



RETALIATION IS PROHIBITED

Mobile home park managers and owners are prohibited from retaliating against home owners for exercising their legal rights.

SELECTIVE, EXCESSIVE, AND UNJUSTIFIED ACTIONS

In general, a landlord's action has to be selective, excessive, or unjustified to be considered "retaliation."



RETALIATION

- Selective (ex. singles out a home owner or group of home owners)
- Excessive
- Not justified
- Not legal

Example:

One home owner is charged a \$200 fee, not related to a legitimate business purpose, after the home owner reports a park maintenance issue.



NOT RETALIATION

- Uniform
- Routine
- Justified
- Lawful

Example:

All home owners get a written notice of a small rent increase, 60+ days in advance and only once in 12 months.

\$10,000 FINE

The Mobile Home Park Oversight Program may fine landlords **up to \$10,000** if the Program determines the landlord retaliated against a home owner(s).



SELECTIVE, EXCESSIVE, AND UNJUSTIFIED ACTIONS MAY INCLUDE:



- Nonuniform rent increases
- Unlawful fines
- New bills or fees
- Decreasing services
- Excessive management visits (except to deliver required notices)



- Threatening eviction
- Changing existing rental agreements



- Decreasing services
- Excessive management visits (except to deliver required notices)



- Surveillance of a home owner
- Publicizing damaging information



- Unlawful warnings or citations
- Serving unjustified notices
- Selectively enforcing rules

C.R.S. § 38-12-201.5(12)

120 DAY TIMEFRAME

A landlord's action is presumed to be "retaliation" if it is taken within 120 days after a home owner:

1. Complains or says they are going to complain to a government agency about the park;
2. Submits a complaint to park management about a violation of the Mobile Home Park Act;
3. Organizes or becomes a member of a tenants' association; or
4. Makes other efforts to secure or enforce their legal rights.

This does not mean that the landlord's action **is** retaliation. Instead, it means that the landlord has the burden of proving their action was justified and lawful.

REPORT RETALIATION

Report retaliation by filing a new complaint or updating an open complaint:

- File online here: cdola.colorado.gov/mobile-home-park-dispute-resolution
Scroll down to "Online Complaint Form (preferred)
- Request a paper form: contact the Program with your mailing address.

MHPOP@state.co.us | Toll Free 1.833.924.1147

CO Division of Housing, *ATTN: MHPOP*, 1313 Sherman St Ste 320, Denver, CO 80203
cdola.colorado.gov/mobile-home-park-dispute-resolution