

TEEN PARENT LEGAL RIGHTS: EVICTION PREVENTION BRIEF



Overview

There have been approximately 850 evictions filed with the Colorado courts every week, according to a 2017 study by the Colorado Coalition for the Homeless and the Colorado Center on Law and Policy. There is concern that the COVID-19 crisis and the related economic fallout will result in much higher rates of evictions in the coming months, putting thousands of families at risk of homelessness. Eviction results in loss of shelter, but also can lead to unemployment, educational disruptions, and food insecurity. Moreover, having an eviction record can limit a family's ability to secure safe, affordable housing in the future. Pregnant or parenting teens already experience higher levels of homelessness than their peers and are at higher risk of eviction, with approximately 48 percent of young mothers in the U.S. living below the poverty line.[1] Teen parent service providers can equip young parents with the information they need to self-advocate and seek out resources to help them maintain safe and stable housing for themselves and their children.

Legal Rights

It is important that young parents understand their legal rights in eviction proceedings. Those that do not may be reluctant to pursue arrangements with landlords that might preserve their current housing, or they may unknowingly enter into agreements that are not in their best interests. *Teen parent service providers can help young families understand their rights, empower them to negotiate and seek alternatives to eviction, and help them access community resources.* Service providers and young parents should be aware of the following:

1. Expectant and Parenting Youth Inclusivity Toolkit, Michigan Organization on Adolescent Sexual Health, <https://www.moash.org/resources-expectant-and-parenting-youth.html>.





What is eviction? Eviction occurs when a tenant is court ordered to leave the property. Only a sheriff may enforce this court order, and landlords can never evict without a court order and a sheriff. This type of legal action is called a Forcible Entry and Detainer (FED). Landlords cannot legally deny tenants access to the property, change the locks, or remove the tenant's possessions without a court order. Colorado tenants have the right to receive proper notice prior to eviction and dispute an eviction in court.

How much notice is required? Colorado landlords must provide a 10-day notice to cure a default before initiating evictions of residential tenants. Legislation passed during the 2019 legislative session (HB 19-1118) requires an extended notice period (from three days to 10 days) applied to defaults for unpaid rent and to tenants' first violation of non-monetary lease provisions. It does not apply to employer-provided housing or to situations involving "substantial violations," which generally include acts endangering the health or safety of other tenants. Renters should be aware that if more than one tenant signs a lease, each individual is responsible for the terms of the lease, including the entire rent. This means landlords can evict all tenants if the entire rent is not paid.

How are landlord-tenant disputes resolved? Oftentimes landlord-tenant disputes can be resolved outside of court or through mediation. If a tenant is unable to pay rent, they can discuss options with their landlord before the problem escalates into a formal eviction proceeding. They should make sure to document the communications, and they should be sure not to sign any new or modified agreements that they do not understand or do not believe they can abide by.

Do tenants have to negotiate with their landlord? While negotiation can be beneficial, tenants should not feel forced to do so and may instead opt to file an answer to the landlord's complaint with the court. If court proceedings are initiated, it is important that they do not ignore the complaint or summons filed against them. Failure to respond can result in a default judgment in favor of their landlord.

Will there be a record if a tenant is evicted? Legislation signed into law during the 2020 legislative session requires courts to suppress records relating to eviction proceedings until the landlord successfully obtains an order granting possession of the premises, unless the landlord and tenant otherwise agree that the record should remain suppressed.



Can young parents under 18 sign a lease? Young parents under the age of 18 are not able to enter into legally binding contracts in Colorado, such as a lease agreement, unless they are emancipated. Individuals who have not reached the age of majority can become emancipated if they are legally married or by petitioning the court.

The Colorado Fair Housing Act prohibits discrimination based on race, creed, color, sex, sexual orientation, gender identity, national origin, ancestry, marital status, family status (children under 18 and pregnant women), religion or disability. If you believe you have been discriminated against, contact the Colorado Civil Rights Division at 800-262-4845 or 303-897-2997. For more information see <https://dora.colorado.gov/consumer-protection-civil-rights>.

Renter Resources

Colorado Department of Local Affairs (DOLA), Eviction Prevention offers information, guidance, and resources for those facing eviction, foreclosure, or nonpayment of utility bills. Resources are available in English, Spanish, Somali, Vietnamese, and Chinese. See: <https://drive.google.com/file/d/1LiEe5daAI5bbBpCShvHXWciaY7-6tDU/view> for more information.

In addition, DOLA has created an evictions resources map that provides an overview of local services. The eviction resources map can be used in combination with 211 Colorado to help renters avoid eviction. 211 Colorado is a central location where people can get connected to resources they need, including rent payment and utility assistance, emergency shelter, and housing information. Information is provided in English, Spanish, Arabic, Chinese, Hmong, Japanese, Korean, Russian, Somali, and Vietnamese. These tools include:

- [Eviction Resource Map](#)
- 211 Colorado: <https://www.211colorado.org/> or dial 2-1-1 on your phone. For rent payment assistance, just type in your zip code on the [rent payment assistance page](#) to get information and contacts for services in your area.

Colorado County Housing Authorities: Rent assistance may be available through individual county housing authorities.



Contact the Housing Authority in your county or access select Housing Authorities at: <https://www.hud.gov/states/colorado/renting/hawebsites>

Colorado Department of Human Services (CDHS): Colorado counties are the main providers of direct services to Colorado residents and families. CDHS provides links to individual county departments of human services throughout Colorado where rental assistance may be offered in your area. Information on other services can also be found through the county departments of human services including food resources, job resources, cash support, and child care assistance. Contact information for your county department of human service can be found at: <https://www.colorado.gov/pacific/cdhs/contact-your-county>

Colorado Legal Services (CLS) provides low-income Colorado residents with legal assistance on civil legal matters, including eviction and housing issues. See: <https://www.coloradolegalservices.org/>

The COVID-19 Eviction Defense Project has prepared [A Colorado Tenant's Guide to COVID-1-19](#), with input from the Colorado Center on Law and Policy, 9to5 Colorado, and Enterprise Community Partners. This guide includes information on renter's rights in eviction proceedings, sample letters to landlords requesting assistance, and contact information for Colorado Legal Services offices throughout Colorado. For individual assistance or questions, contact Zach Neumann at covid.eviction.defense@gmail.com

Colorado Court Forms: The Colorado courts provide [instructions and self-help forms](#) for evictions and foreclosure proceedings for individuals representing themselves.

Colorado Department of Local Affairs, Division of Housing, Office of Rental Assistance (Housing Choice Voucher Program) Provides tenant-based subsidies for rent paid by low-income households based upon their income. Housing subsidies are paid to the landlord directly by the Department on behalf of the participating family. In some instances, a family may be able to use their vouchers toward the purchase of a home. More information is available on the [Housing Choice Voucher Program website](#).