

MISHANDLING OF RENTAL APPLICATION DEMAND LETTER

Date: _____

(Name of landlord, manager, or registered agent if owned by a corporation)

(Landlord's address)

(City, State, Zip Code)

CERTIFIED MAIL, Return Receipt Requested

Date: _____

I (We), _____, applied to be the
tenant (s) of _____ (Names)

(Address)

on, _____

(Application Date)

\$ _____ was paid by me (us) as a Rental Application Fee.

(Amount)

I am (we are) sending this demand because you have illegally handled my (our) rental application under Colorado Revised Statutes § 38-12-903 and/or § 38-12-904.

My rental application has been illegally handled because of one or more of the following reasons:

1. My entire rental application fee was not used to cover your costs in processing my rental application.
2. Your costs in processing my rental application are not based on your actual expenses or the average expenses per prospective tenants in processing multiple rental applications.
3. My rental application fee was in a different amount than a rental application fee charged to another potential tenant for either the same dwelling unit, or any other dwelling unit offered by the landlord.
4. I was not provided either a disclosure of your anticipated expenses for which my rental application fee will be used on, or an itemization of your actual expenses incurred in processing my application.
5. I was not provided information regarding how your average rental application fee is determined.
6. I was not provided a receipt for my rental application.
7. I requested a paper receipt for my rental application fee and was not provided one.
8. You did not use the entire amount of my rental application fee and have failed to return the remainder to me within twenty (20) days of processing my application.
9. In processing my application, you considered my rental and/or credit history beyond the last seven years preceding the date of my application and are not required to gather it to determine my eligibility for income-restricted housing.
10. In processing my application, you considered my criminal history beyond the last five years preceding the date of my application, which does not fall under any statutory exception.
11. You denied my application, and did not provide written notice of your denial stating the reasons for said denial.

12. I requested a paper denial notice, and you have not provided it.
13. It has been more than twenty (20) days since you made the decision to deny my application, and I have not received a denial notice.
14. You denied my application and received a consumer report relating to my application. You did not provide me with a copy of this report and/or advise me of my right to dispute its contents.
15. You required more than 200% of the annual rent as income verification.
16. I have a housing subsidy, and you denied my application on the basis of my income, even though my annual income meets or exceeds 200% of my annual portion of rent for the dwelling unit.
17. I have a housing subsidy, and you denied my application based on my credit score.
18. I have a housing subsidy, and you denied my application based on adverse credit events.
19. You denied my application on the basis of my income, even though my income meets or exceeds 200% the annual amount of rent for the dwelling unit.

I (we) kindly ask that you correct or cure your violation of Colorado Revised Statutes §38-12-903 and/or §38-12-904 within seven (7) days of your receipt of this letter.

If you do not correct or cure your violations, I (we) intend to file suit under Colorado Revised Statute §38-12-905, asking for court costs, reasonable attorney's fees, economic damages, and the \$2,500 statutory penalty, when applicable.

Sincerely,

(Printed Name)

(Signature)

(Date)