



Mark N. Tschetter  
Victor L. Sulzer  
Peter E. Muccio  
Lindsay E. Jasper  
Karen A. Harvey  
Rachel L. Griffin  
Kory J. Cook  
Christopher R. Cunningham  
Jonathon G. Carlson  
June A. Torres

Denver  
Tel 303.699.3484  
Fax 720.449.0160

Colorado Springs  
Tel 719.550.8004  
Fax 719.227.1181

Grand Junction  
Tel 970.822.7020

Evictions  
Tel 303.766.8004  
Fax 303.766.1181

3600 So. Yosemite St.  
Suite 828  
Denver, CO 80237

www.thslawfirm.com

## MEMORANDUM

**Date: June 2, 2021**

**From: Tschetter Sulzer**

**To: Firm Clients**

**Re: Service of Rent Demands Based on Executive Order 110**

On Tuesday, June 1, 2021, Governor Polis signed [EO 110](#), which extends the previous EO88 and EO 105 for another 30 days. This means that between now and July 1, landlords must keep serving 30-day rent demands instead of 10-day rent demands. There is also a new requirement that before an eviction is filed, landlords must provide tenants with a copy of the [DOLA FAQ](#). This applies for all eviction cases, not just rent cases.

### Summary of Executive Order D2021-110 (EO110)

- Signed June 1
- Is effective for 30 days
- Expires July 1, 2021
- Extends EO88 and EO105 for 30 days
- EO88 required landlords to serve 30-day rent demands rather than 10-day rent demands.
- From April 20th through July 1 landlords must serve 30-day rent demands when serving tenants for rent defaults
- Additional Requirements have been added, before starting any eviction, Landlords have to provide a copy of the [DOLA FAQ](#). This can be e-mailed, mailed, hand delivered, or posted to the tenant.
- The [DOLA FAQ](#) should be served with all eviction notices. If you have already served an eviction notice, serve the [DOLA FAQ](#) now.
- The service of the [DOLA FAQ](#) applies to all evictions, not just non-payment of rent.
- These requirements do NOT apply to commercial tenants, only residential.
- The 30-day requirement only applies to rent cases, it does not apply to non-monetary notices, except for Weld County.

### Our Recommendations and Analysis

**FIRST AND FOREMOST** - all rent demands are required to have the Consumer Financial Protection Bureau disclosure language. This language should be prominently displayed at the top of the rent demand. See our [30-Day Rent Demands](#). To avoid issues, we strongly recommend using the TS Rent Demand Form.

### ***Scenario #1: Tenant Defaulted on May Rent – 30-Day Rent Demand Already Served***

Landlords should have already served [30-Day Rent Demands](#) for May rent defaults either after May 3 or May 5. These 30-Days are still valid and can be used to commence an eviction for all tenants who have not cured by the time they expire in early June. However, you also must serve the tenants with a copy of the [DOLA FAQ](#). **Accordingly, if you served a May 30-Day, do not re-serve a June rent demand, only serve your tenant with the DOLA FAQ.** Complete the DOLA FAQ return of service page one of the [DOLA FAQ](#), if your tenant did not cure you can file on the May 30-Day rent demand.

### ***Scenario #2: Tenant Defaulted on May Rent or June Rent– No Rent Demand Served Yet***

For Tenants In Default Right Now Who Have Not Previously Been Served a Demand: Our advice would be to immediately serve them with a 30-Day rent demand along with the [DOLA FAQ](#) and be sure to complete the Return of Service for the FAQ.

**IMPORTANT NOTE:** All rent demands are required to have the Consumer Financial Protection Bureau disclosure language. This language should be prominently displayed at the top of the rent demand. See our [30-Day Rent Demands](#). To avoid issues, we strongly recommend using the TS Rent Demand Form.

Additional resources below:

- Again for current complying rent demands see: [30-Day Rent Demand with CFPB Disclosure](#)
- [EO 110](#)
- [DOLA FAQ](#)