

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

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 25-0555.01 Pierce Lively x2059

SENATE BILL 25-020

SENATE SPONSORSHIP

Weissman and Gonzales J., Ball, Bridges, Coleman, Cutter, Michaelson Jenet, Rodriguez,
Sullivan, Wallace, Winter F.

HOUSE SPONSORSHIP

Lindsay and Mabrey,

Senate Committees

Judiciary
Appropriations

House Committees

Judiciary

A BILL FOR AN ACT

101 **CONCERNING THE ENFORCEMENT OF EXISTING LANDLORD-TENANT**
102 **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>.)

Section 1 of the bill clarifies that the attorney general has the power to initiate and bring civil and criminal actions to enforce certain state landlord-tenant laws. **Section 2** makes corresponding conforming amendments to the attorney general's statutory powers and duties.

Sections 3 and 4 grant counties, cities and counties, and municipalities the power to initiate and bring civil and criminal actions

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.

SENATE
3rd Reading Unamended
March 31, 2025

SENATE
Amended 2nd Reading
March 28, 2025

to enforce certain state landlord-tenant laws.

Section 5 establishes a receivership mechanism that is available as a remedy for violations of applicable laws and regulations by the owner of multifamily residential property. The attorney general's office, a county, a city and county, and a municipality may all apply to a district court for the appointment of a receiver to operate a residential property. The bill establishes the process for a district court appointing a receiver, including requiring a hearing and an order of appointment that specifies the duties of a receiver, and the criteria for qualifying as a receiver. No sooner than 180 days after the district court appoints a receiver, the owner of the relevant property, attorney general, county, city and county, or municipality may submit an application to the district court seeking the termination of the receivership. As with the appointing of a receiver, the bill establishes the process by which a district court may terminate a receivership.

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

2 **SECTION 1.** In Colorado Revised Statutes, 13-40-110.5, **add** (6)
3 as follows:

4 **13-40-110.5. Automatic suppression of court records -**
5 **definition.** (6) IN ADDITION TO THE PERSONS DESCRIBED IN SUBSECTIONS
6 (1) AND (5) OF THIS SECTION, A COURT SHALL ALLOW A PERSON TO ACCESS
7 A SUPPRESSED COURT RECORD IF THE PERSON AFFIRMS TO THE COURT, IN
8 WRITING OR ELECTRONICALLY, THAT THE PERSON IS ACCESSING THE
9 SUPPRESSED COURT RECORD ON BEHALF OF THE ATTORNEY GENERAL FOR
10 THE PURPOSE OF INVESTIGATING ANY VIOLATION OF STATE LAW THAT THE
11 ATTORNEY GENERAL IS AUTHORIZED TO ENFORCE PURSUANT TO SECTION
12 24-31-101 (1)(i).

13 **SECTION 2.** In Colorado Revised Statutes, 24-31-101, **amend**
14 (1)(i)(XXII); and **add** (1)(i)(XXIV), (1)(i)(XXV), (1)(i)(XXVI), and (5)
15 as follows:

16 **24-31-101. Powers and duties of attorney general.** (1) The
17 attorney general:

1 (i) May independently initiate and bring civil and criminal actions
2 to enforce state laws, including actions brought pursuant to:

3 (XXII) Part 14 of article 12 of title 38; ~~and~~

4 (XXIV) BEGINNING JANUARY 1, 2026, PART 4 OF ARTICLE 12 OF
5 TITLE 38;

6 (XXV) BEGINNING JANUARY 1, 2026, PART 8 OF ARTICLE 12 OF
7 TITLE 38; AND

8 (XXVI) BEGINNING JANUARY 1, 2026, PART 10 OF ARTICLE 12 OF
9 TITLE 38.

10 (5) THE ATTORNEY GENERAL SHALL CONDUCT ENFORCEMENT
11 ACTIONS AUTHORIZED BY SENATE BILL 25-020, IF ANY, WITHIN EXISTING
12 APPROPRIATIONS.

13 **SECTION 3.** In Colorado Revised Statutes, 24-31-115, **amend**
14 (4)(a) introductory portion, (5)(a), (6)(b), (8)(a) introductory portion,
15 (8)(a)(III), (8)(b), and (9) as follows:

16 **24-31-115. Housing unit - powers of attorney general or**
17 **district attorney - subpoenas - document production - remedies -**
18 **injunctive relief - penalties. (4) Powers. (a)** When the attorney general
19 has reasonable cause to believe that any person, whether in this state or
20 elsewhere, has engaged in or is engaging in a violation of any of the
21 provisions listed in section 24-31-101, ~~(1)(i)(IX) to (1)(i)(XIV)~~, the
22 attorney general may:

23 **(5) Subpoenas - production of documents. (a)** When the
24 attorney general has reasonable cause to believe that a person, whether in
25 this state or elsewhere, has engaged in or is engaging in a violation of any
26 of the provisions listed in section 24-31-101, ~~(1)(i)(IX) to (1)(i)(XIV)~~, the
27 attorney general, in addition to any other powers conferred upon the

1 attorney general by this article 31, may issue subpoenas to require the
2 attendance of witnesses or the production of documents, administer oaths,
3 conduct hearings in aid of any investigation or inquiry, and prescribe such
4 forms and promulgate such rules as may be necessary to administer the
5 provisions of this article 31.

