

QUICK GUIDE TO COLORADO'S IMPLIED WARRANTY OF HABITABILITY LAW

Everyone deserves safe and healthy housing.

Q: WHAT DOES THE COLORADO WARRANTY OF HABITABILITY LAW MEAN?

A: Landlords are responsible for safety and health standards in the homes they rent out. Colorado's Warranty of Habitability law can help renters who are worried their homes are unsafe.

This quick guide gives a brief overview of the safety and health issues covered under the law, steps renters can take if they have a concern, and community and legal resources that may help if renters need further assistance. For more detailed information, refer to Colorado Legal Services' housing and habitability materials and guidance [here](#).

Q: WHAT ISSUES ARE COVERED?

A: Conditions that affect whether a unit is habitable and situations that interfere with a renter's life, health or safety and were not caused by the renter, including:

- roof and exterior walls that leak
- broken windows and exterior doors that have broken locks
- gas and plumbing problems
- mold
- broken appliances*
- lack of hot and cold running water
- problems with sewage disposal system
- problems with heat
- electrical lighting and wiring in poor order
- common areas that are not kept clean or have garbage
- infestation of bugs, pests and rodents
- floors, stairways and railings in poor condition (inside the building)
- lack of compliance with building or health codes (If renters have questions about building and health codes, they can call their local county health department below.)

*Appliances that may be covered include refrigerator, range stove or oven if they are present at the time of move-in or are part of the written agreement between the landlord and home renter. Refer to [Colorado Legal Services](#) for more information.

Q: WHAT SHOULD RENTERS DO IF THEY HAVE A CONCERN ABOUT THEIR HOMES?

A: Here are key steps to follow. Refer to [Colorado Legal Services](#) for more information.

STEP 1: NOTIFY THE LANDLORD ABOUT THE HEALTH OR SAFETY CONCERNS ABOUT THE HOME.

Renters must notify landlords of any problems and must do so in writing. Renters can use the "First Notice" template letter provided at the end of this guide; Spanish translations are included. Renters can hand deliver, mail, email or fax notices to their landlords.

Landlords must **respond** within 24 hours with a plan to fix the problem. If the issue is an emergency, a landlord has 24 hours to **start** fixing the problem. If the problem relates to a nonemergency repair, a landlord has 96 hours to **start** fixing the problem. If the issue is mold, a landlord must respond within 96 hours with a plan to contain the mold, stop the water sources causing the mold and install an air filter.

If the landlord doesn't respond or fix the problem, go to Step 2.

¶ **Important:** A renter who gives their landlord a notice electronically must do so only using the email address, phone number or electronic portal specified by the landlord in their rental agreement or in the way that communication is usually done between the landlord and renter.

¶ **Important:** Renters should keep copies of all correspondence with the landlord. Taking pictures of the problem(s) in the home is helpful too. This documentation may be needed later for legal assistance.

¶ **Important:** It is highly recommended to keep documentation of any health issues or medical treatment that is related to uninhabitable housing conditions.

STEP 2: IF STEP 1 IS UNSUCCESSFUL, CONTACT THE LOCAL HEALTH DEPARTMENT OR LOCAL GOVERNMENT AGENCY TO FILE A COMPLAINT AND SEND A SECOND NOTICE TO THE LANDLORD.

Renters should notify the landlord that a complaint is being filed with the local health department or government agency. Renters should also send a second notice to the landlord to ensure the landlord understands the consequences of not responding and fixing the problem. A “Second Notice” template letter is provided at the end of this guide. By providing the second notice, the renter is **not** terminating their lease. They are only notifying the landlord that it is within the renter’s rights to do so if the problem is not fixed.

Use the county health department information below to file a complaint. Filing a complaint does not guarantee an inspection of the home but it’s recommended so a report of the issue is on record if legal action is needed later.

If the landlord doesn’t respond or fix the problem, go to Step 3.

STEP 3: IF STEP 1 AND 2 ARE UNSUCCESSFUL, GET LEGAL HELP.

If the landlord does not respond by fixing the problem, it is highly recommended renters speak with an attorney before taking further action to make sure they are following all required steps and that renters do not put themselves into a more difficult situation. Depending on legal guidance, renters might be able to ask for a different place to stay, reduce their rent, sue their landlord or end their lease.

Important: *It is highly recommended that renters do not withhold rent payments or terminate their lease until they seek legal guidance. Unless renters follow all necessary steps under the law, they may face eviction for not paying their rent.*

FREQUENTLY ASKED QUESTIONS FROM RENTERS

- Is there more guidance on what conditions qualify to “interfere with the tenant/renter’s life, health or safety”? **Answer:** No, there is no legal definition. Refer to the “Sample Templates” at the end of this guide for examples of uninhabitable conditions that may qualify.

