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Bipartisan opposition sinks eviction bill

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Two Democrats sided with Republicans on a legislative panel to reject a proposal that would have made several changes to eviction filings and proceedings, including requiring judges to suppress court records.



Sponsored by Rep. Junie Joseph, D-Boulder, House Bill 1047 would also have required landlords to provide tenants with an additional rent payment option beyond an online portal. Another provision, which would have required landlords to include certain documents in their written demand or eviction notice, had been removed from the bill.

Backers said the proposal would promote efficiency and fairness. Critics said it would shield "bad actors" and prevent landlords from vetting potential tenants.

According to backers, fueling the proposal is the increase in evictions in Colorado, with 31,000 filings in 2024 and more than 50,000 last year. Note

Many of the individuals evicted from their homes are low-income or have only missed one month's rent, Joseph said, adding that having an eviction on their record could prevent them from finding new housing. Under the bill, tenants would be allowed to deny the existence of an eviction record if it remains sealed, so prospective landlords would not be aware that they have been evicted. Note

"Protecting the dignity of tenants throughout the eviction process is essential to a fair and functional housing system and necessary to support the deep and lasting harm caused by displacement," Joseph said. "By increasing transparency, protecting privacy, and distinguishing serious lease violations from other eviction cases, this bill promotes a fairer housing system, one that upholds due process, reduces unnecessary harm, and supports housing stability for Colorado families and communities."

Critics: Bill 'turns public court records into a sacred shield'

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Bobby Hutchinson, a landlord in Denver and president of the Colorado Apartment Association, said the bill is more about keeping important information from landlords, rather than protecting tenants. *Note*

“The single most important piece of screening information that a landlord needs to determine if a resident is going to pay per the terms of the contract is for them to understand if that resident has previously been evicted for nonpayment,” he said.

Under the bill, landlords would not be able to find out if a prospective tenant had been evicted before — unless it was due to a substantial violation of their lease. *Note*

Allowing tenants to choose not to disclose prior evictions will enable repeat offenders to “move from property to property, inflicting the same damage upon the next landlord,” Hutchinson said.

While eviction records are currently suppressed before a judgment is entered in the case, they become available to the public once a judgment is entered.

Under the bill, that would not be the case.

The bill “turns public court records into a sacred shield for the bad actors out there,” Hutchinson said.

Susan Miller said the state has overcomplicated the landlord-tenant relationship with its regulations.

“Please don’t let my application become more like online dating,” she said. “This is no longer doing business by a handshake. I need to be able to vet my residents.”

As a landlord, Miller said she feels it is her duty to her neighbors to ensure the right people move into a community. If she can’t access a prospective renter’s eviction history, she can’t guarantee they won’t cause harm, she said.

“I do not want any more hurdles,” she said. “All these legislations that have constantly come by make me feel like the enemy. I’m not the enemy. I’m an investor, and I’m providing homes. Please help me continue to do that for my community.”

Advocates: Bill ‘promotes efficiency and fairness’

Colorado Poverty Law Project director Jack Regenbogen said the bill would provide the same privacy protections for tenants as the state has for individuals convicted of certain crimes.

“This bill promotes efficiency and fairness,” he said.

“Allowing tenants to pay rent through alternative means improves accessibility and ensures renters aren’t charged additional fees for online payments or forced to pay the incorrect amount,” Regenbogen said.

“By ensuring a free, offline option for paying rent, this bill restores basic fairness and access,” he added.

Matt Nicodemus, a renter in Boulder County, said his rent nearly doubled in the eight years he lived at his previous apartment.

“When rents climb that dramatically, even responsible tenants can fall behind, and when they do, the eviction process can feel opaque and overwhelming,” he said. “This bill helps correct that imbalance.”

While the bill itself does not deal with rent control, Nicodemus said he believes it would help stabilize rent by addressing the “instability and power imbalance” between renters and landlords amid rising costs.

A temporary hardship, such as a missed rent payment, shouldn’t prevent someone from finding housing, Nicodemus said.

“For renters like me who worked hard, paid as much as we could and still felt housing slip further out of reach, this bill represents a modest but meaningful step towards stability,” he said.

Rep. Rebecca Keltie, R- Colorado Springs, called the bill "very troublesome," adding that the state has passed more than 50 pieces of legislation she characterized as "anti-landlord" in the past five years. "We have a rental crisis, but yet we keep making it harder and harder for those who want to be in the rental business to be able to provide affordable rental properties," she said.

The fact that three times as many witnesses testified against the bill as for it should be cause for concern, Keltie said.

"I think that tells you what the people of Colorado want, and we're here to represent the people of Colorado," she said.

Committee Chair Javier Mabrey, D-Denver, said he agrees with certain aspects of the bill, but other provisions would need to be fixed should the legislation make it to the House floor.

Mabrey noted that the Colorado General Assembly passed a bill last year requiring landlords to offer a fee-free rent payment option, so there should be no concerns about online portals charging extra fees. Mabrey said he also agrees with the suppression provision because "sometimes people fall behind on rent, and missing one month of rent can lead to an eviction."

The bill failed on a 6-5 vote in the House Judiciary Committee, with all Republicans and Reps. Cecelia Espenoza, D-Denver, and Michael Carter, D-Aurora, voting in opposition.

