

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

INTRODUCED

LLS NO. 26-0028.01 Richard Sweetman x4333

HOUSE BILL 26-1047

HOUSE SPONSORSHIP

Joseph,

SENATE SPONSORSHIP

(None),

House Committees
Judiciary

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING PROTECTIONS FOR RESIDENTIAL TENANTS, AND, IN**
102 **CONNECTION THEREWITH, REQUIRING A PLAINTIFF THAT FILES**
103 **A COMPLAINT REGARDING THE UNLAWFUL DETENTION OF REAL**
104 **PROPERTY TO INCLUDE CERTAIN INFORMATION WITH THE**
105 **COMPLAINT; REQUIRING COURT RECORDS OF CERTAIN EVICTION**
106 **ACTIONS TO REMAIN SUPPRESSED; REQUIRING A LANDLORD TO**
107 **INCLUDE CERTAIN INFORMATION IN, AND TO REDACT PERSONAL**
108 **IDENTIFYING INFORMATION FROM, A WRITTEN DEMAND OR**
109 **NOTICE; AND REQUIRING A LANDLORD TO PROVIDE A TENANT AT**
110 **LEAST ONE RENT PAYMENT OPTION THAT DOES NOT REQUIRE**
111 **THE TENANT TO ACCESS AN ONLINE PORTAL OR PAY A**
112 **TRANSACTION FEE.**

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.

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>.)

The bill requires a plaintiff that files a complaint concerning the unlawful detention of real property to include certain documentation with the complaint.

The bill requires that if a landlord posts a written demand or notice, the landlord must:

- Include in the demand or notice certain information; and
- Redact from the document certain personal identifying information.

Under current law, when a landlord commences an action for forcible entry and detainer, any court record of the action is a suppressed court record. If the court issues an order granting the landlord possession of the premises, the record is no longer a suppressed court record unless the parties agree that the record remain suppressed. Under the bill, such a court record remains suppressed unless it concerns a substantial violation of the lease. A court may publish a judicial opinion concerning the action if the names and identifiers of the parties are anonymized.

The bill requires a landlord to provide a tenant at least one rent payment option that does not require the tenant to access an online portal or pay a transaction fee.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds that:

4 (a) Access to stable and affordable housing is a fundamental right
5 and essential to an individual's dignity, security, and ability to thrive, and
6 eviction practices that are opaque or unfair undermine this foundation for
7 thousands of Colorado residents;

8 (b) Evictions and threats of eviction create destabilizing
9 consequences for individuals and families, including negative health
10 impacts, increased housing costs, diminished housing quality, loss of

1 community, and heightened long-term housing insecurity;

2 (c) Evictions result not only in the loss of a home but also the loss
3 of possessions, employment stability, and educational continuity for
4 children, and an eviction record can prevent families from relocating to
5 decent and affordable housing in safer neighborhoods; and

6 (d) Protecting the dignity of tenants throughout the eviction
7 process is essential to a fair and functional housing system and necessary
8 to reduce the deep and lasting harms caused by displacement.

9 (2) The general assembly also finds that:

10 (a) Colorado has seen a significant rise in eviction filings in recent
11 years, with approximately 31,500 filings in 2024 and more than 50,000
12 filings in 2025, including roughly 32,000 nonpayment-of-rent cases and
13 nearly 13,000 lease-violation cases, revealing a landscape in which
14 residents with low incomes, seniors, and working families face increasing
15 risk of displacement;

16 (b) Eviction filings disproportionately affect Coloradans with
17 limited financial resources and those without reliable access to online
18 banking, electronic payment systems, or legal assistance, deepening
19 existing inequities;

20 (c) Tenants navigating the judicial system without legal
21 representation are far more likely to lose their housing, in part because
22 they lack awareness of their procedural and substantive rights and the
23 information necessary to defend themselves effectively;

24 (d) Many tenants do not understand how to access or interpret the
25 documents underlying their eviction case, making the process less
26 transparent, less navigable, and more likely to produce avoidable and
27 life-altering hardship;

1 (e) Ensuring that tenants and landlords have timely access to the
2 documents that give rise to an eviction, including the lease, rent ledger,
3 and any evidence of alleged violations, allows both parties to understand
4 the nature of the dispute from the outset;

5 (f) Requiring landlords to provide these key documents early in
6 the process promotes fairness, reduces unsupported filings, and improves
7 communication, efficiency, and accuracy in resolving housing disputes;

8 (g) When an eviction concludes and a final judgment is entered in
9 favor of the landlord, it is in the state's interest that the court records of
10 the eviction remain suppressed because public access to eviction filings,
11 even after final judgment, creates long-term barriers to securing safe and
12 stable housing;

13 (h) Publishing anonymized judicial opinions in eviction cases
14 strengthens transparency and consistency in Colorado's housing laws and
15 expands access to legal precedent for the public, advocates, and courts;
16 and

17 (i) Distinguishing evictions involving substantial lease violations
18 from other types of evictions in record-suppression policies protects
19 tenants from long-term harm while preserving transparency in matters
20 that implicate community safety.