6 (6) **Inadmissible testimony.** (b) Subject to subsection (8) of this
7 section, the records of investigations or intelligence information of the
8 attorney general obtained under this article 31 may constitute public
9 records available for inspection by the public at the sole discretion of the
10 attorney general. This subsection (6)(b) shall not be construed to prevent
11 the attorney general from issuing public statements describing or warning
12 of any course of conduct or any conspiracy that constitutes a violation of
13 any of the provisions listed in section 24-31-101, ~~(1)(i)(IX) to~~
14 ~~(1)(i)(XIV)~~, whether on a local, statewide, regional, or nationwide basis.

15 (8) **Injunctive authority - assurances of discontinuance.**

16 (a) Whenever the attorney general has cause to believe that a person has
17 engaged in or is engaging in a violation of any of the provisions listed in
18 section 24-31-101, ~~(1)(i)(IX) to (1)(i)(XIV)~~, the attorney general may
19 apply for and obtain, in an action in the appropriate district court of this
20 state, a temporary restraining order or injunction, or both, pursuant to the
21 Colorado rules of civil procedure, prohibiting the person from continuing
22 or engaging in such practices, or doing any act in furtherance of such
23 practices. The court may make such orders or judgments as is necessary
24 to:

25 (III) Prevent any unjust enrichment by any person through the use
26 or employment of any practice that is in violation of any of the provisions
27 listed in section 24-31-101. ~~(1)(i)(IX) to (1)(i)(XIV)~~.

1 (b) Where the attorney general has authority to institute a civil
2 action or other proceeding pursuant to the provisions of this article, the
3 attorney general may accept, in lieu thereof or as a part thereof, an
4 assurance of discontinuance of any practice that constitutes a violation of
5 any of the provisions that are listed in section 24-31-101. ~~(1)(i)(IX) to~~
6 ~~(1)(i)(XIV)~~. Any such assurance of discontinuance may include a
7 stipulation for the voluntary payment by the alleged violator of the costs
8 of investigation and the costs of any action or proceeding by the attorney
9 general or a district attorney and any amount necessary to restore to any
10 person any money or property that may have been acquired by the alleged
11 violator by means of a violation of any of the provisions that are listed in
12 section 24-31-101. ~~(1)(i)(IX) to (1)(i)(XIV)~~. Any such assurance or
13 discontinuance accepted by the attorney general and any such stipulation
14 filed with the court as a part of any such action or proceeding is a matter
15 of public record unless the attorney general determines, in the attorney
16 general's sole discretion, that the assurance of discontinuance and any
17 stipulation are confidential to the parties to the action or proceeding and
18 to the court and its employees. Upon the filing of a civil action by the
19 attorney general alleging that a confidential assurance of discontinuance
20 or stipulation accepted pursuant to this subsection (8)(b) has been
21 violated, the assurance of discontinuance or stipulation is deemed a public
22 record and open to inspection by any person. Proof by a preponderance
23 of the evidence of a violation of any such assurance or stipulation
24 constitutes prima facie evidence of a deceptive trade practice for the
25 purposes of any civil action or proceeding brought thereafter by the
26 attorney general, whether a new action or a subsequent motion or petition
27 in any pending action or proceeding.

1 (9) **Penalties.** In order to enforce the provisions of this article 31,
2 in addition to any penalties stated in this article 31, the attorney general
3 may seek any of the penalties or other enforcement mechanisms specified
4 in the "~~Immigrant Tenant Protection Act~~", ~~part 12 of article 12 of title 38;~~
5 ~~the "Mobile Home Park Act", part 2 of article 12 of title 38; the "Mobile~~
6 ~~Home Park Act Dispute Resolution and Enforcement Program", part 11~~
7 ~~of article 12 of title 38; part 1 of article 12 of title 38; part 7 of article 12~~
8 ~~of title 38; and section 38-12-904 (1)(b)~~ ARTICLE 12 OF TITLE 38,
9 INCLUDING ANY PENALTIES AVAILABLE TO AGGRIEVED TENANTS OR OTHER
10 AGGRIEVED PERSONS UNDER THESE PROVISIONS, along with costs to
11 enforce these provisions.

12 **SECTION 4.** In Colorado Revised Statutes, 30-11-101, **add**
13 (1)(m) and (3) as follows:

14 **30-11-101. Powers of counties.** (1) Each organized county
15 within the state is a body corporate and politic and as such is empowered
16 for the following purposes:

17 (m) INDEPENDENTLY INITIATING AND BRINGING CIVIL ACTIONS
18 TO ENFORCE:

19 (I) PARTS 1, 2, 5, 7, 9, 11, 12, AND 14 OF ARTICLE 12 OF TITLE 38;
20 AND

21 (II) BEGINNING JANUARY 1, 2026, PARTS 4, 8, AND 10 OF ARTICLE
22 12 OF TITLE 38.

23 (3) (a) NOTWITHSTANDING ANY LAW TO THE CONTRARY, A
24 CONTRACT BETWEEN A COUNTY AND A PRIVATE ATTORNEY WHO THE
25 COUNTY RETAINS IN RELATION TO A CIVIL ACTION DESCRIBED IN
26 SUBSECTION (1)(m) OF THIS SECTION SHALL SPECIFY AN HOURLY RATE,
27 NOT TO EXCEED FIVE HUNDRED DOLLARS PER HOUR, AT WHICH THE

1 COUNTY COMPENSATES THE PRIVATE ATTORNEY.

2 (b) A COUNTY MAY USE AN AMOUNT EQUAL TO OR LESS THAN TEN
3 PERCENT OF ANY MONETARY AWARD RECEIVED AS A RESULT OF A CIVIL OR
4 CRIMINAL ACTION COMMENCED PURSUANT TO SUBSECTION (1)(m) OF THIS
5 SECTION TO COVER THE COSTS OF THAT CIVIL ACTION, INCLUDING
6 ATTORNEY FEES.