- What if my lease or contract only includes a phone number to call or text the landlord or property management company? What should I, as a renter, do in this situation? **Answer:** Use the phone number to text your landlord or property management company. You must make any notifications about inhabitable conditions in writing, and texting is a permissible way to do this.
- What community resources are available to take care of mold? **Answer:** There are no community resources for full mold remediation. It is expensive and usually requires households to hire a private company. If a homeowner wants help figuring out how they could make it work, they can call Brothers Redevelopment (1-844-926-6632), which may be able to explain finance options. For minor mold remediation caused by plumbing problems, for example, community resources are available. Check out the organizations under the “Community Resources” section that list minor plumbing and critical home repair services.
- Can a landlord evict me for filing a complaint or increase my rent to help pay for the cost of repairs? **Answer:** No. Contact legal services if you are concerned about this.
- What rights do households with month-to-month leases have? **Answer:** The same rights as other renters with long-term leases.
- What if I have a housing voucher and have a concern about my home? **Answer:** Contact your voucher administrator. Your voucher administrator can help ensure your landlord makes all necessary repairs to keep your home safe.
- Do I have the right to these protections if I or a member of my family is undocumented? **Answer:** You have the right to raise concerns about your home regardless of immigration status. Contact legal services to help make the right decisions for you and your family.



Tip: Check out community resources for help! See page 4 of this guide.

LOCAL HEALTH DEPARTMENT AND CODE ENFORCEMENT AGENCIES

Contact the local health department with questions about building and health codes or to file a complaint if a landlord is not responding to concerns.

TRI-COUNTY HEALTH DEPARTMENT (ADAMS, ARAPAHOE AND DOUGLAS COUNTIES)

Main office: 6162 S Willow Dr., Suite 100, Greenwood Village, CO 80111

Phone: 303-363-3030

Web: tchd.org/282/Healthy-Homes

- Tri-County Health Department provides sampling services to test for potential health hazards such as mold, gas, radon, particulates, dust, lead and noise. Some fees may apply. Services are currently on hold due to COVID-19.
- It also offers guidance and assistance on how to fix health issues in and around homes.
- Tri-County Health Department has no or very limited legal authority over private homes and cannot force landlords to comply with regulations. It can, however, provide guidance on helpful options and resources.

Local offices:

- 15400 E. 14th Pl., Aurora, CO 80011 (303-363-3055)
- 410 South Wilcox St., Castle Rock, CO 80104 (303-663-7650)
- 4201 E. 72nd Ave., Suite D, Commerce City, CO 80022 (303-288-6816)
- 6162 S. Willow Dr., Suite 100, Greenwood Village, CO 80111 (720-200-1670)

BROOMFIELD PUBLIC HEALTH AND ENVIRONMENT (CITY AND COUNTY OF BROOMFIELD)

100 Spader Way, Broomfield, CO 80020

Phone: 720-887-2220

Fax: 720-887-2229

Email: publichealth@broomfield.org

Web: broomfield.org/259/Public-Health-and-Environment

Call to submit a complaint about the health or safety of a home. Broomfield Public Health and Environment does not guarantee remedy, but the complaint will be on file. Home inspections are not available.

DENVER DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT (CITY AND COUNTY OF DENVER)

101 W Colfax Ave., 8th Floor, Denver, CO 80202

Phone: 720-913-1311

Fax: 720-865-5534

Email: phicommments@denvergov.org

Web: denvergov.org/content/denvergov/en/environmental-health/our-divisions/public-health-investigations (click on “Healthy Families/Healthy Homes”)

- To file a complaint about the health or safety of a home, call 720-913-1311 or email phicommments@denvergov.org.
- Denver’s Healthy Families Healthy Homes, Residential Health Program and Childhood Lead Poisoning Prevention programs provide inspections and resources to improve home safety.
- Minimum housing standard requirements include:
 - » properly connected and functioning equipment and facilities such as toilets, kitchen sinks, bathtubs or showers
 - » proper lighting, ventilation and heating
 - » safe and sanitary dwellings
 - » supplied utility services such as water, electricity and gas
 - » minimum space for occupancy
 - » pest-free living through preventing such pests as cockroaches, mice, bedbugs and mosquitos
- Temporary accommodation in a hotel, motel, bed and breakfast establishment, or rooming and boarding house may be available via vouchers when a complaint is filed.

JEFFERSON COUNTY PUBLIC HEALTH (JEFFERSON COUNTY)

645 Parfet St., Lakewood CO 80215

Phone: 303-232-6301

Fax: 303-271-5702

Web: jeffco.us/public-health

To submit a complaint about unsafe or unhealthy housing conditions, call 303-277-0211 or submit online at: jeffco.us/formcenter/145/145. The complaint must include: contact information, the property address, description and documentation of the unsafe living conditions, record of the landlord’s lack of response and length of time the problem has occurred. For questions about mediation for housing-related concerns, call 303-271-5060.

