

Instructions for Filling out Warranty of Habitability Demand Letters

In every residential lease in Colorado, whether or not the lease is written, the law requires that the landlord maintains a certain standard of livability. The Warranty of Habitability is the legal phrase for this duty for the landlord to maintain the conditions of a home. If you think your home isn't safe to live in and your landlord needs to make repairs, this letter can help you. This letter is a template you can use to send to your landlord when you want to formally request they make a repair.

How to Fill out the Letter:

- Check the box for how you are sending the letter to your landlord
- Fill out the landlord's name and address and then your name and address
- Read through all the sections and check the boxes for the problems in your home that you want the landlord to fix.
- You **MUST** write a sentence underneath the words on the blank line explaining, specifically, what is wrong and what needs to be fixed in YOUR home

Waterproofing and/or weather protection of the roof and/or exterior walls are not in good working order and/or there are broken windows and/or doors, specifically:

○ There is a leak from the roof and its dripping in The Kitchen

- Write in the sections that are problems in your home
- BE SPECIFIC – the law only requires your landlord to make repairs if they are given notice with enough detail that they know what needs to be fixed
- Print your name, sign your name, and date the letter
- Send it to your landlord the way you said you would on the first page
- Attach pictures of the problem if you can

Make sure to keep copies of everything you send your landlord and proof that you have sent them.

WARRANTY OF HABITABILITY DEMAND LETTER

Sent Via Certified Mail; USPS First Class Mail; email

Date:

To:

Landlord's name

Address

From:

Tenant's name

Tenant's Address

Pursuant to Colorado's Warranty of Habitability Law, CRS §§ 38-12-501 et seq., I am notifying you that the residence I am renting

- materially interferes with my life, health, or safety, OR
- contains one or more uninhabitable conditions and is unsafe within the meaning of CRS §38-12-505(1) as explained below.

I am requesting that you remedy the following condition(s) without delay:

- Waterproofing and/or weather protection of the roof and/or exterior walls are not in good working order and/or there are broken windows and/or doors, specifically:

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- Plumbing or gas facilities did not conform to the applicable law in effect when they were installed and are not maintained in good working order, specifically:
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There is no running water and/or insufficient amounts of hot water and/or it lacks appropriate fixtures connected to a sewage disposal system approved under applicable law, specifically:

There is no or insufficient heat and/or the heating facilities do not comply with the applicable law at the time of installation and they are not maintained in good working order, specifically:

The electrical lighting is defective in that its wiring and electrical equipment did not conform to applicable law at the time of installation and/or it is not maintained in good working order, specifically:

The common areas under your control as the landlord are not kept reasonably clean, sanitary, and free from the accumulation of debris, filth, rubbish, and garbage and/or has not undergone appropriate extermination though there is an infestation of rodents and/or vermin, specifically:

My rental home is infested with rodents and/or vermin and you have not appropriately exterminated, specifically:

Insufficient (not enough) enough exterior garbage receptacles for my apartment, specifically:

Floors, stairways and railings are not in good repair, specifically:

Locks on one or more of my exterior doors and/or windows are not in good working order, specifically:

The rental property is not in compliance with all applicable building, housing and

health codes in a way that is dangerous or hazardous to my life, health and/or safety, specifically:

The rental property is otherwise unfit for human habitation, specifically:

My unit lacks functioning appliances maintained in good working order, specifically:

There is mold associated with dampness that is interfering with my health or safety, specifically:

I believe the issue described above presents a materially dangerous or hazardous condition to my life, health and/or safety. I am hereby directing you to cure the problem.

Please be advised, if you fail to begin to repair such conditions within

- 24 hours (where the condition interferes with my life, health, or safety) or
- 96 hours (where the condition otherwise violates the warranty of habitability),

it will constitute a breach of our lease agreement and the Warranty of Habitability and I may elect to terminate our lease agreement, withhold rent for repairs, seek injunctive relief from the court or otherwise avail myself of all remedies afforded by Colorado law.

I give you and/or your authorized agent permission to enter the premises to complete the repair, but request that you give me as much notice as possible so that I can prepare for work being done in my residence.

OPTIONAL

The condition materially interferes with my life, health, or safety. I am requesting that you provide me with either a comparable dwelling unit or a hotel unit at no cost or expense to me or my family.

Sincerely,
