

**First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 25-0271.01 Clare Haffner x6137

HOUSE BILL 25-1092

HOUSE SPONSORSHIP

Winter T.,

SENATE SPONSORSHIP

Pelton B.,

House Committees

Transportation, Housing & Local Government

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING A LANDLORD'S ABILITY TO RAISE A TENANT'S RENT**
102 **BASED ON FAIR MARKET CONSIDERATIONS.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

Under current law, a landlord may initiate a no-fault eviction of a tenant if the tenant refuses to sign a new rental agreement with reasonable terms. The bill clarifies that, for purposes of determining whether a new rental agreement includes reasonable terms, a rent increase in the new rental agreement is reasonable if the landlord increases rent in view of fair market rent, as evidenced by the rental amount of comparable

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.*

properties.

Also under current law, a landlord is prohibited from increasing a tenant's rent in a discriminatory, retaliatory, or unconscionable manner. The bill clarifies that a rent increase is not discriminatory, retaliatory, or unconscionable if the landlord provides evidence showing that the rent increase is in line with fair market rent, as evidenced by the rental amount of comparable properties.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 38-12-1303, **amend**
3 (3)(e) as follows:

4 **38-12-1303. Cause for eviction required - no-fault evictions.**

5 (3) In addition to the requirements of subsection (5) of this section, the
6 following conditions constitute grounds for a no-fault eviction of a tenant:

7 (e) **Tenant refuses to sign new lease with reasonable terms.**

8 (I) If a tenant refuses to sign a new rental agreement with reasonable
9 terms, the landlord may initiate a no-fault eviction of the tenant so long
10 as the landlord:

11 (†) (A) Allows the tenant at least ninety days after receiving the
12 notice described in ~~subsection (3)(e)(H)~~ SUBSECTION (3)(e)(I)(B) of this
13 section to vacate the residential premises after the tenant has refused to
14 sign the new rental agreement, during which time the tenant may remain
15 in possession of the residential premises under the same terms as the
16 tenant's existing rental agreement; and

17 (‡) (B) Provides the tenant proper service of a written notice of
18 the landlord's intent to terminate the tenancy, which notice includes the
19 date on which the tenant will be required to vacate.

20 (II) FOR PURPOSES OF THIS SUBSECTION (3)(e), AN INCREASE IN
21 RENT IN A NEW RENTAL AGREEMENT IS REASONABLE IF THE LANDLORD
22 INCREASES THE RENT IN VIEW OF FAIR MARKET RENT, AS EVIDENCED BY

1 THE RENTAL AMOUNT OF COMPARABLE PROPERTIES.

2 **SECTION 2.** In Colorado Revised Statutes, **amend** 38-12-1307
3 as follows:

4 **38-12-1307. Retaliatory rent increase prohibited.** A landlord
5 shall not increase a tenant's rent in a discriminatory, retaliatory, or
6 unconscionable manner to circumvent the requirements and prohibitions
7 set forth in this part 13. A RENT INCREASE IS NOT DISCRIMINATORY,
8 RETALIATORY, OR UNCONSCIONABLE IF A LANDLORD PROVIDES EVIDENCE
9 SHOWING THAT THE RENT INCREASE IS IN LINE WITH FAIR MARKET RENT,
10 AS EVIDENCED BY THE RENTAL AMOUNTS OF COMPARABLE PROPERTIES,
11 AND THAT THE PROPERTY COULD BE RENTED WITH THE RENT INCREASE TO
12 A NEW TENANT IN AN ARM'S-LENGTH TRANSACTION.

13 **SECTION 3. Act subject to petition - effective date.** This act
14 takes effect at 12:01 a.m. on the day following the expiration of the
15 ninety-day period after final adjournment of the general assembly; except
16 that, if a referendum petition is filed pursuant to section 1 (3) of article V
17 of the state constitution against this act or an item, section, or part of this
18 act within such period, then the act, item, section, or part will not take
19 effect unless approved by the people at the general election to be held in
20 November 2026 and, in such case, will take effect on the date of the
21 official declaration of the vote thereon by the governor.