

EVICTION ROAD MAP

Eviction Action is also called a **Forcible Entry & Detainer Action (FED)**

EVENTS BEFORE EVICTION ACTION IS FILED

DEFAULT

End of Lease/Failure to pay rent/Non-Compliance with rental terms

TIME VARIES

PRELIMINARY NOTICE

- Instructions [jdf-100](#)
- Demand for Compliance or Possession [jdf-101](#)
- Notice to Quit / Notice to Vacate [jdf-97](#)

- May be served by delivery to Tenant, or other occupant over the age of 18; by hand, by mail, or by posting



YES → **Tenant Complies & Vacates** (or cures the defect) → **Case Over**

- Landlord may still pursue back rent, or claims for damages
- Tenant may pursue claims for damages too

10 days
Evictions for Cause only require 3 days (see CRS 13-40-107.5)

NO ----- Period for Notice to Quit/Notice to Vacate expires

EVICTION ACTION FILED

Papers to File:

- Complaint in Forcible Entry & Detainer [jdf-99](#)
- Summons in Forcible Entry & Detainer [CRCCP Form 1a](#)
- blank Answer under Simplified Procedures [CRCCP Form 3](#)

COMPLAINT filed in County Court

- **SUMMONS** issued
↓ Personal Service by Sheriff, or disinterested 3rd party

Tenant SERVED

← - OR - →

Tenant NOT SERVED

After diligent effort, Landlord may post NOTICE + MAILING
Jurisdiction for Possession Only (No Damages)

Jurisdiction: Possession + Damages
Service must be at least 5 days before Return Date

Tenant files ANSWER

← - OR - →

Tenant DOES NOT file ANSWER

- Answer under Simplified Procedures [CRCCP Form 3](#)
- Affidavit re: Habitability (if applicable) [jdf-109](#)

7-10 days

RETURN DATE

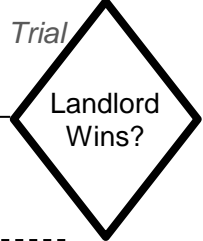
- Return date: 7-10 days after Service
- Case can go to trial immediately if parties are ready
- If either party requests a delay longer than 5 days, the court may require posting a \$\$ bond

DEFAULT ORDER for POSSESSION

No Money Judgment unless & until Tenant is personally served

TRIAL

Jury trial available on demand but posting of \$\$ bond likely required



ORDER FOR POSSESSION + MONEY JUDGMENT ON DAMAGES

- Motion for Entry of Judgment [jdf-104](#)
- Pattern Interrogatories [jdf-108](#) (Business) or [jdf-105](#) (Individual)
- Order for Entry of Judgment with Interrogatories [jdf-107](#)

Case Over

POST TRIAL EXECUTION

WRIT OF RESTITUTION issued

- Writ of Restitution [jdf-103](#)

SHERIFF DISPOSSESSES TENANT

2 days
3-10 days

Daylight hours only; Landlord provides workers to remove personal property
Personal property may be placed in the public right of way