Cities and towns: Contact information for cities and towns, if available, can be found by calling Colorado Legal Services at 303-837-1313.

LEGAL RESOURCES

Contact these organizations with questions about renters' rights, for advice on working with landlords to address concerns, or for information about how to take legal action if necessary (for example by reducing rent, suing a landlord or ending a lease).

COLORADO AFFORDABLE LEGAL SERVICES

1410 Grant St. Suite B105, Denver, CO 80202

Phone: 303-996-0010

Web: coloradoaffordablelegal.com/

Counties served: Aurora, Commerce City, Denver, Lakewood, Littleton, Thornton and Wheat Ridge

Provides low-cost legal representation for renters related to:

- demands for compliance or possession
- notice-to-quit/notice to vacate
- eviction defense and eviction judgment removal assistance (eviction on record)
- post move-out collections defense
- security deposits
- Warranty of Habitability issues (such as bugs, mold, no hot water, no heat)
- roommate disputes
- housing discrimination (such as disability, race, religion)
- reasonable accommodation requests and denials
- service and assistance animal disputes
- wrongful vehicle towing disputes

COLORADO LEGAL SERVICES

1905 Sherman St., Suite 400, Denver, CO 80203

Phone: 303-837-1313

Web: coloradolegalservices.org

Walk-in hours: Monday-Friday 8:30-11 a.m. and 1-2 p.m.; for assistance with Colorado IDs Wednesdays 8:30-11 a.m.

Counties served: Adams, Arapahoe, Broomfield, Denver, Douglas and Jefferson counties. For Clear Creek and Gilpin counties, older adults 60-plus only

Provides legal information and assistance on a variety of topics including unsafe or unhealthy housing. Call to get answers about renters' rights, more detailed guidance on what actions renters can take themselves to find solutions or what assistance may be available if renters need to take legal action to get her housing concerns addressed. No-cost services are available for people 60 and older. For people who are younger than 60, income eligibility limits may apply in order to receive services.

MI CASA RESOURCE CENTER

345 S Grove St., Denver, CO 80219

Phone: 303-573-1302

Web: micasaresourcecenter.org/

Counties served: Adams, Arapahoe, Broomfield, Denver, Douglas and Jefferson

Provides a free, virtual legal clinic in partnership with the Colorado Hispanic Bar Association to help people with issues related to immigration and family, general business, business contracts, trademarks, copyrights and patents. Services are provided during one-on-one private sessions via Zoom.

The virtual clinic takes place from 6-8 p.m. the second Tuesday of every month. Participants must schedule an appointment in advance at micasaresourcecenter.org.

COVID-19 EVICTION DEFENSE PROJECT

Web: cedproject.org/

Counties served: Adams, Arapahoe, Broomfield, Denver, Douglas and Jefferson

Provides legal advice and representation in eviction cases for renters. A legal team can work with the renter to prevent eviction notices and fight eviction actions.

To request assistance, choose "Get Legal Help" at cedproject.org. Then, click "Talk to a Lawyer." Fill out the form and the legal team will contact you.

COLORADO POVERTY LAW PROJECT

Email: contact@copovertylawproject.org

Web: copovertylawproject.org

Counties served: Adams, Arapahoe, Broomfield, Denver, Douglas and Jefferson

Volunteer lawyers and legal professionals provide no-cost legal assistance and representation for housing-related matters such as uninhabitability (unhealthy or unsafe housing) and eviction.

Three options:

- Renters should email if they need immediate assistance.
- Go to copovertylawproject.org, click on "Get Help," then select "Intake Form." Complete the form (available in English and Spanish), and a staff member will contact you.
- Attend one of its monthly free legal clinics, available in-person and via Zoom. Visit copovertylawproject.org for a current list of dates and locations.

COMMUNITY RESOURCES

Contact these organizations for resources to fix health and safety problems in a home or for assistance contacting a landlord to communicate renter concerns. Every organization provides different services. Please read each description to learn which organization serves the renter's area and provides the assistance the renter needs.

ADAMS COUNTY ASSISTANCE FOR MINOR HOME REPAIR

4430 S. Adams County Pkwy., Brighton, CO 80601

Phone: 720-523-6200

Web: adcogov.org/minor-home-repair-mhr-program

Counties served: Adams and unincorporated Adams

Provides essential repairs with highest priority given to repairs necessary to establish safe, sanitary, accessible and energy efficient homes. Repairs must be necessary for health and safety. Go to adcogov.org/minor-home-repair-mhr-program to find out how to submit an application. After an application is submitted, an Adams county staff member will visit the home, determine the repairs needed and assign local contractors to complete the work to meet building codes.