7 (c) IN COMMENCING A CIVIL ACTION PURSUANT TO SUBSECTION
8 (1)(m) OF THIS SECTION, A COUNTY MAY CONFER WITH ANY HOUSING
9 AUTHORITY CREATED PURSUANT TO TITLE 29 THAT SERVES THE COUNTY
10 IN WHOLE OR IN PART.

11 **SECTION 5.** In Colorado Revised Statutes, 31-15-401, **add** (1)(r)
12 and (2) as follows:

13 **31-15-401. General police powers.** (1) In relation to the general
14 police power, the governing bodies of municipalities have the following
15 powers:

16 (r) MAY INDEPENDENTLY INITIATE AND BRING CIVIL ___ ACTIONS
17 TO ENFORCE:

18 (I) PARTS 1, 2, 5, 7, 9, 11, 12, AND 14 OF ARTICLE 12 OF TITLE 38;
19 AND

20 (II) BEGINNING JANUARY 1, 2026, PARTS 4, 8, AND 10 OF ARTICLE
21 12 OF TITLE 38.

22 (2) (a) NOTWITHSTANDING ANY LAW TO THE CONTRARY, A
23 CONTRACT BETWEEN A MUNICIPALITY AND A PRIVATE ATTORNEY WHO THE
24 COUNTY RETAINS IN RELATION TO A CIVIL ACTION DESCRIBED IN
25 SUBSECTION (1)(r) OF THIS SECTION SHALL SPECIFY AN HOURLY RATE, NOT
26 TO EXCEED FIVE HUNDRED DOLLARS PER HOUR, AT WHICH THE
27 MUNICIPALITY COMPENSATES THE PRIVATE ATTORNEY.

1 **(b) A MUNICIPALITY MAY USE AN AMOUNT EQUAL TO OR LESS**
2 **THAN TEN PERCENT OF ANY MONETARY AWARD RECEIVED AS A RESULT OF**
3 **A CIVIL ACTION COMMENCED PURSUANT TO SUBSECTION (1)(r) OF THIS**
4 **SECTION TO COVER THE COSTS OF THAT CIVIL ACTION, INCLUDING**
5 **ATTORNEY FEES.**

6 **(c) IN COMMENCING A CIVIL ACTION PURSUANT TO SUBSECTION**
7 **(1)(r) OF THIS SECTION, A MUNICIPALITY MAY CONFER WITH ANY HOUSING**
8 **AUTHORITY CREATED PURSUANT TO TITLE 29 THAT SERVES THE**
9 **MUNICIPALITY IN WHOLE OR IN PART.**

10 **SECTION 6.** In Colorado Revised Statutes, **add** 38-12-513 as
11 follows:

12 **38-12-513. Receivership of residential housing.** (1) THE
13 PURPOSE OF THIS SECTION IS TO ESTABLISH A RECEIVERSHIP MECHANISM
14 THAT WILL BE AVAILABLE AS A REMEDY FOR VIOLATIONS OF APPLICABLE
15 LAWS AND REGULATIONS BY THE LANDLORD OF MULTIFAMILY
16 RESIDENTIAL PROPERTY. THE DUTIES OF A RECEIVER ARE TO ACHIEVE THE
17 PURPOSES OF THIS PART 5 PURSUANT TO SECTION 38-12-501, TO ENSURE
18 THAT MULTIFAMILY RESIDENTIAL PROPERTY IS FIT FOR HUMAN
19 HABITATION AS REQUIRED BY SECTION 38-12-503 (1), AND TO ENSURE
20 THAT THE MULTIFAMILY RESIDENTIAL PROPERTY COMPLIES WITH ALL
21 COUNTY OR MUNICIPAL PUBLIC HEALTH CODES OR MUNICIPAL ORDINANCES
22 REGULATING PUBLIC HEALTH AND SAFETY THAT APPLY TO MULTIFAMILY
23 RESIDENTIAL PROPERTY.

24 (2) THE FOLLOWING PARTIES MAY APPLY TO THE DISTRICT COURT
25 FOR THE APPOINTMENT OF A RECEIVER TO OPERATE A MULTIFAMILY
26 RESIDENTIAL PROPERTY:

27 (a) THE ATTORNEY GENERAL, WHEN THE ATTORNEY GENERAL HAS

1 REASONABLE CAUSE TO BELIEVE THAT ANY PERSON, WHETHER IN THIS
2 STATE OR ELSEWHERE, HAS ENGAGED IN OR IS ENGAGING IN A VIOLATION
3 OF THIS PART 5, OTHER THAN A VIOLATION OF SECTION 38-12-503 (5), IN
4 CONNECTION WITH THE MULTIFAMILY RESIDENTIAL PROPERTY; AND
5 (b) A COUNTY, CITY AND COUNTY, OR MUNICIPALITY, WHEN
6 THE COUNTY, CITY AND COUNTY, OR MUNICIPALITY HAS REASONABLE
7 CAUSE TO BELIEVE THAT ANY PERSON, WHETHER IN THIS STATE OR
8 ELSEWHERE, HAS ENGAGED IN OR IS ENGAGING IN A PATTERN OR PRACTICE
9 OF VIOLATIONS OF THIS PART 5, THAT NEGATIVELY IMPACT THE HEALTH
10 AND SAFETY OF THE MULTIFAMILY RESIDENTIAL PROPERTIES' TENANTS,
11 OTHER THAN A VIOLATION OF SECTION 38-12-503 (5), IN CONNECTION
12 WITH THE MULTIFAMILY RESIDENTIAL PROPERTY.

