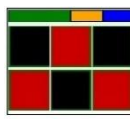


EVICTION ROAD MAP



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

EVENTS BEFORE EVICTION ACTION IS FILED

DEFAULT: End of Lease or Failure to Pay Rent or Non-Compliance with Rental Terms

TIME VARIES

Instructions Plaintiff [jdf-100](#) Defendant [jdf-96](#)

Notice to Quit [jdf-97](#)
 Demand for Compliance [jdf-99](#)

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

Varies: 1 day - 91 days
 See the [jdf-97/jdf-99 forms](#) for the applicable wait period
 Evictions for Cause only require 3 days (see [CRS §13-40-107.5](#))

PRELIMINARY NOTICE



YES → **Tenant Complies & Vacates** (or cures the defect)
 - Landlord may pursue back rent, or claims for damages
 - Tenant may pursue claims for damages too
 - See the [jdf-97/jdf-99 forms](#) for the applicable wait period

Case Over

NO ----- Period for Notice to Quit/Demand for Compliance expires

EVICTION ACTION FILED

Papers to File: Eviction Complaint & Affidavit [jdf-101](#) [jdf-205](#)
 Summons in Forcible Entry & Detainer [Form 1a](#) [jdf-206](#)
 blank Answer and Defenses [jdf-103](#)
 Request for Documents [jdf-185](#) Information Sheet [jdf-186](#)

Add'l forms

COMPLAINT filed in County Court

- **SUMMONS** issued

7-14 days

Personal Service by Sheriff, or disinterested 3rd party

Tenant SERVED

← - OR - →

Tenant NOT SERVED

After diligent effort, Landlord may post **NOTICE + MAILING**, but only provides jurisdiction for **Possession Only** (No Service = No \$\$ Damages)

Jurisdiction: **Possession + Damages**
 Service: at least 7 days before Return Date

Tenant files ANSWER

← - OR - →

Tenant DOES NOT file ANSWER

Answer under Simplified Procedures [jdf-103](#)
 Unlivable Conditions Defense (if applicable) [jdf-104](#)

RETURN DATE

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

TIME VARIES

TRIAL

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

Trial Preps: Request for Documents [jdf-185](#)

NO TRIAL

DEFAULT ORDER for POSSESSION

No Money Judgment unless Tenant is personally served

TRIAL



YES → **ORDER FOR POSSESSION + MONEY JUDGMENT ON DAMAGES**

Stipulated Agreement [jdf-106A](#) Order [jdf-106B](#)
 Motion for Entry of Judgment [jdf-107A](#) Order [jdf-107B](#)
 Pattern Interrogatories [jdf-108](#) (Business) or [jdf-105](#) (Individual)

NO → **Case Over**

POST TRIAL EXECUTION

↓ Writ of Restitution [jdf-109](#)

SHERIFF DISPOSSESSES TENANT

If tenants still haven't left after 10 days, Landlord may take Writ to local sheriff for tenant's forcible removal. Time extends to 30 days if tenant receives SSI, SSDI, or Cash Assistance via CO Works Program.

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