21 (3) The general assembly also finds that:

22 (a) Reliable, accessible, and affordable rent payment methods are
23 critical to preventing avoidable eviction filings and maintaining stable
24 housing;

25 (b) Many low-income households, seniors, rural residents, and
26 residents who are disabled lack reliable broadband access, preventing
27 them from using online or app-based payment systems that landlords

1 increasingly require;

2 (c) Requiring tenants to pay rent exclusively online or through
3 systems that impose fees creates financial strain, increases the likelihood
4 of missed payments, and leads to preventable eviction filings; and

5 (d) Requiring landlords to provide at least one free, nonelectronic
6 method of rent payment ensures that all tenants can meet their obligations
7 reliably and without facing technological or financial barriers.

8 (4) Therefore, the general assembly declares that it is essential to:

9 (a) Ensure transparent, dignified, and fair eviction proceedings for
10 all tenants and landlords;

11 (b) Suppress court records of eviction proceedings in order to
12 protect tenants from long-term housing barriers;

13 (c) Distinguish evictions for substantial lease violations from
14 other types of evictions in record-suppression policies; and

15 (d) Guarantee that all tenants, regardless of income, technological
16 access, or familiarity with the legal system, have access to court records,
17 legal precedent, and reliable, free rent payment options in order to
18 promote stable homes and thriving communities across the state.

19 **SECTION 2.** In Colorado Revised Statutes, 13-40-106, **add** (5)
20 and (6) as follows:

21 **13-40-106. Written demand.**

22 (5) (a) THE DEMAND OR NOTICE REQUIRED BY SECTION 13-40-104
23 OR 38-12-1303 MUST INCLUDE:

24 (I) A COPY OF THE LEASE IF THE PROPERTY IS OCCUPIED PURSUANT
25 TO A WRITTEN LEASE; AND

26 (II) FOR A DEMAND RELATING TO THE ALLEGED NONPAYMENT OF
27 RENT, A CURRENT, UP-TO-DATE RENT LEDGER SHOWING ALL RENT

1 PAYMENTS THAT HAVE BEEN MADE BY OR ON BEHALF OF THE TENANT.

2 (b) A LANDLORD'S FAILURE TO SATISFY A REQUIREMENT
3 DESCRIBED IN SUBSECTION (5)(a) OF THIS SECTION CONSTITUTES AN
4 AFFIRMATIVE DEFENSE FOR THE TENANT WHO IS THE SUBJECT OF THE
5 DEMAND IN ANY ACTION THAT PROCEEDS THEREAFTER TO EVICT THE
6 TENANT.

7 (6) IF A LANDLORD POSTS A WRITTEN DEMAND OR NOTICE
8 REQUIRED BY SECTION 13-40-104 OR 38-12-1303:

9 (a) THE DEMAND OR NOTICE MUST INCLUDE A CITATION TO THE
10 SPECIFIC PROVISION WITHIN SECTION 13-40-104 (1) OR 38-12-1303 (2)
11 THAT DESCRIBES THE BASIS FOR THE DEMAND OR NOTICE; AND

12 (b) THE LANDLORD SHALL REDACT FROM THE DOCUMENT ANY
13 SOCIAL SECURITY NUMBERS, DATES OF BIRTH, DRIVER'S LICENSE OR STATE
14 IDENTIFICATION NUMBERS, AND BANK ACCOUNT, CREDIT CARD, AND DEBIT
15 CARD NUMBERS.

16 **SECTION 3.** In Colorado Revised Statutes, 13-40-110, **amend**
17 (3) and (3.5) as follows:

18 **13-40-110. Action - how commenced - report.**

19 (3) ~~The~~ A complaint FILED PURSUANT TO THIS ARTICLE 40 must
20 include:

21 (a) A designation of whether the plaintiff elects to participate in
22 any hearing in person or remotely by phone or video on a platform
23 designated by the court. ~~Upon filing~~ AFTER THE PLAINTIFF FILES the
24 complaint, the court shall provide the plaintiff with any necessary
25 information to facilitate the plaintiff's participation.