13 (3) (a) A PETITIONER SEEKING THE APPOINTMENT OF A RECEIVER
14 PURSUANT TO THIS SECTION MUST FILE AN APPLICATION WITH THE
15 DISTRICT COURT FOR THE COUNTY OR CITY AND COUNTY WHERE THE
16 MULTIFAMILY RESIDENTIAL PROPERTY IS LOCATED.

17 (b) (I) THE DISTRICT COURT SHALL NOT HOLD A HEARING
18 CONCERNING AN APPLICATION FOR THE APPOINTMENT OF A RECEIVER
19 PURSUANT TO THIS SECTION SOONER THAN THREE BUSINESS DAYS AFTER
20 THE FOLLOWING PARTIES HAVE BEEN SERVED WITH NOTICE THEREOF, AS
21 PROVIDED IN THE COLORADO RULES OF CIVIL PROCEDURE:

22 (A) THE LANDLORD OF THE MULTIFAMILY RESIDENTIAL PROPERTY;

23 (B) ANY LESSEE OR MORTGAGEE OF THE MULTIFAMILY
24 RESIDENTIAL PROPERTY, EXCEPT THAT THE FAILURE TO SERVE ANY SUCH
25 PARTY WHOSE NAME AND ADDRESS ARE NOT AVAILABLE TO THE
26 PETITIONER DOES NOT PRECLUDE THE COURT FROM HOLDING THE HEARING
27 OR INVALIDATING THE PROCEEDING SO LONG AS THE NOTICE IS POSTED AT

1 THE PROPERTY;

2 (C) THE CITY OR TOWN IN WHICH THE MULTIFAMILY RESIDENTIAL
3 PROPERTY IS LOCATED;

4 (D) THE COUNTY OR CITY AND COUNTY IN WHICH THE
5 MULTIFAMILY RESIDENTIAL PROPERTY IS LOCATED;

6 (E) THE ATTORNEY GENERAL'S OFFICE; ■■■

7 (F) THE DEPARTMENT OF LOCAL AFFAIRS; AND

8 (G) IF THE MULTIFAMILY RESIDENTIAL PROPERTY IS SUBJECT TO A
9 FORM OF LOCAL, STATE, OR FEDERAL GOVERNMENT SUBSIDY OR SUPPORT
10 OR OTHER GOVERNMENT ASSISTANCE THAT HAS A RECORDED USE
11 COVENANT UPON THE PROPERTY, THE PROVIDER OF THAT SUBSIDY,
12 SUPPORT, OR OTHER GOVERNMENT ASSISTANCE.

13 (II) IN PROVIDING NOTICE PURSUANT TO SUBSECTION (3)(b)(I) OF
14 THIS SECTION, A PARTY DOES NOT HAVE TO PROVIDE NOTICE TO ITSELF.

15 (III) A PETITIONER SEEKING THE APPOINTMENT OF A RECEIVER
16 PURSUANT TO THIS SECTION MUST CONSPICUOUSLY POST NOTICE OF THE
17 PETITION ON AND AROUND THE RELEVANT MULTIFAMILY RESIDENTIAL
18 PROPERTY. THIS NOTICE SHALL INCLUDE THE PHONE NUMBER AND EMAIL
19 ADDRESS OF THE PETITIONER. THE PETITIONER IS STRONGLY ENCOURAGED
20 TO POST THE NOTICE IN LANGUAGES OTHER THAN ENGLISH, IF THE
21 PETITIONER IS AWARE THAT THOSE LANGUAGES ARE SPOKEN BY THE
22 PROPERTY'S TENANTS.

23 (c) AN APPLICATION FOR APPOINTMENT OF A RECEIVER PURSUANT
24 TO THIS SUBSECTION (3) HAS PRECEDENCE AND PRIORITY OVER ANY CIVIL
25 OR CRIMINAL CASE PENDING IN THE DISTRICT COURT WHERE THE
26 APPLICATION IS FILED.

27 (4) (a) THE DISTRICT COURT'S APPOINTMENT OF A RECEIVER

1 PURSUANT TO THIS SECTION SHALL BE IN ACCORDANCE WITH AND
2 GOVERNED BY RULE 66 OF THE COLORADO RULES OF CIVIL PROCEDURE.

3 (b) TO APPOINT A RECEIVER PURSUANT TO THIS SECTION, THE
4 DISTRICT COURT MUST FIND THAT:

5 (I) GROUNDS FOR THE APPOINTMENT OF A RECEIVER EXIST DUE TO
6 A FINDING BY THE DISTRICT COURT, BASED ON A PREPONDERANCE OF THE
7 EVIDENCE, SUPPORTING THE RELEVANT CLAIMS IN AN APPLICATION
8 SUBMITTED BY A PARTY PURSUANT TO SUBSECTION (2) OF THIS SECTION;
9 AND

10 (II) PROPER NOTICE AS REQUIRED BY SUBSECTION (3) OF THIS
11 SECTION HAS BEEN SERVED.

12 (c) A RECEIVER APPOINTED BY THE DISTRICT COURT PURSUANT TO
13 THIS SECTION MUST BE A PERSON WITH KNOWLEDGE AND EXPERIENCE IN
14 THE OPERATION, MAINTENANCE, AND IMPROVEMENT OF RESIDENTIAL
15 HOUSING. THE RECEIVER MUST BE FINANCIALLY AND LEGALLY
16 INDEPENDENT OF THE MULTIFAMILY RESIDENTIAL PROPERTY'S OWNERSHIP
17 OR MANAGEMENT. THE DISTRICT COURT MAY ALSO REQUIRE THAT THE
18 RECEIVER POST A BOND WITH ADEQUATE SURETIES AS DETERMINED BY THE
19 COURT.