ARAPAHOE COUNTY WEATHERIZATION DIVISION

907 Salida Way, Aurora, CO 80011

Phone: 303-636-1982

Fax: 303-636-1997

Web: arapahoegov.com/365/Weatherization

Counties served: Adams and Arapahoe

Go to arapahoegov.com/365/Weatherization to check eligibility and application requirements. No-cost services may include:

- energy audit of the home
- energy conservation information
- furnace and water heater safety test
- furnace replacement, if eligible
- insulation in attics, walls and crawl spaces
- storm windows, if eligible
- sealing air leaks
- LED lightbulbs

BROTHERS REDEVELOPMENT: COLORADO HOUSING CONNECTS

2250 Eaton St., Suite B., Denver, CO 80214

Phone: 1-844-926-6632

Email: info@brothersredevelopment.org

Web: coloradohousingconnects.org/

Counties served: Adams, Arapahoe, Broomfield, Denver, Douglas and Jefferson

Contact Brothers Redevelopment for guidance on how to contact a landlord when renters have concerns about the conditions in their homes. If renters need to relocate from their homes, the organization also provides information about affordable housing options.

Exterior home-repair services include: exterior maintenance and repair; fascia, soffit and gutter repair; exterior rail repair; fabrication and installation; exterior plumbing and light electrical repairs; security and storm door repairs and installations; house painting.

Interior repairs include: plumbing repairs: sinks, faucets, valves, drains and toilets; minor electrical repairs, switch and fixture replacement; door repair/ installation; wall and flooring repair and replacement; repair or installation of heating system; repair or installation of hot water heater.

DENVER URBAN RENEWAL AUTHORITY

1555 California St., Suite 200, Denver, CO 80202

Phone: 303-534-3872

Fax: 303-534-7303

Email: info@renewdenver.org

Web: renewdenver.org/

Counties served: Denver and Arapahoe, depending on the program

Single Family Rehabilitation loan program provides major home rehabilitation for homeowners to include:

- roofing, plumbing, siding, gutters and window repair or replacement
- limited kitchen and bathroom repairs such as tile and cabinetry
- lead-based paint risk assessment

This resource may be helpful if a renter lives with their landlord. To qualify, the applicant must be a homeowner who is a Denver resident, lives in the home and meets income requirements. Call or email for more information.

Emergency Home Repair loan program provides funds for essential emergency home repairs to include:

- roofing and gutters, heating, electrical and plumbing
- limited appliance replacements for hot water and furnace

This resource may be helpful if a renter lives with their landlord. To qualify, the applicant must be a homeowner who is a Denver resident, lives in the home and meets

income requirements. Call or email for more information.

Wastewater Loan Program provides assistance to eligible low- and moderate-income homeowners in Denver and Arapahoe counties with:

- upgrades or renovations to wastewater systems
- repair or replacement of deteriorated or faulty private residential sanitary sewer and disposal systems
- clearing, cleaning, scoping and locating backed-up sewer lines
- establishing a connection to a metropolitan sewer system to replace a private residential sewage disposal system

This resource may be helpful if a renter lives with their landlord. To qualify, the applicant must be a homeowner who lives in the home and meets income requirements. Call or email for more information.

Lead-Based Paint Hazard Control Program provides qualifying homeowners and landlords living in the City and County of Denver:

- a full lead-risk assessment
- abatement plan and abatement services (average \$8,500 per home).
- The program is free for homeowners and covers 100% of all costs. For landlords, the program covers \$6,000 and 90% of costs that exceed grant funding.
- To check eligibility requirements and complete the program intake form, go online to renewdenver.org.

ENERGY RESOURCE CENTER

953 Decatur St., Denver, CO 80204

Phone: 720-236-1321

Web: erc-co.org

Counties served: Broomfield, Denver, Douglas, Jefferson (and other counties outside the Denver metro area)

No-cost services for income-qualified residents include energy efficiency evaluations and energy-efficient upgrades.

If someone qualifies for the Low-Income Energy Assistance Program (LEAP), Supplemental Nutrition Assistance Program (SNAP), Supplemental Security Income (SSI) or Temporary Assistance for Needy Families (TANF), they automatically qualify for services. Services are available for homeowners, landlords and renters.

Services may include insulation, HVAC upgrades, lighting, faucets, refrigerator or furnace replacement, fixing broken/leaky doors or windows, and installing

low-flow shower heads.