26 (b) A box indicating ~~if~~ WHETHER the eviction is for a residential
27 or commercial tenancy;

1 (c) A COPY OF THE NOTICE TO VACATE OR DEMAND THAT WAS
2 SERVED PURSUANT TO SECTION 13-40-108; AND

3 (d) FOR COMPLAINTS FILED RELATING TO AN ALLEGED LEASE
4 VIOLATION OR A NO-FAULT EVICTION, AS DESCRIBED IN SECTION
5 38-12-1303, ANY RECORDS IN THE LANDLORD'S POSSESSION THAT PERTAIN
6 TO THE ALLEGED LEASE VIOLATION OR NO-FAULT EVICTION.

7 (3.5) If ~~the~~ A RESIDENTIAL tenant provides written or actual notice
8 to ~~the~~ A landlord that the RESIDENTIAL tenant is a victim-survivor of
9 unlawful sexual behavior, stalking, domestic violence, or domestic abuse,
10 AS THOSE TERMS ARE DEFINED IN SECTION 13-40-104, and the
11 RESIDENTIAL tenant consents to the landlord sharing the information with
12 the court, the landlord shall disclose the information on the complaint or
13 with the return of service filed with the court.

14 **SECTION 4.** In Colorado Revised Statutes, 13-40-110.5, **amend**
15 (3)(a) and (4); and **add** (7) as follows:

16 **13-40-110.5. Automatic suppression of court records -**
17 **definition.**

18 (3) (a) Except as provided in subsection (3)(b) of this section,
19 ~~when~~ AFTER an order granting ~~the~~ A plaintiff possession of ~~the~~ A premises
20 is entered in an action to which this section applies:

21 (I) IF THE RECORD CONCERNS AN ACTION FILED UNDER SECTION
22 13-40-104 (1)(d.5) FOR A SUBSTANTIAL VIOLATION OF A LEASE, the record
23 is no longer a suppressed court record, and the court shall make the record
24 available to the public unless the parties to the action agree that the record
25 remain suppressed. If the parties agree that the record remain suppressed,
26 the record remains a suppressed court record.

27 (II) IF THE RECORD DOES NOT CONCERN AN ACTION UNDER

1 SECTION 13-40-104 (1)(d.5) FOR A SUBSTANTIAL VIOLATION OF A LEASE,
2 THE RECORD REMAINS A SUPPRESSED COURT RECORD.

3 (4) The names of the parties included in a court record that is
4 suppressed pursuant to this section may be used by the court for
5 administrative purposes, but the court shall not, for any reason, publish
6 the names of the parties online. A COURT MAY PUBLISH A JUDICIAL
7 OPINION CONCERNING AN ACTION PURSUANT TO THIS ARTICLE 40 IF THE
8 NAMES AND IDENTIFIERS OF THE PARTIES ARE ANONYMIZED.

9 (7) IF A RECORD OF AN EVICTION ACTION IS SUPPRESSED PURSUANT
10 TO THIS SECTION, A TENANT WHO IS PARTY TO THE EVICTION ACTION MAY
11 DENY OR NOT DISCLOSE THE EXISTENCE OF THE RECORD IF AN INQUIRY IS
12 MADE DURING THE TENANT SCREENING OR RENTAL APPLICATION PROCESS.

13 **SECTION 5.** In Colorado Revised Statutes, **amend** 38-12-802 as
14 follows:

15 **38-12-802. Tenant payment - receipts - nonelectronic payment**
16 **options.**

17 (1) (a) Upon receiving any payment made in person by a tenant
18 with cash or a money order, a landlord shall contemporaneously provide
19 the tenant with a receipt indicating the amount the tenant paid and the
20 date of payment.

21 (b) If ~~the~~ A landlord receives a payment that is not delivered in
22 person by the tenant with cash or a money order, if requested by the
23 tenant, the landlord shall, within seven days after the request, provide the
24 tenant with a receipt indicating the amount the tenant paid, the recipient,
25 and the date of payment, unless there is already an existing procedure that
26 provides a tenant with a record of the payment received that indicates the
27 amount the tenant paid, the recipient, and the date of payment.

1 (c) A landlord may provide the tenant with an electronic receipt
2 unless the tenant requests a paper receipt, in which case the landlord shall
3 provide the tenant with a paper receipt. For purposes of this section, a
4 receipt may be included as part of a billing statement.

5 (2) A LANDLORD SHALL PROVIDE A TENANT AT LEAST ONE RENT
6 PAYMENT OPTION THAT DOES NOT REQUIRE THE TENANT TO ACCESS AN
7 ONLINE PORTAL OR PAY A TRANSACTION FEE.

8 **SECTION 6. Safety clause.** The general assembly finds,
9 determines, and declares that this act is necessary for the immediate
10 preservation of the public peace, health, or safety or for appropriations for
11 the support and maintenance of the departments of the state and state
12 institutions.