20 (d) IN APPOINTING A RECEIVER PURSUANT TO THIS SECTION, THE
21 DISTRICT COURT MUST HOLD A HEARING, AT WHICH TIME THE PARTIES MAY
22 APPEAR AND BE HEARD.

23 (e) FOLLOWING THE HEARING DESCRIBED IN SUBSECTION (4)(d) OF
24 THIS SECTION, IF THE COURT APPOINTS A RECEIVER, THE COURT MUST
25 ENTER AN ORDER OF APPOINTMENT THAT SPECIFIES THE DUTIES AND
26 RESPONSIBILITIES OF THE RECEIVER, WHICH MUST INCLUDE THAT THE
27 RECEIVER:

1 (I) WITHIN THIRTY DAYS OF BEING APPOINTED BY THE DISTRICT
2 COURT, SUBMIT A PLAN TO THE DISTRICT COURT FOR THE REMEDIATION OF
3 ANY VIOLATIONS OF THIS PART 5, OTHER THAN A VIOLATION OF SECTION
4 38-12-503 (5), A COUNTY OR CITY AND COUNTY PUBLIC HEALTH CODE, OR
5 A MUNICIPAL ORDINANCE;

6 (II) TAKE THE ACTIONS NECESSARY TO ENSURE THAT THE
7 MULTIFAMILY RESIDENTIAL PROPERTY IS NO LONGER IN VIOLATION OF THIS
8 PART 5, OTHER THAN A VIOLATION OF SECTION 38-12-503 (5), A COUNTY
9 OR CITY AND COUNTY PUBLIC HEALTH CODE, OR A MUNICIPAL ORDINANCE;

10 (III) NO LATER THAN EVERY THIRTY DAYS AFTER BEING
11 APPOINTED BY THE DISTRICT COURT, SUBMIT AN ACCOUNTING AND STATUS
12 REPORT TO THE DISTRICT COURT, WHICH MUST INCLUDE ACTIONS THAT
13 HAVE BEEN COMPLETED AND ACTIONS THAT ARE STILL ONGOING TO
14 ACHIEVE COMPLIANCE WITH THIS PART 5, A COUNTY OR CITY AND COUNTY
15 PUBLIC HEALTH CODE, OR A MUNICIPAL ORDINANCE; AND

16 (IV) AT THE END OF THE RECEIVERSHIP, AS DESCRIBED IN
17 SUBSECTION (8) OF THIS SECTION, SUBMIT A FINAL ACCOUNTING AND
18 STATUS REPORT TO THE COURT, WHICH MUST INCLUDE ACTIONS THAT
19 HAVE BEEN COMPLETED AND ACTIONS THAT ARE STILL ONGOING TO
20 ACHIEVE COMPLIANCE WITH THIS PART 5, A COUNTY OR CITY AND COUNTY
21 PUBLIC HEALTH CODE, OR A MUNICIPAL ORDINANCE.

22 (5) (a) A RECEIVER APPOINTED BY THE DISTRICT COURT PURSUANT
23 TO THIS SECTION HAS THE POWER TO:

24 (I) REMEDIATE ANY VIOLATION BY THE MULTIFAMILY RESIDENTIAL
25 PROPERTY OF THIS PART 5, OTHER THAN A VIOLATION OF SECTION
26 38-12-503 (5), A COUNTY OR CITY AND COUNTY PUBLIC HEALTH CODE, OR
27 A MUNICIPAL ORDINANCE;

1 (II) AS NECESSARY TO ACCOMPLISH THE REMEDIATION AND
2 COMPLIANCE DESCRIBED IN SUBSECTION (5)(a)(I) OF THIS SECTION:

3 (A) ENTER INTO NEW CONTRACTS;

4 (B) BORROW MONEY;

5 (C) SECURE FUNDS BY GRANTING LIENS UPON THE MULTIFAMILY
6 RESIDENTIAL PROPERTY; AND

7 (D) RECEIVE RENT FROM TENANTS OF THE MULTIFAMILY
8 RESIDENTIAL PROPERTY; AND

9 (III) EXERCISE ANY OTHER POWERS DEEMED NECESSARY BY THE
10 DISTRICT COURT AND NOT INCONSISTENT WITH RULE 66 OF THE COLORADO
11 RULES OF CIVIL PROCEDURE.

12 (b) THE RECEIVER'S FEES ESTABLISHED IN THE DISTRICT COURT'S
13 ORDER OF APPOINTMENT ENTERED PURSUANT TO SUBSECTION (4)(e) OF
14 THIS SECTION MAY ONLY BE COVERED BY MONEY THAT THE RECEIVER
15 RAISES PURSUANT TO SUBSECTION (5)(a)(II)(C) OF THIS SECTION.

