

Instructions for Filling out Warranty of Habitability Termination 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.

You can only use this letter if you have previously sent your landlord a written notice detailing a breach of the Warranty of Habitability and they have failed fix the problem within a reasonable time.

This letter will terminate your term lease sometime between 10-30 days after giving it to your landlord if they fail to fix the problem within 5 days.

If they fix the problem within 5 days, you are not entitled to fix your lease and you should follow-up with your landlord in writing that since the repairs have been made that the lease will continue.

If they fail to fix the problems within 5 days, you **MUST** move from the property by the date you give in your letter, removing all of your property and turning over the keys to the property. You should try to get a receipt from your landlord for the keys.

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
- Write in the date of the letter you previously sent giving them written notice of the problems
- 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 (use additional paper if necessary)
- BE SPECIFIC – the law only requires your landlord to make repairs and allows for lease termination 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.

**NOTICE TO REMEDY BREACH AND NOTICE OF TERMINATION
FOR BREACH OF WARRANTY OF HABITABILITY**

Sent Via *Certified Mail*; *USPS First Class Mail*; *email*

STATE OF COLORADO _____)
COUNTY OF _____)
[insert county where property is located]

Date: _____

To: _____
Landlord's name

Address

From: _____
Tenant's name

RE: _____
[insert address of the property]

Pursuant to Colorado's Warranty of Habitability Law, CRS §§ 38-12-501 et seq., I previously notified my landlord in a letter dated _____ 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).

I provided my landlord with written notice and provided reasonable time to cure the problem. My landlord has failed to cure the problem within a reasonable time.

I hereby notify my landlord that the landlord is in breach of the warranty of habitability for the reasons specified in the prior notice, specifically:

The landlord is further notified that the Tenant intends to terminate the agreement by and between the Landlord and the Tenant for the Residential Premises on _____ (insert a date no less than 10 and not more than 30 days from this Notice) by surrendering possession of the Residential Premises UNLESS the Landlord remedies the aforementioned breach by repairs, the payment of damages, or otherwise AND the Landlord adequately remedies the breach within five (5) business days of receipt of this Notice.

[Tenant's Signature]

[Date]