

# **When Can the Landlord Raise Your Rent?**

As long as you're living in the same place, a landlord cannot raise your rent more than once a year, even if you pay on a month-to-month basis or if you don't have a written lease.

## **Does the landlord have to give me notice before raising the rent?**

If you have an oral agreement with the landlord, then the landlord must give you at least 60 days' written notice of a rent increase under C.R.S. 38-12-701.

The landlord also cannot require you to move out as a way of avoiding this 60-day requirement. If you have a written lease, then whatever the lease says about the timing and notice of rent increase notices will apply. Your lease might state that the rent will increase at a certain time in the future and the lease itself is the notice that the rent will change.

## **Can the landlord raise my rent so high?**

Typically, yes. There are no restrictions on how much a landlord can raise the rent, because the state legislature has prohibited Colorado's cities from implementing rent control, under C.R.S. 38-12-301. However, there are important exceptions, which you can read about below.

## **What kind of exceptions are there that limits landlords from raising rent?**

If you live in any kind of subsidized housing and your rent is going up by a lot, we encourage you to call our intake line at 303-837-1313.

If you live in a **Low-Income Housing Tax Credit** building, the landlord can raise your rent only in accordance with guidelines set out by their governing authorities.

These rent increases are supposed to track the Area Median Income, which changes from year-to-year, but usually not by much. However, if a building is moving out of Low-Income Tax Credit protections, and the move is proper, then a landlord can raise the rent as much as they like.

If you use a **Section 8 Housing Choice voucher** in which the government pays part of your rent in a privately owned unit, then the landlord needs to get permission from the administrator of your voucher when they raise your rent. Most of the time, such a rent increase would not increase your rent, because your rent is set as a percentage of your income, but because the government will only pay so much depending on what kind of unit you are in, if the landlord raises the rent too high it may go above the “payment standard” and you may need to pay more out of your own pocket, but this is rare.

If you live in **Public Housing**, or in **Project-Based Section 8** housing, or are in the **HOME program**, your rent should only ever be one-third of your income, unless your income and rent are both very low.

Sometimes your lease or the deed to the landlord’s property will limit how much they can raise the rent. The limitation may differ depending on the lease or the deed. This has been rare in Colorado, but is becoming more common.

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