16 (c) IN EXERCISING ITS POWERS PURSUANT TO THIS SUBSECTION (5),
17 A RECEIVER IS NOT REQUIRED TO EMPLOY STANDARD PUBLIC BIDDING
18 PRACTICES AND MAY:

19 (I) CARRY OUT EXECUTORY CONTRACTS;

20 (II) ENTER INTO NEW CONTRACTS;

21 (III) BORROW MONEY;

22 (IV) MORTGAGE OR PLEDGE PROPERTY;

23 (V) SELL ASSETS AT PUBLIC OR PRIVATE SALE;

24 (VI) MAKE AND RECEIVE CONVEYANCES IN THE CORPORATE NAME;

25 (VII) LEASE REAL ESTATE;

26 (VIII) SETTLE OR COMPROMISE CLAIMS;

27 (IX) COMMENCE AND PROSECUTE ALL ACTIONS AND PROCEEDINGS

1 NECESSARY TO ENABLE LIQUIDATION; AND

2 (X) DISTRIBUTE ASSETS EITHER IN CASH OR IN KIND AMONG
3 MEMBERS ACCORDING TO THEIR RESPECTIVE RIGHTS AFTER PAYING OR
4 ADEQUATELY PROVIDING FOR THE PAYMENT OF LIABILITIES.

5 (6) THE RECEIVER SHALL PERFORM DUTIES, ASSUME
6 RESPONSIBILITIES, AND PRESERVE THE MULTIFAMILY RESIDENTIAL
7 PROPERTY IN ACCORDANCE WITH ESTABLISHED PRINCIPLES OF LAW FOR
8 RECEIVERS OF REAL PROPERTY. IN SO DOING, THE RECEIVER:

9 (a) SHALL PERFORM THEIR DUTIES IN A WAY THAT MINIMIZES, TO
10 THE GREATEST EXTENT POSSIBLE, FURTHER DISRUPTION OF THE
11 MULTIFAMILY RESIDENTIAL PROPERTY'S TENANTS;

12 (b) SHALL COMMUNICATE, AT LEAST ONCE A WEEK, IN A MANNER
13 REASONABLY CALCULATED TO BE RECEIVED BY THE MULTIFAMILY
14 RESIDENTIAL PROPERTY'S TENANTS, SUCH AS BY CONSPICUOUSLY POSTING
15 COMMUNICATIONS ON AND AROUND THE PROPERTY OR ON THE PROPERTY'S
16 ONLINE TENANT PORTAL, CONCERNING WHAT MEASURES THE RECEIVER IS
17 TAKING TO BRING THE PROPERTY INTO COMPLIANCE WITH A COUNTY OR
18 CITY AND COUNTY PUBLIC HEALTH CODE, OR A MUNICIPAL ORDINANCE
19 AND OTHERWISE BRINGING THE PROPERTY INTO COMPLIANCE WITH THIS
20 PART 5;

21 (c) SHALL FIRST APPLY RENTS RECEIVED PURSUANT TO
22 SUBSECTION (5)(a)(II)(D) OF THIS SECTION TOWARD THE PAYMENT OF ANY
23 UTILITIES OR SERVICES FOR THE MULTIFAMILY RESIDENTIAL PROPERTY;

24 (d) AFTER APPLYING RENTS RECEIVED PURSUANT TO SUBSECTION
25 (5)(a)(II)(D) OF THIS SECTION AS DESCRIBED IN SUBSECTION (6)(c) OF THIS
26 SECTION, SHALL APPLY RENTS RECEIVED PURSUANT TO SUBSECTION
27 (5)(a)(II)(D) OF THIS SECTION TOWARD THE COST OF REMEDIATING ANY

1 VIOLATION BY THE MULTIFAMILY RESIDENTIAL PROPERTY OF THIS PART 5,
2 OTHER THAN A VIOLATION OF SECTION 38-12-503 (5), A COUNTY OR CITY
3 AND COUNTY PUBLIC HEALTH CODE, OR A MUNICIPAL ORDINANCE AND
4 OTHERWISE BRINGING THE PROPERTY INTO COMPLIANCE WITH THIS PART
5 5;

6 (e) SHALL NOT INITIATE A FORCIBLE ENTRY OR DETAINER ACTION
7 OR PROCEEDING RELATED TO THE NONPAYMENT OF BEFORE THE
8 BEGINNING OF THE RECEIVERSHIP;

9 (f) MAY INITIATE A FORCIBLE ENTRY OR DETAINER ACTION OR
10 PROCEEDING RELATED TO THE NONPAYMENT OF RENT THAT OCCURS
11 DURING THE RECEIVERSHIP; AND

12 (g) SHALL NOT INCREASE RENTS, FEES, OR COSTS CHARGED TO THE
13 THE MULTIFAMILY RESIDENTIAL PROPERTY'S TENANTS BEYOND THE
14 LEVELS OF THE RENTS, FEES, AND COSTS CHARGED WHEN THE COURT
15 APPOINTED THE RECEIVER.

16 (7) NOTHING IN THIS SECTION PREVENTS THE COURT FROM
17 ALTERING OR AMENDING THE TERMS AND CONDITIONS OF THE
18 RECEIVERSHIP OR THE RECEIVER'S RESPONSIBILITIES AND DUTIES
19 FOLLOWING A HEARING, AT WHICH TIME THE PARTIES MAY APPEAR AND BE
20 HEARD, AND NOTHING IN THIS SECTION PROHIBITS THE PARTIES FROM
21 STIPULATING TO THE TERMS AND CONDITIONS OF THE RECEIVERSHIP AND
22 THE RESPONSIBILITIES AND DUTIES OF THE RECEIVER, INCLUDING THE
23 DURATION THEREOF, WHICH STIPULATION MUST BE SUBMITTED TO THE
24 COURT FOR APPROVAL.