FOOTHILLS REGIONAL HOUSING

7490 West 45th Ave., Wheat Ridge, CO 80033

Phone: 303-422-8600

Fax: 303-422-3229

Web: foothillsrh.org/emergency-home-repair-program.html

Counties served: Unincorporated Jefferson and the cities of Lakewood, Wheat Ridge, Mountain View or Westminster, or one of the other participating communities in Jefferson County (does not include Arvada residents)

Provides assistance for emergency and essential home repairs to low- and moderate-income homeowners. The program helps homeowners get competitive bids from qualified contractors, and makes it possible for homeowners to complete necessary repairs by offering grants (do not have to be repaid) and zero-interest loans which can be paid back monthly with up to a 20-year loan term. (Zero-interest loans are not available for Westminster residents).

Check out the website for more information on income limits for eligibility.

HABITAT FOR HUMANITY OF METRO DENVER: HOME REPAIR PROGRAM

3245 Eliot St., Denver, CO 80211

Phone: 303-534-3616

Fax: 303-534-2727

Web: habitatmetrodenver.org/our-programs/critical-home-repair-program/

Counties served: Denver (Westwood, Globeville and Elyria Swansea neighborhood)

The Home Repair Program provides families with critical exterior home repairs. In return, families contribute sweat equity hours and make a payment to cover a percentage of their home repair costs. Applicants must demonstrate a need by showing that the home is:

- in poor condition
- not energy efficient
- unsafe
- does not meet city codes

Call for questions about program requirements, prequalification and denial inquires, and application support.

METRO DENVER HOMELESS INITIATIVE FLEX FUND

711 Park Ave. West, Suite 320, Denver, CO 80205

Email: flexfund@mdhi.org

Web: mdhi.org/flex_fund

Counties served: Adams, Arapahoe, Boulder, Broomfield, Denver, Douglas and Jefferson

The Metro Denver Homeless Initiative Flex Fund removes financial barriers that prevent households from obtaining or staying in permanent housing. The fund pays up to \$3,000 per household for landlord mitigation, move-in expenses and prevention services including:

- security or rental deposits
- one-time move-in assistance (for example, truck rental, moving company)
- first month's rent or month of rent following household's move-in month
- damage or vacancy payment to the landlord or property owner
- rental assistance for past or current unit
- utility assistance deposits (including water) and arrears
- pet deposits or one-time pet fees
- relocation to another community when a housing opportunity is confirmed
- other financial barriers to permanent housing

To submit a request to the flex fund, a navigator or care manager must be part of OneHome or a Metro Denver Continuum of Care partner organization. No individual submissions allowed. For more information on how to submit a request or become a partner organization, email flexfund@mdhi.org or visit mdhi.org/flex_fund.

MILE HIGH YOUTH CORPS

1801 Federal Blvd., Denver, CO 80204

Phone: 720-974-0500 (choose option 2)

Email: info@mhyc.net

Web: milehighyouthcorps.org/free-install-services/

Counties served: Adams, Arapahoe, Broomfield, Denver, Douglas and Jefferson

Free energy and water services to income-qualifying homes, including:

- energy assessments
- upgrades that reduce energy and water consumption, thereby lowering the future financial burden of utility bills

- upgrades and installations including LED lightbulbs, high-efficiency showerheads and sink aerators, programmable thermostats, carbon monoxide detectors, and ultra-high efficiency toilets (depending on location)

Eligibility:

- renters and homeowners
- households that qualify for SNAP, TANF or LEAP are automatically qualified for assistance
- call 720-974-0500 or email info@mhyc.net for information on current income eligibility guidelines

REBUILDING TOGETHER METRO DENVER

2839 W. 44th Ave., Denver, CO 80211

Phone: 720-524-0840

Email: info@rebuildingdenver.org

Web: rebuildingdenver.org

Counties served: Adams, Arapahoe, Broomfield, Denver, Douglas and Jefferson

Provides low-income homeowners with free critical health and safety repairs. Services are completed by volunteers and may include:

- repair or replace locks on exterior doors
- install new smoke alarms or replace batteries
- install carbon monoxide alarm or Class ABC fire extinguisher
- install nonslip tread in baths, handheld showerhead, shower chair or grab bars
- repair, replace or install interior handrails
- replace burnt out lightbulbs, install night lights or stick-up lights for areas with no light fixtures
- repair small faucet leaks or replace faucet, repair running or leaking toilets
- small plumbing repairs

Provides emergency repair services to include repairing or replacing furnaces and hot water heaters. To check all service eligibility requirements, go to rebuildingdenver.org.

THORNTON HOME REPAIR PROGRAMS

2211 Eppinger Blvd., Thornton, CO 80229

Phone: 720-977-5800

Web: thorntonco.gov/community-connections/Pages/repair-maintenance-improvement.aspx

Area served: City of Thornton

A minor home repair program that provides repairs up to \$4,000 in value, and a loan program for major repairs of up to \$12,000. Available for income-qualifying households who are U.S. residents. Call 720-977-5800 or visit the website for application and eligibility guidelines.

