



D 2021 088

EXECUTIVE ORDER

Providing Assistance for Tenants at Risk for Eviction Due to COVID-19

Pursuant to the authority vested in the Governor of the State of Colorado and, in particular, pursuant to Article IV, Section 2, of the Colorado Constitution and the relevant portions of the Colorado Disaster Emergency Act, C.R.S. § 24-33.5-701, *et seq.*, I, Jared Polis, Governor of the State of Colorado, issue this Executive Order providing assistance to residential tenants at risk for eviction due to coronavirus disease 2019 (COVID-19) in Colorado.

I. Background and Purpose

On March 5, 2020, the Colorado Department of Public Health and Environment's (CDPHE) public health laboratory confirmed the first presumptive positive COVID-19 test result in Colorado. Since then, the number of confirmed cases has continued to climb, and we have evidence of community spread throughout the State. I verbally declared a disaster emergency on March 10, 2020, and on March 11, 2020, I issued the corresponding Executive Order D 2020 003, as amended by Executive Orders D 2020 018, D 2020 032, D 2020 058, D 2020 076, D 2020 109, D 2020 125, D 2020 152, D 2020 176, D 2020 205, D 2020 234, D 2020 258, D 2020 264, D 2020 268, D 2020 284, D 2020 290, D 2020 296, D 2021 009, D 2021 022, D 2021 028, D 2021 045, D 2021 061, D 2021 068, and D 2021 087. On March 25, 2020, I requested that the President of the United States declare a Major Disaster for the State of Colorado, pursuant to the Stafford Act. The President approved that request on March 28, 2020.

My administration, along with other State, local, and federal authorities, has taken a wide array of actions to mitigate the effects of the pandemic, prevent further spread, and protect against overwhelming our health care resources.

The virus that causes COVID-19 is spread primarily by close contact between people and through respiratory droplets when an infected person coughs or sneezes. It can also be spread through contact with contaminated surfaces. Public health experts recommend we practice social distancing, or maintaining a physical distance of six (6) feet or more from other people, as a way to slow the spread of COVID-19. Keeping people housed can help limit the spread of COVID-19 during a public health disaster.

The economic impacts of COVID-19 have been significant and have undermined the economic stability of many Coloradans. The risk of contamination posed by COVID-19 necessitated closure of multiple businesses. Employers and employees in virtually all

sectors of the economy have been hit the hardest. The State and federal government have provided rental assistance for residential tenants who are in danger of losing their housing due to the economic impact of COVID-19. The demand for this State and federal aid has been immense, and these programs need time to provide aid to tenants.

This Executive Order provides assistance to Colorado residential tenants at risk for eviction while State and federal funds are distributed. We must continue to take steps to provide relief to Colorado renters.

II. Directives

- A. I temporarily suspend those portions of C.R.S. §§ 38-12-204(1), 38-12-204.3(2), and 13-40-104(1)(d) that require landlords to provide all residential tenants with ten (10) days of notice of any default for nonpayment of rent, during which time the tenant has the opportunity to cure the default. Instead, landlords must provide tenants with thirty (30) days' notice of any default for nonpayment that occurred on or after March 10, 2020 before initiating or filing an action for forcible entry and detainer. Such 30-day notice may extend beyond the expiration of this Executive Order. During this thirty (30) day period, tenants shall have the opportunity to cure any default for nonpayment.
- B. Nothing in this Executive Order shall be construed as relieving an individual from their obligation to make rent payments.

III. Duration

This Executive Order shall expire thirty (30) days from April 20, 2021, unless extended further by Executive Order.



GIVEN under my hand and
the Executive Seal of the
State of Colorado, this
twentieth day of April, 2021.

Jared Polis
Governor