25 (8)(a) NO SOONER THAN NINETY DAYS AFTER THE DISTRICT COURT
26 HAS APPOINTED A RECEIVER FOR A MULTIFAMILY RESIDENTIAL PROPERTY,
27 ANY OF THE FOLLOWING MAY SUBMIT AN APPLICATION TO THE DISTRICT

1 COURT SEEKING THE TERMINATION OF THE RECEIVERSHIP:

2 (I) THE LANDLORD OF THE MULTIFAMILY RESIDENTIAL PROPERTY;

3 (II) ANY LESSEE OF THE ENTIRE MULTIFAMILY RESIDENTIAL

4 PROPERTY;

5 (III) THE ATTORNEY GENERAL'S OFFICE;

6 (IV) THE CITY OR TOWN IN WHICH THE MULTIFAMILY RESIDENTIAL

7 PROPERTY IS LOCATED; AND

8 (V) THE COUNTY OR CITY AND COUNTY IN WHICH THE

9 MULTIFAMILY RESIDENTIAL PROPERTY IS LOCATED.

10 (b) A DISTRICT COURT MAY ONLY TERMINATE A RECEIVERSHIP IF

11 IT:

12 (I) RECEIVES AN APPLICATION TO TERMINATE THE RECEIVERSHIP

13 PURSUANT TO SUBSECTION (8)(a) OF THIS SECTION;

14 (II) FINDS THAT TERMINATING A RECEIVERSHIP IS IN THE PUBLIC

15 INTEREST AND IN THE BEST INTEREST OF THE MULTIFAMILY RESIDENTIAL

16 PROPERTY'S TENANTS; AND

17 (III) FINDS THAT THE LANDLORD, OPERATOR, OR MANAGER OF THE

18 MULTIFAMILY RESIDENTIAL PROPERTY HAS:

19 (A) DEMONSTRATED THAT IT WILL CARRY OUT, IN THE TIME FRAME

20 MOST RECENTLY APPROVED BY THE COURT PURSUANT TO SUBSECTION (4)

21 OR (7) OF THIS SECTION, ANY REMAINING ACTIONS IDENTIFIED BY THE

22 RECEIVER AS NECESSARY TO ENSURE THAT THE MULTIFAMILY RESIDENTIAL

23 PROPERTY IS NO LONGER IN VIOLATION OF THIS PART 5, OTHER THAN A

24 VIOLATION OF SECTION 38-12-503 (5), A COUNTY OR CITY AND COUNTY

25 PUBLIC HEALTH CODE, OR A MUNICIPAL ORDINANCE;

26 (B) PAID OR DEPOSITED WITH THE DISTRICT COURT ANY MONEY

27 NECESSARY FOR THE RECEIVER TO COMPLETE THEIR DUTIES PURSUANT TO

1 THIS SECTION;

2 (C) AGREED TO ASSUME ALL LEGAL OBLIGATIONS, INCLUDING
3 DEBT OR LIENS, INCURRED BY THE RECEIVER IN CONNECTION WITH THE
4 RECEIVERSHIP OF THE MULTIFAMILY RESIDENTIAL PROPERTY;

5 (D) PAID _____ ANY COSTS INCURRED BY THE RECEIVER IN
6 CONNECTION WITH THE RECEIVERSHIP OF THE MULTIFAMILY RESIDENTIAL
7 PROPERTY; AND

8 (E) POSTED A BOND WITH THE DISTRICT COURT IN AN AMOUNT
9 DETERMINED BY THE DISTRICT COURT AND EQUAL TO NOT MORE THAN
10 FIFTY PERCENT OF THE FAIR MARKET VALUE OF THE MULTIFAMILY
11 RESIDENTIAL PROPERTY, WHICH BOND IS FORFEITED IN THE EVENT OF
12 FUTURE VIOLATION BY THE MULTIFAMILY RESIDENTIAL PROPERTY OF THIS
13 PART 5, OTHER THAN A VIOLATION OF SECTION 38-12-503 (5), A COUNTY
14 OR CITY AND COUNTY PUBLIC HEALTH CODE, OR A MUNICIPAL ORDINANCE
15 AND FAILURE TO BRING THE MULTIFAMILY RESIDENTIAL PROPERTY INTO
16 COMPLIANCE WITH THIS PART 5, COUNTY OR CITY AND COUNTY PUBLIC
17 HEALTH CODES, AND MUNICIPAL ORDINANCES, AND WHICH BOND IS
18 RELEASED WHEN THE ACTIONS, OBLIGATIONS, AND INDEBTEDNESS
19 IDENTIFIED IN THIS SUBSECTION (8)(b)(III) ARE COMPLETED OR OTHERWISE
20 SATISFIED.

21 (c) NOTWITHSTANDING SUBSECTION (8)(b) OF THIS SECTION, THE
22 DISTRICT COURT MAY TERMINATE THE RECEIVERSHIP UPON A FINDING
23 THAT THE RECEIVER HAS COMPLETED ITS WORK AND THAT ALL
24 VIOLATIONS BY THE MULTIFAMILY RESIDENTIAL PROPERTY OF THIS PART
25 5, OTHER THAN A VIOLATION OF SECTION 38-12-503 (5), A COUNTY OR
26 CITY AND COUNTY PUBLIC HEALTH CODE, OR A MUNICIPAL ORDINANCE
27 HAVE BEEN REMEDIED AND THE MULTIFAMILY RESIDENTIAL PROPERTY HAS

1 BEEN BROUGHT INTO COMPLIANCE WITH THIS PART 5, COUNTY OR CITY
2 AND COUNTY PUBLIC HEALTH CODES, AND MUNICIPAL ORDINANCES.