Home Repair Loan Program

- a loan, offered through Brothers Redevelopment, with a 0% interest rate to cover major repairs related to health, safety or accessibility
- Thornton residents must live in their home and meet income and other program criteria.

Help for Homes Program

- for homeowners in Thornton only
- minor home repairs to address health, safety, accessibility and energy efficiency, including accessibility modifications, plumbing repairs and electrical repairs

VOLUNTEERS OF AMERICA SAFETY OF SENIORS HANDYMAN PROGRAM

2660 Larimer St., Denver, CO 80205

Phone: 303-297-0408

Email: info@voacolorado.org

Web: voacolorado.org/gethelp-denvermetro-clientservices-handyman

Counties served: Adams, Arapahoe, Broomfield, Clear Creek, Denver, Douglas, Gilpin and Jefferson

Volunteers of America provides services to improve the quality of life for limited-income older adult homeowners (age 60 and older), including, but not limited to:

- safety assessment
- install grab bars in bathroom area, handheld shower, nonslip surfaces in tub or shower
- repair minor electrical problems, minor plumbing problems (for example, running toilet, leaking faucet)
- repair or replace door handles or deadbolts
- replace thermostats, replace furnace filters
- install or replace batteries in smoke detectors, install carbon monoxide detectors
- change lightbulbs, provide plug-in night lights
- repair stair treads

HELPFUL LINKS

Colorado Legal Services has more legal information about housing quality concerns on their website. Go to coloradolegalservices.org. Click on “Legal Information,” then click “Housing.”

Here are template letters for tenants to use to inform landlords about their concerns and request action regarding the conditions of their home. Tenants should keep copies and dates of all communication with landlords. Tenants can start with the First Notice. If the landlord is not responsive, tenants can use the Second Notice to notify the landlord about their intent to terminate their lease if the reported issues are not resolved. Important: It is highly recommended to seek legal advice before terminating a lease or taking any other legal action. *Aquí están ejemplos de las cartas que los inquilinos pueden usar para informar a los propietarios sobre sus preocupaciones y solicitar acciones con respecto a las condiciones de su hogar. Los inquilinos deben guardar copias y notar las fechas de toda la comunicación con los propietarios. Los inquilinos pueden comenzar con el Primer Aviso. Si el propietario no responde, los inquilinos pueden usar el Segundo Aviso para notificar al propietario sobre su intención de terminar el contrato de arrendamiento si los problemas reportados no se resuelven. Importante: Se recomienda pedir consejo legal antes de terminar un contrato de arrendamiento o tomar cualquier otra acción legal.*

FIRST NOTICE: WARRANTY OF HABITABILITY DEMAND LETTER
(CARTA DE DEMANDA DE GARANTIA DE HABITABILIDAD)

Sent via (Enviado a través de): **Certified Mail** (correo certificado)
 USPS First Class Mail (USPS Correo de Primera Clase) **Email** (correo electrónico)

Date (Fecha): _____

To (Para): _____
 Landlord's Name (Nombre del propietario)

From (De): _____
 Tenant's Name (Nombre del inquilino)

 Address (Dirección)

 Tenant's Address (Dirección del inquilino)

Pursuant to Colorado's Warranty of Habitability Law, CRS §§ 38-12-501 et seq., I am notifying you that conditions in the residence I am renting materially interfere with my life, health, or safety, OR contains one or more uninhabitable conditions and is uninhabitable within the meaning of CRS §38-12-505(1) as explained below. I am requesting that you remedy the condition(s) without delay.

De acuerdo con la Ley de Garantía de Habitabilidad de Colorado, CRS §§ 38-12-501 et seq., Le estoy notificando que las condiciones de la residencia que estoy alquilando interfiere materialmente con mi vida, salud o seguridad, O contiene una o más condiciones inhabitables y es inhabitable en el sentido de CRS §38-12-505(1) como se explica a continuación. Le solicito que solucione la(s) condición(es) sin demora.

Waterproofing and/or weather protection of the roof and/or exterior walls are not in good working order and/or there are broken windows and/or doors, specifically:
Impermeabilización y/o protección contra la intemperie del techo y/o paredes exteriores no están en condiciones operativas y/o hay ventanas y/o puertas rotas, específicamente:

Plumbing or gas facilities are not maintained in good working order, specifically:
Las instalaciones de plomería o gas no las han mantenido en buenas condiciones, específicamente:

- There is no running water and/or insufficient amounts of hot water and/or the running water lacks appropriate fixtures connected to a sewage disposal system approved under applicable law, specifically:
No hay agua corriente y/o cantidades insuficientes de agua caliente y/o agua corriente carece de accesorios apropiados conectados a un sistema de eliminación de aguas residuales aprobados por la ley aplicable, específicamente:
-

