MOLD FACT SHEET

What is Mold?

Colorado Law defines mold as: microscopic organisms or fungi that can grow in damp conditions in the interior of a building.

Many County Health Departments either sell or provide their residents with free at home mold kits. You may want to contact your health department to see if you can get an at home test kit to ensure the problem is mold.

I think my rented apartment/home/condo has mold, what should I do?

1. Give your landlord written or electronic notice (KEEP A COPY) of the condition that is causing the mold and where the mold is.
   a. IF your lease describes a specific way to communicate with the landlord (tenant portal, mail, email...) you can provide notice this way. If your lease does not say anything about how to communicate with your landlord then you can give them the message the way that you normally talk to them. So, if you normally text your landlord about repairs, rent... you can text them about the mold.
   b. Keep a copy of the notice for your records.

2. The landlord has 96 hours (4 days) from receiving the notice to do the following:
   a. Contain the area that has mold
   b. Stop active sources of water to the mold
   c. Install a high efficiency particulate air filtration device to reduce tenant’s exposure to mold
   d. The landlord MUST keep these measures in place until they are able to remove the mold and the leak that caused it.

3. AFTER the landlord has taken these steps they must, within a reasonable amount of time:
   a. Establish protections for workers AND tenants
   b. Eliminate or limit moisture sources and dry all materials
   c. Decontaminate or remove damaged materials
   d. Evaluate whether the premise(s) has been successfully remediated and
   e. Put everything back together in a way that the mold will not come back.
I told the landlord there is still mold.

What can I do?

If a landlord fails to do any or all of these things, their tenant would have several options including:

- ending your lease
- calling local health departments
- suing your landlord, or
- deducting rent to pay for repairs

For more information on these remedies, see the information on this website - Housing > Landlord/Tenant, including “What is Warranty of Habitability and What Are my Rights”, “CO Warranty of Habitability - additional information”, and “What to do if you Have Bed Bugs” and Pay and Deduct for Repairs (coming soon).