

Opinion: House Bill 1118 could help renters avoid eviction

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One consequence of Colorado's tight housing market is an escalating homelessness crisis. This affects all communities and is not something that can be ignored. [Forced evictions — which displace families and often lead to homelessness](#) — are an unfortunate symptom to a spreading community ill.

Under current Colorado law, a landlord is only required to give three days' notice to cure a minor lease violation or pay any unpaid rent. If the tenant fails to do so, the landlord may file an eviction action to force the tenant out of the property.



Barbara Carlson

As a commercial and residential property manager and landlord operating 60 units in Lakewood and Westminster, I fully support the legislative effort to extend the eviction notice period from three to 10 days.

If passed, House Bill 1118 would give thousands of Colorado families a more reasonable time-frame to avoid the devastating effect of a forced move, or allow tenants to transition to new housing if they cannot reach an agreement with their landlord.

Eviction is rarely in anyone's best interest — tenant or landlord — and the current three calendar days is not sufficient to avoid an often-catastrophic outcome. If a tenant gets three days' before an eviction, there is not much that can be done.

If a tenant receives a notice to pay or cure a lease violation on a Friday, that individual only has one business day to address the issue. By comparison, 10 days would give a tenant enough time to access emergency rent assistance, negotiate an alternative solution with a landlord, or find a new, affordable unit. In many cases, the tenant might get another paycheck sometime in the extra 11 days that would let him or her get current with rent.

Opponents of HB1118 would have Colorado's legislators believe that if this notice period is extended, tenants would naturally procrastinate and pay on the 10th day each month.

This is not the case. Landlords can (and do) charge fees for late payment. That does not change under HB1118, so tenants would still be strongly motivated to pay rent as soon as they can. But because we are all human, sometimes emergencies and setbacks happen. The law should reflect the understanding and flexibility many landlords already give their tenants when layoffs, loss of public benefits or medical issues occur.

Some opponents also claim that landlords are at risk of foreclosure if tenants pay rent late. This is simply not true. Generally, homeowners get a 15-day grace period before a late fee is assessed on an overdue mortgage payment. After 120 days of nonpayment, a lender may begin the foreclosure process.

At any point, the owner can stop this process by paying the balance due. Moreover, most landlords collect a sufficient amount of rent to cover their obligations, the cost of repairs and to make a profit. Therefore, an additional seven days' notice for tenants will not impact a landlord's ability to pay their mortgage.

Having been a landlord and property manager in Colorado for 27 years, I believe that HB1118 is a reasonable policy that landlords and lawmakers alike should get behind. Right now, 28 states give more notice before eviction than Colorado in the case of unpaid rent, and 36 states provide more notice in the case of other lease violations. We can and must do better.

Fiscal constraints make it difficult for Colorado's legislature to dedicate more funding to the construction of new affordable housing units and provide services for people experiencing homelessness. Preventing homelessness by giving families more time to pay rent or address a lease violation costs nothing and is something we can do right now.

I ask my fellow landlords to join me in asking our lawmakers to keep families housed by supporting House Bill 1118.

Barbara Carlson is a Denver-area property manager.

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