- There is no or insufficient heat and/or the heating facilities are not maintained in good working order, specifically:
No hay o no hay suficiente calefacción y / o las instalaciones de calefacción no se mantienen en buenas condiciones, específicamente:
-

- The electrical lighting is defective in that its wiring and electrical equipment did not conform to applicable law at the time of installation and/or it is not maintained in good working order, specifically:
La iluminación eléctrica es defectuosa en el sentido de que su cableado y equipo eléctrico no cumplían con la ley aplicable en el momento de la instalación y/o no la han mantenido en buenas condiciones, específicamente:
-

- The common areas under your control as the landlord are not kept reasonably clean, sanitary, and free from the accumulation of debris, filth, rubbish, and garbage and/or has not undergone appropriate extermination though there is an infestation of rodents and/or vermin, specifically:
Las áreas comunes bajo su control como propietario, no se mantienen razonablemente limpias, sanitarias y libres de la acumulación de escombros, suciedad, y basura y/o no han sido sometidas a un exterminio adecuado, aunque hay una infestación de roedores y/o alimañas, específicamente:
-

- My rental home is infested with rodents and/or vermin and you have not appropriately exterminated, specifically:
Mi casa de alquiler está infestada con roedores y/o alimañas y no han exterminado adecuadamente, específicamente:
-

- Insufficient (not enough) exterior garbage receptacles for my apartment, specifically:
Insuficientes basureros exteriores para mi apartamento, específicamente:
-

- Floors, stairways and railings are not in good repair, specifically:
Los pisos, las escaleras y barandillas no están en condiciones operativas, específicamente:
-

- Locks on one or more of my exterior doors and/or windows are not in good working order, specifically:
Las cerraduras en una o más de mis puertas exteriores y / o ventanas no están en condiciones operativas, específicamente:
-

- The rental property is not in compliance with all applicable building, housing and health codes in a way that is dangerous or hazardous to my life, health and/or safety, specifically:

La propiedad de alquiler no cumple con todos los códigos aplicables de construcción, vivienda y salud de manera que pone en peligro mi vida, salud y/o seguridad, específicamente:

- The rental property is otherwise unfit for human habitation and is a condition that materially interferes with the life, health or safety of me or my household, specifically:

La propiedad de alquiler no es apta para la habitación humana y está en una condición que interfiere materialmente con la vida, salud o seguridad mía o de mi hogar, específicamente:

- My unit lacks functioning appliances maintained in good working order, specifically:

Mi apartamento carece de electrodomésticos que funcionen apropiadamente y que no se han mantenido en condiciones operativas, específicamente:

- There is mold associated with dampness that is interfering with my health or safety, specifically:

Hay moho asociado con humedad en la propiedad que está interfiriendo con mi salud o seguridad, específicamente:

I grant permission to enter my unit to you or your authorized agent to fix the problem. I believe the issue described above presents a materially dangerous or hazardous condition to my life, health and/or safety. I am hereby directing you to fix the problem. Please be advised, if you fail to begin to repair such conditions within 24 hours (where the condition interferes with my life, health, or safety) or 96 hours (where the condition otherwise violates the warranty of habitability), it will constitute a breach of our lease agreement and the Warranty of Habitability and I may elect to terminate our lease agreement, withhold rent for repairs, seek injunctive relief from the court or otherwise avail myself of all remedies afforded by Colorado law.

Concedo permiso para entrar mi vivienda a usted o a su agente autorizado para solucionar el problema. Creo que el problema descrito anteriormente presenta una condición materialmente peligrosa o peligrosa para mi vida, salud y/o seguridad. Por la presente comunicación, le estoy indicando que solucione el problema. Tenga en cuenta que si no puede comenzar a reparar estas condiciones dentro de 24 horas (cuando la condición interfiera con mi vida, salud, o seguridad) o 96 horas (cuando la condición viole de otra manera la garantía de habitabilidad), constituirá una violación de nuestro contrato de arrendamiento y la Garantía de Habitabilidad y puedo optar por terminar nuestro contrato de arrendamiento, retener el alquiler para las reparaciones, buscar medidas cautelares de la corte o hacer uso de todos los recursos disponibles según la ley de Colorado.

