent increase exceeds 10%
<u>West Virginia</u>	No state statute applies. For month-to-month tenancies, 30 days is the length of notice that the landlord must provide before terminating tenancy.
<u>Wisconsin</u>	At least 28 days for month to month tenancies.
<u>Wyoming</u>	No state statute applies. For month-to-month tenancies, 30 days is the length of notice that the landlord must provide before terminating tenancy.