3 (d) UPON A FINDING THAT THE LANDLORD OF THE MULTIFAMILY
4 RESIDENTIAL PROPERTY HAS NOT COMPLIED WITH ANY OF THE CONDITIONS
5 IDENTIFIED IN SUBSECTION (8)(b)(III) OF THIS SECTION, THE DISTRICT
6 COURT MAY REAPPOINT THE RECEIVER.

7 (e) AFTER TERMINATING THE RECEIVERSHIP PURSUANT TO THIS
8 SUBSECTION (8), THE DISTRICT COURT:

9 (I) MAY APPOINT THE RECEIVER, OR ANOTHER QUALIFIED ENTITY
10 THAT SATISFIES THE REQUIREMENTS OF A RECEIVER ESTABLISHED IN
11 SUBSECTION (4)(c) OF THIS SECTION, TO MONITOR THE LANDLORD'S
12 OPERATION AND MAINTENANCE OF THE MULTIFAMILY RESIDENTIAL
13 PROPERTY; ==

14 (II) SHALL ORDER A FINAL ACCOUNTING AND FINALLY FIX THE FEES
15 AND EXPENSES OF THE RECEIVER FOLLOWING A HEARING, AT WHICH TIME
16 THE PARTIES MAY APPEAR AND BE HEARD; AND

17 (III) SHALL REQUIRE THE RECEIVER TO COMMUNICATE IN A
18 MANNER REASONABLY CALCULATED TO BE AVAILABLE TO THE
19 MULTIFAMILY RESIDENTIAL PROPERTY'S TENANTS, SUCH AS BY
20 CONSPICUOUSLY POSTING COMMUNICATIONS ON AND AROUND THE
21 PROPERTY OR ON THE PROPERTY'S ONLINE TENANT PORTAL, THAT THE
22 RECEIVERSHIP HAS BEEN TERMINATED AND THE NAME, PHONE NUMBER,
23 AND EMAIL ADDRESS OF THE OWNER, MANAGER, OR OTHER ENTITY THAT
24 WILL ASSUME THE RESPONSIBILITY OF MAKING THE PROPERTY COMPLIANT
25 WITH THIS PART 5, A COUNTY OR CITY AND COUNTY PUBLIC HEALTH CODE,
26 OR A MUNICIPAL ORDINANCE.

27 (9) NOTWITHSTANDING ANYTHING IN THIS SECTION TO THE

1 CONTRARY:

2 (a) NOTHING IN THIS SECTION RELIEVES THE LANDLORD OF THE
3 MULTIFAMILY RESIDENTIAL PROPERTY OF ANY CIVIL OR CRIMINAL
4 LIABILITY OR ANY DUTY IMPOSED BY REASON OF ACTS OR OMISSIONS OF
5 THE LANDLORD, NOR DOES THE DISTRICT COURT'S APPOINTMENT OF A
6 RECEIVER SUSPEND ANY OBLIGATION THE LANDLORD OF THE MULTIFAMILY
7 RESIDENTIAL PROPERTY OR ANY OTHER PERSON MAY HAVE FOR PAYMENT
8 OF TAXES, ANY OPERATING OR MAINTENANCE EXPENSES, OR MORTGAGES
9 OR LIENS, OR FOR REPAIR OF THE MULTIFAMILY RESIDENTIAL PROPERTY;

10 (b) A RECEIVER APPOINTED BY A DISTRICT COURT PURSUANT TO
11 THIS SECTION IS LIABLE FOR INJURIES TO PERSONS AND PROPERTY TO THE
12 SAME EXTENT AS THE LANDLORD OF THE MULTIFAMILY RESIDENTIAL
13 PROPERTY WOULD HAVE BEEN LIABLE; EXCEPT THAT, SUCH LIABILITY IS
14 LIMITED TO THE ASSETS AND INCOME OF THE RECEIVERSHIP, INCLUDING
15 ANY PROCEEDS OF INSURANCE PURCHASED BY THE RECEIVER IN ITS
16 CAPACITY AS RECEIVER;

17 (c) A RECEIVER IS NOT PERSONALLY LIABLE FOR ACTIONS OR
18 INACTIONS WITHIN THE SCOPE OF THE RECEIVER'S CAPACITY AS RECEIVER;

19 (d) ONLY A SUIT APPROVED BY THE DISTRICT COURT THAT
20 APPOINTS THE RECEIVER MAY BE BROUGHT AGAINST THE RECEIVER; ==

21 (e) NOTHING IN THIS SECTION LIMITS THE RIGHT OF TENANTS TO
22 SEEK A REMEDY FOR A VIOLATION OF THIS PART 5, OTHER THAN A
23 VIOLATION OF SECTION 38-12-503 (5), INCLUDING A BREACH OF THE
24 WARRANTY OF HABITABILITY, THAT OCCURRED BEFORE THE APPOINTMENT
25 OF A RECEIVER PURSUANT TO THIS SECTION;

26 (f) NOTHING IN THIS SECTION LIMITS THE POWERS OF ANY HOME
27 RULE MUNICIPALITY TO ENACT ORDINANCES OR OTHERWISE SAFEGUARD

1 THE HEALTH, SAFETY, AND WELFARE OF RESIDENTS OF MULTIFAMILY
2 RESIDENTIAL PROPERTIES; AND

3 (g) NOTHING IN THIS SECTION LIMITS THE RIGHT OF TENANTS TO
4 RAISE ANY COUNTERCLAIMS OR DEFENSES IN ANY SUMMARY PROCESS OR
5 OTHER ACTION REGARDING POSSESSION BROUGHT BY A RECEIVER.

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