Sincerely (Sinceramente),

Tenant Signature (*Firma del inquilino*)

Date (*Fecha*)

**SECOND NOTICE: NOTICE TO REMEDY BREACH AND NOTICE OF TERMINATION
FOR BREACH OF WARRANT OF HABITABILITY**

**(SEGUNDO AVISO: AVISO DE INCUMPLIMIENTO Y AVISO DE TERMINACION
POR INCUMPLIMIENTO DE LA GARANTIA DE HABITABILIDAD)**

Sent via (Enviado a través de): **Certified Mail** (correo certificado)

USPS First Class Mail (USPS Correo de Primera Clase) **Email** (correo electrónico)

Date (Fecha): _____

To (Para): _____
Landlord's Name (Nombre del propietario)

From (De): _____
Tenant's Name (Nombre del inquilino)

Address (Dirección)

Tenant's Address (Dirección del inquilino)

Pursuant to the Colorado Warranty of Habitability Law, codified at CRS §§ 38-12-501 et seq., Tenant previously provided to Landlord a Notice of Uninhabitable Condition; more specifically, such Notice was tendered to Landlord on or about _____ [DATE of first Notice]. The aforementioned Notice of Uninhabitable Condition advised the Landlord pursuant to CRS § 38-12-503(2) that the Residential Premises were uninhabitable as described in the Notice; and/or the Residential Premises were in a condition that was materially dangerous or hazardous to the Tenant's life, health, or safety and/or violated the Warranty of Habitability; AND the Landlord received such written notice AND was provided a reasonable time to cure the problem. The Landlord has failed to cure the problem within such reasonable time.

NOW, THEREFORE, THE LANDLORD IS HEREBY NOTIFIED THAT THE LANDLORD IS IN BREACH OF THE WARRANTY OF HABITABILITY FOR THE REASONS SPECIFIED IN THE PRIOR NOTICE, SPECIFICALLY:

De acuerdo con la Ley de Garantía de Habitabilidad de Colorado, codificado en CRS §§ 38-12-501 et seq., El Inquilino le entregó un Aviso de Condición Inhabitable al Propietario previamente; más específicamente, dicho Aviso fue entregado al Propietario el día o alrededor de _____ [Fecha de primer Aviso]. El Aviso de Condición Inhabitable mencionado anteriormente aconsejó al Propietario de acuerdo con CRS § 38- 12- 503(2) que las Instalaciones Residenciales eran inhabitables como se describe en el Aviso; y/o las Instalaciones Residenciales estaban en una condición que era materialmente peligrosa o peligrosa para la vida, salud o seguridad del Inquilino y/o violaba la Garantía de Habitabilidad; Y el Propietario recibió dicha notificación por escrito Y se le dio tiempo razonable para solucionar el problema. El Propietario no ha solucionado el problema dentro de ese tiempo razonable.

AHORA, POR LO TANTO, SE NOTIFICA AL PROPIETARIO QUE EL PROPIETARIO ESTÁ EN VIOLACION DE LA GARANTÍA DE HABITABILIDAD POR LAS RAZONES ESPECIFICADAS EN EL AVISO PREVIO, ESPECÍFICAMENTE:

The Landlord is further notified that the Tenant intends to terminate the rental agreement by and between the Landlord and the Tenant for the Residential Premises on _____ **[insert date no fewer than ten and no more than thirty days from this Notice]** by surrendering possession of the Residential Premises, UNLESS the Landlord remedies the aforementioned breach by repairs, the payment of damages, or otherwise, AND the Landlord adequately remedies the breach within five (5) business days of receipt of this Notice.

*Además, se notifica al Propietario que el Inquilino tiene la intención de terminar el contrato de arrendamiento entre el Propietario y el Inquilino para la Propiedad Residencial _____ **[incluye la fecha no menos de diez días y no más de treinta días a partir de este Aviso]** y en sí, la entrega de la posesión de la Propiedad Residencial, A MENOS QUE el Propietario solucione el incumplimiento mencionado anteriormente, o que pague por los daños, o de otro modo, que el Propietario solucione el incumplimiento adecuadamente dentro de los cinco (5) días hábiles después de recibir este Aviso.*

Tenant Signature (*Firma del inquilino*)

Date (*Fecha*)



DISCLAIMER

The Denver Regional Accountable Health Community Housing Workgroup (Workgroup) developed this “Quick Guide” as a tool for community-facing staff to help educate home renters about their rights and available resources related to Colorado’s 2019 Warrant of Habitability Law. This document is being piloted from December 2020 through January 2021 with an expected final publish date of March 2021.

The Workgroup was convened by Denver Regional Council of Governments’ (DRCOG) Area Agency on Aging and comprises the following partner organizations: Brothers Redevelopment, Denver Health, DRCOG, Enterprise Community Partners, HousingFirst Lab, and Neighborhood Development Collaborative. The Workgroup’s efforts are supported by funding awarded to DRCOG by the Centers for Medicare and Medicaid Services under the Accountable Health Communities Model.

The information contained in this guide is for general information purposes only and is not intended to be comprehensive in scope or depth, nor is it to be construed as legal advice. If you have questions regarding your particular situation, you may wish to consult with a private attorney who can provide you with that interpretation. While efforts have been made to keep the information up to date and accurate, we make no representations or warranties of any kind, express or implied, about the completeness, accuracy, reliability or suitability of the information. Therefore, any reliance on the information provided is at your own risk.